Clean Water Services
Clean Water Advisory Commission
Meeting Notes

February 8, 2017

Attendance

The meeting was attended by Commission Chair Tony Weller (Builder/Developer), Commission Vice Chair Mike McKillip (District 3-Rogers), Commission members Molly Brown (District 2-Malinowski), Art Larrance (At-Large-Duyck), Judy Olsen (Agriculture), Erin Poor (District 1-Schouten), David Waffle (Cities), Matt Wellner (Builder/Developer), and Richard Vial (District 4-Terry), and Clean Water Services District General Manager Bill Gaffi.

Commission members Lori Hennings (Environmental), John Jackson (Agriculture), Stu Peterson (Business) and Kevin Wolfe (Business) were absent.

Attending from Clean Water Services were Elle Allen (Development Services Supervisor), Jessica Bucciarelli (Senior Public Affairs Specialist), Nora Curtis (Conveyance Systems Department Director), Laurie Harris (Engineering Technician, Development Services), Mark Jockers (Government and Public Affairs Manager), Kathy Leader (Finance Manager), Jerry Linder (General Counsel), Damon Reische (Development Services Division Manager), and Ryan Sandhu (Field Operations Division Manager).

1. Call to Order
Mr. Weller called the meeting to order at 6:34 PM in the conference room of the Clean Water Services Administration Building.

2. Previous Meeting Notes
There were no comments regarding the Meeting Notes from November 9, 2016.

3. Election of Chair and Vice Chair
Mr. Vial moved to retain the current Chair (Mr. Weller) and Vice Chair (Mr. McKillip). Ms. Olsen seconded. Motion passed.

4. Budget Committee
After a brief discussion, Mr. Weller summarized that Commission members wished to recommend to the Board of Directors that Ms. Hennings, Ms. Poor, and Mr. Weller continue in their current terms as members of the Budget Committee and that Ms. Brown and Mr. McKillip be re-appointed to the Budget Committee.

Mr. Jockers noted the Budget Committee will meet Friday, May 5.

5. Design & Construction Standards Update

The update to the D&Cs (Design and Construction Standards) is primarily driven by new or modified requirements in the most recent NPDES (National Pollution Discharge Elimination System) permit issued to Clean Water Services in April, 2016. The update is being completed in two phases. The first deadline, as specified in the permit, is April 22. Mr. Reische shared progress ***(annotated presentation attached)*** on Phase I of the update since his presentation at the last Commission meeting in November, 2016.

Mr. Reische reviewed feedback from last fall's stakeholder meetings and detailed specific revisions being proposed in response. The goal is to have clear and objective standards but with enough flexibility to accommodate unique circumstances. Most of the Phase I updates involve Chapter 4 of the D&Cs, but there are also changes to Chapters 1, 2, 6, and 9, and Appendix B. Some of the proposed revisions to Chapters 1 and 2 were just released yesterday. Overall, the D&Cs update includes language/rule clarifications and some format changes in addition to the more substantial revisions.

The draft update so far reflects conceptual language, some of which still needs to go through a legal review and refinement in the next few weeks before the official public comment period. All updates and background information are posted on the Clean Water Services website and comments are still being accepted on all topics. It would be helpful to have all comments in by February 21, though Mr. Reische emphasized that comments can still be submitted after that date.

At the earliest, Mr. Reische and his staff will have a final draft of Phase I of the update ready by the last week in February so it can be made available to the public before being presented to the Board of Directors on March 21, still leaving time for an engrossment before the permit deadline if directed by the Board. A January 26 meeting with about 20 people representing a good cross-section of city, builder/developer, engineering consultant, and environmental stakeholders left Mr. Reische feeling that important concerns have been addressed, major questions have been answered, and that there should not be any unexpected major issues coming to light at the last minute.

