



CITY OF KEIZER

Keizer Storm Water Task Force

Minutes

Date: Thursday, August 7, 2003
Time: 5:00pm
Location: 930 Chemawa Rd NE, Keizer OR

Call to Order:

Chair, Jack Lowery, called the meeting to order at 5:00pm. Jack also welcomed new member Bruce Nopp, representing Marion/Polk Home Builders. Roll call was taken with the following in attendance.

Attendance:

Jack Lowery, John Blake, Rick Roemer, Dave Chamness, Bruce Nopp, Barb Hunter, Francis Kessler (arrived @ 5:30), Tim Smith, Judy Smith, Jacque Moir (arrived @ 5:45pm), Michel Gaynor (arrived @ 6:00), Krista Reininga, Jennifer Belknap, Nicole Tangvald, Rob Kissler, and Bill Peterson.

Approval of Minutes:

It was requested that the hand-outs from URS of the timeline calendar be included in the minutes. Jennifer stated that she would email staff the handout materials and any power point presentations.

Tim Smith moved that the minutes be approved. John Blake seconded the motion. Motion passed.

Staff Liaison Report:

Rob gave a general overview of discussion from the last meeting, which from the request came regarding public dry wells in Keizer. Rob presented a map that marked those UIC's (Underground Injection Control) in Keizer that they had record of; pointing out one that was quite large due to the perforated pipes systems in the storm drain. This is a combination of infiltration into the ground and also run-off to a storm drain system, being a dual type system. Rob also reviewed locations of just dry-wells, with no outlets to a storm drain. There was discussion on the number of dry-wells you could have before registering. URS, the consultant firm on board, clarified that no matter the number of wells, the City would need to register; and that the number of wells would only affect the requirements in terms of the management plan. Public Works will review the map in more detail and then forward the information to URS. The committee discussed the definition of a dry-well, and how DEQ (Department of Environmental Quality) is addressing perforated pipes. Public Works is working with URS and Peterson Engineering to refine this. Also discussed possible options of how to seal off perforated pipes and handle run-off. Rob will send a copy to URS electronically. Rob also reviewed other handouts – maps of drywell locations and the restrictions of drinking water wells within a certain distance of a UIC.

Rob also gave update on the request to get involved in the UIC Monitoring Technical Advisory Committee through ACWA (Association of Clean Water Agencies). Rob attended his first meeting. City of Lebanon may have pulled out of participating on that committee, which left a spot for the City of Keizer to join. This will allow the City to be part of the Consortium, giving the opportunity to have our water analyzed and be trained on the dipping program; taking samples and sending off to lab for testing. This program allows the state to meet minimum requirements on their part also. Rob has pledge some dollars to be a part of that, therefore not having to go out on our own. They are willing to train our staff to become weather watchers - notifying when there is a significant rainfall, which staff would then take dipping samples. Staff will continue with ongoing efforts with that process. This does meet one of the minimum monitoring programs. The goal of ACWA is to educate City's what to test for and how to test – so they can be self sufficient.

Krista commented that out of all the submittals that they received so far in the UIC Program, from all the other jurisdictions, no one except Clackamas County, in their registrations has submitted anything other than just drywells, even though they may have perforated pipes and other UIC's. DEQ has not said anything regarding perforated pipes so that is still very gray area. Even though they are definitely called UIC's, and if you are meeting the requirement you have to register those, nobody else has done it.

Discussion on this subject and if we can prove we are not infiltrating the ground; nevertheless the City still needs to register these. All of Keizer dry wells are shallow. It was suggested that the committee may want to leave that open for DEQ to respond or include in proposal that we are going to seal so many of them. Discussion of how close these can be to drinking water wells, and the criteria for each kind. It was brought forth that it may be possible to operate that storm water system under a permit. In relation to this, Krista referred to headline news in the Oregonian, involving the EPA (Environmental Protection Agency) in Portland. This article reported that out of 9000 sumps, 57 are too close to drinking water wells. EPA's biggest concern is drinking water and Portland is operating these without a permit. This is just a point of interest of what happens if you do not comply. Portland is a Phase I community and the EPA is influencing how DEQ is going to regulate. One of the options discussed before was WPCF permit and when you apply the liability is in DEQ's hands until they give you the permit. The EPA is saying that is not true. Further discussion of the article ensued.

