



## Stormwater Advisory Committee

## Meeting Minutes

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February 4, 2020

### **Committee Attendees:**

Councilor Reid  
Councilor Parsons  
Councilor Kohler  
Mark Caillier  
Anita Panko

### **Staff:**

Bill Lawyer  
Keare Blaylock  
Chance Plunk  
Kaileigh Westermann-Lewis

**Call to Order:** Caillier called the meeting to order at 4:00 p.m.

### **Introductions:**

Introductions were waived.

### **Approve Meeting Minutes:**

Caillier made a motion to approve the October 2019 minutes; Reid seconded the motion. The minutes were approved with all in favor.

### **News and Events:**

Bill Lawyer informed the committee that the Senior Environmental Program Technician Position would be filled. He explained that he wanted to evaluate the position to determine the department's needs before moving forward. That evaluation has been done and the job announcement is expected to be advertised with a few alterations.

Blaylock reported that Keizer was notified of a sanitary sewer discharge to Claggett Creek; the incident was addressed and remediated by the City of Salem.

Blaylock said the 9<sup>th</sup> Annual Erosion Control Summit was a success, with approximately 150 in attendance. The event reached a milestone of registering our 1,000<sup>th</sup> participant. We received positive verbal feedback but event staff still need to evaluate the survey data.

The City has renewed its membership with ACWA<sup>1</sup> – a valuable resource to staff. Staff participates on the Stormwater, Groundwater, and Education Committees.

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<sup>1</sup> Association of Clean Water Agencies (Oregon)

Westermann said that she was working with a chemistry teacher at South Salem High School on a project that would give students the opportunity to apply what they were learning in class to a real-world issue. She explained that students would be educated on stormwater management methods used in Keizer asked to compare two methods: collection systems and UIC<sup>2</sup>s. Students will create models of UICs to analyze performance and functionality. In order to link scientific study to policy decision-making, Westermann proposed that the students provide a culminating presentation to an official body – this Committee. She asked if committee members would be willing to participate in the presentations in May. Councilor Parsons asked if Kaileigh had spoken to CTEC<sup>3</sup> about their interest in doing a similar project. Westermann indicated that this was a pilot project and that she had hoped to bring the concept to other schools like CTEC in the future. Councilor Reid said she could provide Kaileigh with some contacts at CTEC and McNary. With regard to timing, Westermann said the students would begin their work in late February and be ready to present their findings/recommendations in mid-May. Lawyer suggested students present their research at the Committee meeting in May. Westermann thanked everyone for their interest and willingness to participate; she will follow up with the Committee once she has discussed the details with the teacher at South Salem High.

#### **Policy & Regulatory Updates:**

Blaylock provided the following updates:

- Staff monitors the fines issued by DEQ and noted that they seem to be taking a more active approach to enforcement. DEQ recently issued a record \$1.28 million dollar fine to an aluminum recycling company for air quality violations.
- Blair Edwards, DEQ Permit Writer (and speaker at this year's Erosion Control Summit), reported that DEQ was in the process of updating the 1200-Z Industrial permit, expected in 2021, and that a new 1200-C Construction General Permit would be released in mid-December of this year.
- Phase I permittees were in discussions with DEQ to develop their individual NPDES<sup>4</sup> MS4<sup>5</sup> permits.

Councilor Parsons asked about the status of the litigation involving the Phase II communities. Blaylock said that information was limited but the last she heard the court dismissed all but two items; one issue was related to the specified deadlines for new registrants, the other issue was related to the requirements specified in the Post-Construction control measure. Staff will be interested to learn the outcome to see if there will be impacts to Keizer as a result.

Panko asked what the status was for the anticipated DEQ inspection. Blaylock said Ryan Johnson had not yet scheduled the inspection; however, based on a communication that circulated through

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<sup>2</sup> Underground Injection Control

<sup>3</sup> Career Technical Education Center (Salem-Keizer School District)

<sup>4</sup> National Pollutant Discharge Elimination System

<sup>5</sup> Municipal Separate Storm Sewer System

ACWA, we should expect the inspection to take approximately four hours during which time he would be following a template to focus on our progress toward implementation of the control measures in the new permit (particularly with regard to construction and post-construction).

**Program Updates:**

Blaylock moved the discussion to the development of Construction Site Runoff Control BMPs<sup>6</sup>. Blaylock provided a handout that contained a breakdown of the new BMPs along with details about the status of implementation.

CS-1: The City's Construction Site Runoff Control Program was implemented in 2011 and revised in 2013. Staff will continue to implement the existing program until it is revised to meet the new requirements.

CA-2: While the current ordinance is sufficient to meet program requirements, staff is in the process of developing new language to incorporate a more effective enforcement mechanism. As recommended by the Committee, staff is tracking time spent on inspections and addressing violations in order to make appropriate recommendations for changes in the fee schedule. Lawyer added that he and his staff would be working with legal counsel to develop an enforcement protocol that can be executed at the staff level.

CS-3: Blaylock reported that Keizer is a 1200-CN agent and therefore refers projects disturbing five or more acres to DEQ as opposed to the stated one-acre specified in the permit. Our 1200-CN status grants the City the authority to permit projects up to five acres, which spares local contractors from having to obtain double coverage. A brief discussion was had on the how the City's permit fees compare to other jurisdictions and to DEQ's 1200-C permit; the Committee was in favor of adjusting fees fairly to reflect actual costs.

CS-4, 5, and 6: Keizer requires an Erosion & Sediment Control plan and performs reviews of those plans, thus meeting the specified requirements with the exception of providing a template. Staff will develop a template to accompany the existing checklist. Staff is also working to develop a user-friendly guidance document for local construction site operators to navigate the regulations and the City's permitting process. The City also performs routine inspections in compliance with the terms of the permit.

CS-7: While Keizer has an existing enforcement response plan, staff will need to modify the plan to incorporate the specific requirements, which include established timelines for response and compliance and escalating enforcement based on the number of offenses, the type and amount of discharge, and whether the discharge was accidental or intentional. The strategies should be incorporated into the ordinance; the plan must be submitted with the third annual report in November 2022.

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<sup>6</sup> Best Management Practices - *define the strategies that Keizer will use to meet prescribed requirements.*

CS-8: Keizer has an ongoing training program for staff responsible for responding. The only additional requirement is to ensure that new staff are trained within 30 days of their assignment to the program. Training is provided by the Division Manager and/or the Senior Technician, but staff will now document that effort more specifically.

CS-9: Staff has already modified and implemented new tracking procedures to meet the new permit requirements. Survey123® is used in the field for mobile data collection of incidents. The application was presented to the committee in a previous meeting.

The committee had no further comments or questions regarding the handout.

**Next Steps:**

Blaylock reported that she would be working to finalize the draft SWMP.doc to present to the committee as well as meeting with legal counsel to begin the process of modifying the ordinances. She said that her staff was preparing to hold an Illicit Discharge training refresher for the operations staff this month and reported that the GIS Tech was currently performing an analysis of the catch-basin/manhole inspection and cleaning program to prioritize and prepare maps for this year's activities.

**Public Comments:**

None

**Adjourn:**

Caillier adjourned the meeting at 5:09 pm.