Mr. Reische observed that Phase I updates could be adjusted over the next couple of years as they are applied to actual projects, and especially as changes related to the new hydromodification regulations in the NPDES permit are incorporated into the D&Cs during Phase II. He is encouraging stakeholders to continue to submit feedback about Phase I changes even after they are adopted.

Mr. Reische noted that based on Commission input at the November meeting, the proposed revisions—including notes explaining the rationale for each—have been released as soon as each section was drafted to allow a longer time frame and more manageable amounts of information for informal review and questions/comments. Mr. Weller said that this was very well done and the approach was helpful and responsive to stakeholders.

Mr. Reische shared a few examples from a draft public comment response document,

which will list each comment, reference to the specific section of the D&Cs, and the staff response. The document will be available in March.

Questions and comments regarding the Design & Construction Standards Update are included in Appendix A.

6. Leaf Program

Background information about the Clean Water Services Leaf Program was presented to the Commission last April. Mr. Sandhu provided a review and asked for input and level of interest from Commission members as staff is considering whether the program's purpose and scope should be re-examined ***(presentation attached)***.

The Leaf Program is not required by the Clean Water Services NPDES (National Pollution Discharge Elimination System) permit. It began more than 20 years ago as a pro-active effort to prevent costly after-hours responses to customer calls about clogged storm drains and flooding. Clean Water Services (then known as Unified Sewerage Agency) started picking up leaves a few times during the fall in certain curbed neighborhoods that regularly experienced problems. Later on, the agency also began hosting several leaf drop-off days each fall. Since that time, there have been changes in regulations, stormwater facilities, and neighborhoods, but the Leaf Program is much the same.

Mr. Sandhu noted that over the past 20 years there have been improvements in design, maintenance, and function of the stormwater system, customers have become more aware and willing to monitor and keep grates clear, and changes in Design &Construction Standards governing developments have resulted in less distance between catch basins as well as designs which allow water to drain under accumulated leaves. He observed that a storm like todays would have generated 200 or more calls in the past, but fewer than a dozen have come in. Instead, each fall now brings increasing calls from people just outside the current Leaf Program pick-up areas who wish to have the same service.

Mr. Sandhu shared a video about the Leaf Program and described the equipment and process. He said the scooping and sweeping in neighborhoods serves about 14% of Clean Water Services direct customers. It is intended to gather leaves from the tree canopy over the public right-of-way, but there is no way to monitor the actual source. Similarly, the drop-off days are intended for Clean Water Services customers, but it is hard to tell if others are also taking advantage of the opportunity.

Mr. Sandhu said neighborhood leaf pick-up has cut down on staff overtime costs related to storm drain clogs and flooding. The Leaf Program costs about $250,000 for the neighborhood pick-up portion—with about 450 dump truck loads collected—and about $50,000 for the drop-off days. For about six weeks each year, 10-12% of the Field Ops staff (8 people) does the Leaf Program instead of doing their usual work—the total staff hours add up to about 1.6 FTE.

For comparison, the cleaning of 1 million linear feet of sanitary sewer lines (to avoid

overflows, which are prohibited under the NPDES permit) requires about $560,000 and 2-2.8 FTE annually. After sanitary and stormwater line cleaning, street sweeping, and water quality facility maintenance, the Leaf Program is the next highest in terms of staff time spent. More time is spent on the Leaf Program than on video-inspecting lines, catch basin cleaning, or water quality manhole cleaning.

For further comparison and background, Mr. Sandhu reviewed the variety of ways that leaves are addressed by Clean Water Services partner cities, which are co-implementers of the SWMP (Stormwater Management Plan) under the NPDES permit, and by other large municipalities in the Willamette Valley.

Mr. Jockers asked if Commission members want an official charge from the Board of Directors for review of the Leaf Program. Based on the evening's discussion, Mr. Gaffi suggested first exploring the economics, logistics, and implications of some of the ideas as background for the Board's decision to pursue or not pursue a review. Mr. Sandhu and Mr. Jockers thanked Commission members for sharing new insights and perspectives.