URS Staff Report:

Krista passed out copies of the news article from the Oregonian regarding Portland and the EPA as the discussion moved onto private wells.

The City of Keizer currently does not have an ordinance that regulates individuals wanting to install private irrigation wells or drinking water wells. The committee discussed the process that one has to go through regarding applying for water rights, permits, etc., and the rights of the City, having senior water rights. There was also discussion of the difference in drinking water wells, and irrigation wells being in the upper or lower aquifer. The discussion moved into the developing of subdivisions and the process that the City has the developers go through, abandoning wells and hooking up to city water. Taking into consideration that the City does not know where all the sewer lines are going to be placed and if they came within the 50 ft of the well, the City would be in violation. The developers can challenge this if they have a case. Different scenarios were discussed at length, all coming back to the fact that the City of Keizer does not have a lot of control on this with no ordinance in place; yet the city government has an obligation to protect the citizens. Staff will work on a proposal to present to the committee on the placement of wells regarding location of UIC's. Pro's and Con's were discussed of

developing an ordinance. It was clarified that this is not a common request to install private wells, drinking or irrigation.

Jennifer wrapped up this topic stating there is additional information that will need to be gathered on what the systems are like, how many are problem wells, certainly on going process in the next year for the City to address.

Having discussed most of the updates already, Krista addressed one more information update. At the last meeting, there was discussion of the NPDES II Permit Language, the lawsuit concerning DEQ, why they are moving away from issuing general permits to now issuing individual permits, and what the potential impact would be to Keizer. The reason for the lawsuit was concern on the public's part, that the process for approving permits didn't include allowing them to look at the storm water management plan; it was just looking at the general permit. This opens it up to basically that there will be a public process, and the public can come and comment on your storm water management plan. It doesn't put the burden on the City for that process. DEQ is going to have to do that process, so it doesn't really impact the City – except that there might be some comments on your plan. Rob asked for clarification, if this is something that the committee needs to make a decision on that particular policy issue with a recommendation to council? Or do we rely on DEQ to introduce the public to this document? Or do we recommend to council that we have a draft document that we can have an open house and have people discuss it. DEQ will hold a public hearing either way, but if the City wanted to hold an open house early on in the process, to get an idea of what the hot buttons might be, so they could be addressed before the regulatory public process, that would be an option. Krista reiterated that DEQ will hold this public process, it is a state requirement. DEQ did put out draft permit language. Not a lot of changes from what the general permit had, except they added some language about meeting TMDL (Total Maximum Daily Load) waste load allocations, if and when there is a TMDL developed in your community, which there isn't right now. This will require you, within 18 mo of the TMDL being developed, to go back into your Storm Water Management Plan and provide some assurance that you are meeting your storm water waste load allocation for the TMDL, (which hasn't been set yet). The Willamette will have a TMDL soon, which Storm Water Run-off will have a waste load allocation. Krista commented that the language in the Phase II is so much more flexible than the Phase I, so it's not something to worry about right now.

Krista then reviewed the agenda which included a review of two of the minimum measures from the NPDES requirements. The first one being public education minimum measure and the other is public involvement. She said they would briefly run through the requirements and how they should be met. URS will also give a briefing on what Phase I communities have done, how they met the requirements, then talk about what Keizer is doing now to meet the requirements and what tools are readily available for use.

Jennifer presented on two of the minimum measures of the NPDES Phase II program. The first one discussed is officially titled Public Education and Outreach. Requirements are to implement a public education program that distributes educational material in your community or to conduct equivalent outreach activities. The two issues that need to be targeted are the impacts that storm water discharges have on local water bodies, and the steps that can be taken to reduce storm water pollution. Handouts were distributed with examples of various types of educational activities you could use to meet this min. measure, brochures, fact sheets, surveys, educational programs in schools, web sites, posters, economic incentives, free services, car wash coupons. General strategies for implementing this requirement that other jurisdictions have used are to form partnerships to pool resources and efforts, especially diverse audiences – Spanish, age

groups etc. The second measure is Public Participation & Involvement. Examples of this minimum measure requirement were reviewed. As part of the UIC program, there are also requirements for an employee and public education plan that is a part of the UIC required storm water management plan. It is also a requirement to provide information to the public on the need to register UIC's or injection systems. This could be done during site plan reviews. The committee also reviewed ideas to accomplish this, ie; trainings, fact sheets, etc.

