

Stormwater Advisory Committee (SWAC) Notes - July 18, 2012

Attending

Councilor Brandon Smith
Councilor Mark Caillier
Tim Smith
Jeff Cowan (new attendee)
Jon Unger (phone)
Elizabeth Sagmiller
Bill Lawyer
Kat LaFever
Mike Griffin

Committee Membership (Elizabeth Sagmiller)

Jeff Cowan was introduced to the group as a potential new member invited by Councilor Caillier. Jeff works at the Keizer Fire District, and will need to look into any possible barriers to becoming a voting member. Today he attended as a non-voting member.

Stormwater Updates (Elizabeth Sagmiller)

Pipe Cleaning/Inspection Contract:

Keizer has recently started a new pipe cleaning and inspection contract for the fiscal year. The goal is to complete 10% annually. Pacific Int-R-Tek is performing the pipe television inspection, after pipe cleaning by Bergen Construction (sub-contractor). We hope to have enough budgeted this year to complete 30,000 feet of MS4 pipe. The lowest priority grouping of UIC pipe inspections were postponed for the foreseeable future due to budget cuts.

Tim asked if we would budget the same amount each year for this work. Elizabeth explained that there may be adjustment annually based on things like condition of pipe and traffic control.

Groundwater Protectiveness Demonstration Contract:

A contract was also signed with GSI (Groundwater Solutions Inc) to perform a 'groundwater protectiveness' model for Keizer. This protectiveness demonstration has been utilized by a number of Oregon municipalities to mitigate and reduce the most stringent requirements of federal and state UIC regulation. DEQ has responded very favorably to these demonstrations. Keizer will spend just under \$40,000 over two years on the demonstration, with the likelihood of saving hundreds of thousands or even

millions of dollars in UIC retrofitting, decommissioning and additional monitoring (e.g. groundwater monitoring).

EPA Compliance Audit of Salem's Stormwater Program:

The EPA has been performing Stormwater Program Audits of various Phase I communities around Oregon, and Salem has now been given notice of a pending audit starting the end of July 2012. DEQ also sent a letter notifying Salem that their Erosion Control (EC) program has been found to be potentially lacking, and the DEQ will be looking into program deficiencies concurrent with the EPA audit. It is expected that all the Phase I's will be audited, and Phase II's such as Keizer can expect an audit sometime in future.

Councilor Smith asked how Keizer's EC program measured up in comparison with Salem's. Elizabeth answered that Keizer's EC program is currently quite robust, with a thorough inspection program.

Erosion Control Workshop Update:

The first annual Erosion Control Summit, which was sponsored by Mid-Willamette Outreach Group (MWOOG) and hosted by Keizer this spring, was a resounding success. The attendance was somewhat hampered by a direct conflict with another ODOT erosion control training. But there were multiple requests and encouragement to hold the event again next year. Up to 6 CEU's were available for attending the day-long training. Elizabeth is a member of the MWOOG group and will be working to help plan the next event. Tim Smith suggested including engineers listed in the phone directory on the Save the Date email list.

Current and Future Stormwater Fee Forecasting (Elizabeth Sagmiller)

Handouts were given to the group, including a quick comparison of known Stormwater utility rates around Oregon, and a list of forecasted program needs not currently being accomplished under the existing utility rate. The utility rate sheet shows that, of the 13 cities listed, Keizer has the second LOWEST rate (\$3.82 for Keizer, only Lebanon is lower at \$2.94). The average rate listed is \$6.50. This chart was done not as a basis for argument, but simply to give an idea of the current Stormwater utility fees around Oregon. Salem was not listed, because their rates are undergoing a significant change and are in flux.

Keizer currently has an active TMDL Implementation Plan, an NPDES permit which has been administratively extended until the new permit can be issued (new permit has

been applied for), and will soon be receiving a new WPCF permit to regulate Keizer's UICs. The WPCF permit represents a new regulatory program at least as extensive as the NPDES/MS4 regulations, and potentially more expensive.

Discussion:

Tim Smith said it would be nice to see additional information in the Fee Comparison Chart, in future if there's time (such as size of system, service area, population, etc.). Elizabeth confirmed that this was a draft chart put together quickly for this meeting, and more information could be added to clarify differences.

Tim Smith and Councilor's Caillier and Smith talked about how when the first rate was designed, Stormwater was a new utility to Keizer and it was very difficult to get a scope on what services/programs might be needed in the next five years. The original rate was set so low that an increase was necessary only a short time later, in order to keep minimum compliance with the NPDES permit. Implementation of the WPCF permit was not accounted for when the fee was last increased. It has the potential to be a far more costly program. The group couldn't confirm how the \$3.84 fee was determined, but it may have simply been the cost of the two new positions, divided by the number of rate payers.

Jeff Cowan expressed concern over asking for a fee increase when other departments or organizations (fire, police) may be asking for increases as well. Councilor Smith said that the cost of non-compliance with federal permits was so prohibitively expensive (potential non-compliance fees of \$25,000 per violation per day) that a fee increase should not be a hard sell, but more it's just the cost of regulatory compliance.

Elizabeth said there is still a lot of work to do, to really outline the costs of the various regulatory requirements over the next 5 years, but wondered when would be the correct timing be for a requested rate increase. The group felt that, because we've cut the fee so close, and the past two years have had cuts which have put Stormwater programs like cleaning and inspecting behind schedule, the fee increase request should go in sooner rather than later. It was suggested that the needs be documented and discussed at the next 3 SWAC meetings (August, September, and October), and a specific recommendation formed by the end of October. Ultimately the group felt that a Council work session would not be necessary. The final recommendation should be brought before Council for a vote in November.

Meeting was adjourned at 12:25. Next meeting will be scheduled sometime in August.