Questions and comments regarding the Leaf Program are included in Appendix B.

7. Announcements

Mr. Jockers noted that new Commission member Stu Peterson (Business) has participated in an orientation briefing and will be at the March meeting. Mr. Jockers also said that Commission member Erin Holmes (Environmental) has left the Commission due to time and schedule conflicts of new job responsibilities.

Mr. Weller asked about the status of the challenge to the Clean Water Services NPDES (National Pollution Discharge Elimination System) permit renewal. Mr. Gaffi said DEQ (Oregon Department of Environmental Quality) is reviewing the permit in light of the information that was submitted with the petition to reconsider. There is no deadline for completion of the review. Clean Water Services has been and will continue to operate under the conditions of the permit as it was issued.

Responding to a question from Mr. Vial, who recently began his term as Oregon State Representative for District 26 , Mr. Jockers explained that the Board of Directors has adopted a state legislative agenda which includes information from Clean Water Services.

The next meeting is scheduled for Wednesday, March 8.

7. Adjournment

Mr. Weller declared the meeting adjourned at 8:16 PM.

(Meeting notes prepared by Sue Baumgartner)

Appendix A

Clean Water Services Advisory Commission Meeting Notes
February 8, 2017

Questions and comments regarding Design & Construction Standards Update:

1. What is chitosan (referring to "Protocol for use of chitosan" under *Chapter 6—Erosion Prevention & Sediment Control*)?
   1.1. Chitosan (KITE-oh-san) is a flocculant—a substance that attracts suspended solid particles—which can be applied to construction site runoff to trap and settle out sediments before they reach a stream.
      1.1.1. Demonstrations of chitosan are dramatic—adding a few drops to a container of dirty water clears the water almost instantly.
   1.2. Guidelines are needed because even though chitosan is a natural material produced from ground-up seashells, in excess it can create problems in a stream.
      1.2.1. Clean Water Services has been using Washington DOE (Department of Ecology) standards as a guide but now will have its own.

2. Does this (referring to "LIDA & Green Infrastructure Prioritization Concept" slide) mean that enhancing the vegetated corridor on a site will reduce the size of the area you will be required to treat or possibly even eliminate the treatment requirement?
   2.1. The NPDES permit mentions prioritizing both LIDA and green infrastructure. With the possible exception of a situation where a vegetated corridor is approved for use as the treatment approach, enhancement of a corridor would meet the green infrastructure requirement but would not change the stormwater treatment requirement. However, corridor enhancement would accomplish the LIDA prioritization requirement on that site, so the treatment requirement could be met using a non-LIDA such as a vault filter. We want to recognize that placement or use of green infrastructure on a site may have already occurred independently of the stormwater treatment requirement.

3. The City of Portland "credits" tree canopy as a removal of impervious area, as the canopy reduces/slows runoff. This is especially applicable when street trees are planted along sidewalks, and for other linear projects where there is no real storm system available, and is usually a relatively small part of the site. Could a similar idea be considered for this D&Cs update?
   3.1. Yes.

4. If enhancement of a vegetated corridor meets LIDA requirements for the site/project, could storm filter catch basins be used to provide the stormwater treatment?
   4.1. Unlikely; there are no changes proposed to the criteria for use of a filter vault as a public facility.

5. Do any of these various models (referring to the slide showing graphed comparisons of Table 4.1 alternatives for calculating treatment area triggered by the 1,000SF

threshold), in terms of land use policy, favor or encourage "redevelopment" (over other models or options)—what does the builder/developer community think?
   5.1. Existing approach is a huge disincentive; rules are impractical, especially for a small project on a large site, and seem somewhat punitive even for bigger projects.
   5.2. This (slide) is a very useful graphic; the black-and-white version does not show the distinctions between the alternatives, so be sure to distribute the color version.
   5.3. It is not obvious from this graphic, but the treatment area required will never be greater than the area of the entire site.