Krista reviewed the tables that showed 4 of the 6 Phase I communities, and what they promised to do in their storm water management plan to meet education public involvement. All of them have at least 1 FTE – that is dedicated to education piece of the project. Nicole will address what Keizer is currently doing that they can get credit for. Also reviewed what neighboring Salem staff is doing, some of which overlaps Keizer. Much of this information can be found on the City of Salem web site, under Natural Resources. Keizer's recycling programs were discussed, along with recycling & street sweeping, noting what could be credited.

Jennifer turned the time over to Nicole who is with URS, as a Public Education and Marketing Specialist. Nicole explained her role in this process and presented materials and ideas on Public Education Outreach programs. Resource Ideas: Regional Coalition for Cleaner Rivers and Streams (many of the Phase I communities participate), ACWA, Salem Natural Resources are just a few.

Key points brought out:

- Implement ED program
 - Impact of storm water
 - Pollution of storm water
- Strategies
 - Form partnerships to pool resources
 - Use existing materials
 - Diversity – age/race
- Public Participation / Process
 - Public involved in implementing
 - Public meetings, task force, volunteers, community clean-up.
- Requirements of UIC – Public Employee – Educating
 - Annual training of staff
 - Fact sheets

Nicole went over what Keizer is currently doing and which of those items they can get credit for. Also mentioned the need to consider what other things may be included; participating in ACWA, falling under county services like Marion Co. recycle program, curb sweeping, etc.

URS presented their suggestions for requirements.

- Short Term (1 – 2 years)
 - Continue with existing activities
 - Add page to web site
 - Billing inserts
 - Storm water fact sheet
 - Expand educational program to include storm water – videos to go into schools.
- Long Term
 - Encouraged getting together with a regional type of effort
 - Advertisement campaign
 - Provide UIC to Public

Public Involvement

- Storm drain marking – door hanging
- Expand city involvement in watershed council
- Add environmental advocate on taskforce
- ½ time FTE

3-5 years – Keep Maintaining

The idea of making an education box for each school was brought forward. The pros and cons of this idea were discussed. No decision made at this time.

Jennifer reviewed table of costs involved of recommendations – keeping cost as low as possible. The largest expense would be that of a ½ time position. Discussion of this possibility ensued, with the point being made that it would be difficult to find a qualified person to only work part-time. The question was raised if it was realistic to have ½ time position, while other cities have full time. Also presented, was the idea to possibly partnership with another city to split the duties and create a full time position, serving both cities. It was brought forth that when considering all this, you need to keep in mind that this is a ‘reporting program’ with permit requirements.

With all that was presented at the meeting, it was agreed that everyone would take time to digest the information discussed before making any decisions. There was discussion to clarify what the minimum measurement was for the City of Keizer; what are other Phase II cities doing? What are we going to commit to in Keizer? What tools are going to get us there? Krista encouraged everyone to keep in mind when deciding what minimum requirements that Keizer wants to do, the benchmark is that your program should reduce pollutants to the maximum extent practicable for Keizer. Comment was made that DEQ will use other Phase II communities to set standard. Krista will research this and report back to the committee.

It was recommended that we try to develop a plan to get us through the first year, and then implementing it over the next 5 years. The committee agreed that they needed to hear all six minimum requirements and then make decisions and outline a plan. Rob suggested that committee members go through the chart, decide what fits our community Keizer, and make a list of the top 10 things to accomplish for Keizer at the next meeting.

Appearance of Interested Citizens:

No interested citizens appeared.

New Business:

No new business brought forward.

Old Business:

No old business discussed.

Meeting Adjourned:

Francis Kessler moved that the meeting be adjourned. Bruce Nopp seconded the motion. Meeting Adjourned at 7:10pm.

Next Meeting:

September 17th, 2003 at 5:00pm.

John Blake will be presiding in the absence of Chair, Jack Lowery.

After discussion on the length and agenda items for the next meeting, a 2 hr. meeting was set.

Minutes Prepared by:

Cathy Meeks