6. How will the time frame for review (for single-family or single-lot development outside a subdivision) fit with what people will already be dealing with for their building permit (from the county)?
   6.1. There should be some opportunity for overlap with the county and Clean Water Services processes. The biggest challenge will be education—letting people know early on that they need their connection permit to get their building permit so they can do it as concurrently as possible—and perhaps the county can be a partner in that effort.
   6.2. Want to fit the new treatment requirements into a five-day review window; reviews for individual LIDA lots will probably continue to be longer than others.

7. If a single-family homeowner on an all-clay property with no connection to an existing stormwater system (runoff just makes its way to the curb and there is no requirement for treatment) does a 1,001SF addition, what will that homeowner have to do to provide treatment, and is there a requirement for conveyance?
   7.1. Clay isn't necessarily an issue in terms of the requirement for treatment, though it might be an issue (percolation) in terms of how to get rid of that stormwater.
   7.2. Homeowner would have all the same options as anyone else for LIDA.
   7.3. Want to have single-lot requirements be as consistent as possible with requirements for subdivision developments; the treatment requirement would be capped at 2,640SF (the standard for one dwelling unit, used to calculate regional stormwater facility size for subdivisions).
   7.4. The conveyance requirement would remain as it is now—if the homeowner did an addition today and there is increased runoff that they aren't treating on-site, they would still have to get it to a formal storm system. This comes up more often if there is lot-to-lot runoff, which is prohibited by county regulations. You cannot direct new flows onto someone else's property.

8. I think (in reference to #7) you can't overload the existing system—I don't think anything's changing there.
   8.1. But is there a review for that today?
      8.1.1. No; downstream analysis is not currently required for single-family home projects and we aren't proposing to change that.
   8.2. This can be a challenge, especially with infill projects.

8.3. The bigger challenge may come as hydromodification is addressed over the next couple of years.

9. What if the runoff was not "new flow" (in reference to #7)—a homeowner did a 1,001SF addition but the existing drainage pattern didn't change and the downstream flow was not modified?
   9.1. Only change under updated D&Cs would be that homeowner would have to treat the runoff before it left the property—the same discharge approach could still be used. However, there may be county rules that would apply.

10. Has DEQ been participating in this D&Cs update process?
    10.1. Not directly; the NPDES permit does not require a specific check-in with DEQ on the topics being addressed in Phase I. There are DEQ-prescribed parameters within which permit-holders such as Clean Water Services have some discretion. Clean Water Services Regulatory Affairs Division staff members have provided frequent feedback during the Phase I draft process. The permit does specify that Clean Water Services must get approval from DEQ at certain points when drafting its response to the hydromodification requirements during Phase II.

Appendix B

Clean Water Services Advisory Commission Meeting Notes
February 8, 2017

Questions and Comments regarding Leaf Program:

1. Thinking about equity and cost-benefit, it seems inequitable that everyone is paying a share of the cost for something that serves a few; the only way it's justified is if it costs less than what you would spend if you had to go out on the calls it eliminates.
   1.1. We don't have historical comparisons, but looking at it today we'd have to respond to twice as many calls as we typically get in a year to spend as much as the program costs.

2. If you weren't doing leaf pick-up/drop-off, how much would that actually save in the budget—wouldn't those people still be on staff but doing other things?
   2.1. Right; the budget reduction would be minimal as we would not just reduce staffing by 1.6 FTE. There are certainly other beneficial tasks those staff members could do each fall instead of doing the leaf program.
   2.2. Specialized equipment is needed; new machine required every 10 years or so.
   2.3. Leaf Program equipment and staff costs are not a significant portion of the Field Operations overall budget of $10 million.

3. What would happen if you just didn't do leaf pick-up or drop-off?
   3.1. Would interfere with routine street sweeping*; would expect some storm-related flooding calls, but probably not as many as would have come in years ago (because of design and capacity improvements over time); and would create a fair amount of ill will.
   **(staff note: unlike the leaf program, street sweeping is part of the stormwater management plan required under the NPDES permit)*

4. The issue of "ill will" is important from several angles.
   4.1. People get upset because they don't understand why their leaves aren't/can't be picked up when their neighbors' leaves are.
   4.2. People who have become used to having their leaves picked up will be upset if that is taken away.
   4.3. People who have become used to having their leaves picked up for free will be upset if they have to start paying for it.
   4.4. Assessment card responses at drop-off days show it is one of the most popular stormwater-related programs—people like having that option for leaf disposal even though they have to haul their own.

5. If you stopped doing pick-up and just offered more drop-off days and spread them around geographically so that everyone could easily use them, would that have the same effect?

5.1. The tradeoff would be what would happen to the (stormwater) system if people in the former pick-up areas didn't bring leaves to the drop-off days.
5.2. Not everyone wants to (or is able to) haul their own leaves.

6. The cost of drop-off days (which are open to everyone) is already shared by all ratepayers; could you just add a leaf pick-up fee to the bill for each household that benefits from that activity?
   6.1. City of Portland tried a voluntary surcharge, which was not a big success.
   6.2. Having previously lived in a "leafy" neighborhood, I would gladly pay a fee for pick-up.
   6.3. That might also be an equity issue.
   6.4. Not necessarily in favor of abolishing pick-up, but feel the people who are benefitting should be paying.
   6.5. People might otherwise be paying their yard debris hauler per bag for taking away leaves beyond what fits into their yard debris cart.

7. Unless you see a real benefit to the stormwater system from the specific neighborhood pick-ups, increasing the drop-off opportunities just seems like a more equitable way to address the leaf issue.
   7.1. That approach does feel better—everyone has the same opportunity.
   7.2. We've heard how people do come back every year for the drop-off days and even look for familiar staff, so it is almost like a block party atmosphere.
   7.3. Adding/continuing a charitable partnership with a food bank on drop-off days would be a public relations "plus."
   7.4. The change could be phased in; people would need time to get used to increased drop-offs instead of pick-ups, and Clean Water Services would have time to do public education.

8. Sometimes what seems like a rational, logical thing to do turns out to be like kicking a sleeping dog.

9. As the Leaf Program is not a huge budget item and if you would need the same equipment for drop-off days anyway, maybe expanding leaf pick-ups would actually be relatively budget-neutral.

10. Could (or do) municipalities increase yard debris pick-ups during leaf season?
    10.1. Approaches vary, but possibility to engage Washington County solid waste department.
    10.2. Maybe working with solid waste people is all you'd need to do, or at least would be a good first step.

11. From a water quality and temperature perspective, there is benefit from advancing a street tree program; yet that creates some interesting interplay with the Leaf Program.

12. Consider the destination of the leaves—they should not just go to the landfill.

Clean Water Services Advisory Commission

June 14, 2017

5:00 p.m. **Optional Farm Tour**

5:45 p.m. **Dinner for CWAC members**

MEETING AGENDA

6:30 p.m. **Welcome & Introductions**

6:35 p.m. **Review/Approval of Meeting Notes of February 8, 2017**

6:40 p.m. **FY2018 Budget Committee Report**

- Mark Poling, Business Services Director

7:00 p.m. **Tree for All: Past, Present and Future**

For more than a decade the Tree for All (TFA) program (www.jointreeforall.org) has delivered amazing results throughout the Tualatin Watershed and in 2015 alone, more than two million native plants found a new a home in the watershed. These accomplishments have served as a stepping stone for TRA partners as they embark on another decade of watershed health projects. This presentation will celebrate the many great accomplishments of TFA and the factors that have led to its great success. In addition, the challenges and future of this program will be discussed.

Requested action: Informational item

8:25 p.m. **Announcements**

8:30 p.m. **Adjourn**

Next Meeting: July 12, 2017