



OREGON

MARION COUNTY BOARD OF COMMISSIONERS

Management Update Minutes

Monday, February 1, 2021, 9:00 a.m.

Courthouse Square, 555 Court St. NE, Salem
5th Floor, Suite 5231, Commissioners Boardroom

ATTENDANCE:

Commissioners Danielle Bethell and Colm Willis, Laurie Steele, Brian Nicholas, Jane Vetto, Tamra Goettsch, Brian May, Matt Knudsen, Elizabeth Parker, Alex Wade, Barb Young, Lisa Trauernicht, Chad Ball, Jolene Kelley, and Kristy Witherell as recorder.

GUESTS:

Sam Brentano
Anna Rankin

Danielle Bethell called the meeting to order at 9:00 a.m.

INFORMATIONAL:

Discuss Scotts Mills Dam Removal Proposal and Joint Permit Application

- Brian May, Anna Rankin – Pudding River Watershed Council

Summary of presentation:

- This agenda item has been an ongoing discussion with the Pudding River Watershed Council;
- They first came to the Marion County Parks Commission in November 2014;
- In November 2019, the Pudding River Watershed Council came before the Marion County Parks Commission again to bring this project forward; and
- The Marion County Parks Commission has recommended bringing this issue to the board.

Anna Rankin:

- Ms. Rankin sent a letter to the commissioners at the end of December wanting to bring this issue before the board for an update;
- The Pudding River Watershed Council submitted their proposal to the Oregon Watershed Enhancement Board and the Department of Fish and Wildlife continued to partner with the council;
- The regional review team for the Willamette Valley visited the site:
 - They are a representative from the Federal National Oceanic Atmospheric Administration.
- The council was awarded match funding from Oregon Watershed Enhancement Board to cost share with Oregon Department of Fish and Wildlife:
 - The total project dollars between those two entities is \$93,065:

- The council is waiting for funds to be distributed based on Marion County's approval of the project.
- One of the main changes that has happened is the Clackamas County land owner has sold his property:
 - The new land owners want the dam to be removed.
- The structure decreases the amount of fish passage above the falls;
- The steelhead are able to jump the falls, but the additional barrier and the lower flow doesn't make them successful to make it up to spawn above the dam:
 - They end up spawning in warmer waters.
- The City of Scotts Mills supports the dam removal;
- A Facebook discussion group has posted about the dam removal;
- The Statesman Journal has posted an article;
- Locally, Our Town publication has posted an article;
- Prior to COVID, Ms. Rankin spent time doing community outreach on the dam removal issue;
- Most of the parkgoers that swim at the dam are not aware that it is not part of the Marion County park;
- There are several reports from the Stream Functional Methodology Report that are not included in the application, but they are what the Department of State Lands or Army Corps of Engineers will be looking for when the application is submitted;
- In section 13 of the joint permit application, there will be a signature section for the new property owners;
- Need a signature by Marion County, so the council can have the project looked over one more time at the federal and state level:
 - It will take several months to get the permit application reviewed by those entities; and
 - Would like to meet with Marion County in June to discuss closing the park after Labor Day.
- The use of the site will not go away;
- After the removal is completed, it is the intention of the council to reseed and clean up the park;
- The Watershed Enhancement Board will extend the timeline to release the funds to September 2021:
 - They cannot keep holding the money for this project.
- Ms. Rankin is concerned with public safety of the dam;
 - She believes removing the dam will increase recreational value; and
 - The shallow area will not go away.
- Ms. Rankin stated they have a responsibility to correct any environmental impacts that have been made in the past;
- The structure is a problem;
- She believes that she has a responsibility to make it better;
- The council is offering to pay to remove it;
- This is a priority on the state's list for improving the natural resources in the watershed;
- It is the intention of the council for people to continue to enjoy the creek; and

- Ms. Rankin believes that it is a safety hazard.

Sam Brentano:

- Dealt with this issue while he was the commissioner;
- Does not like the concept of removal of dams;
- His family enjoyed playing in the creek near the dam;
- Worried that a change to the area may dry up the pool;
- The other property owner was in opposition of removing the dam; and
- If the dam is removed, he would like a shared responsibility if there are injuries to others where the work was done.

Board discussion:

- The sloped wall of the dam on the right side would be removed;
- The natural flow of Butte Creek during the summer is low:
 - Ms. Rankin believes that the wading pool in the park is not safe for children to wade in late summer due to low flow levels and poor water quality; and
 - She did not do a water study on the pool.
- If Marion County does not agree with the joint application, the council would work with the property owners to improve their side of the creek to minimize trespassing:
 - Would need Marion County to sign off on the project to use the Marion County park to utilize the parking lot as a staging area; and
 - Would rather access the dam at the sloped side, instead of coming over the cliff.
- The stream was a modified mill race fish passage in the 1950's:
 - It would cost \$400,000 more to fix the dam and the mill race than it would to remove the dam.
- The commissioners are concerned there is a lot of focus on fish passage, but no one from the council has given them the data;
- The commissioners wanted the community's feedback on this issue, but they have not received a single email;
- The commissioners requested a community meeting, but it did not happen;
- The commissioners believe that the council wants to remove the dam, but has not had heard from the community wanting this;
- The park is very popular during the summer where children and families enjoy playing in the water;
- The commissioners are not getting a sense that the community is wanting this dam to be removed;
- In Ms. Rankin's letter that was dated December 28, 2020, it states that the project timeline has been extended until December 2021:
 - Ms. Rankin has stated in her presentation to the board that it has been extended to September 2021;
 - The instream work window for the construction ends at the end of September:
 - The project has to go to construction in the stream because of regulations about when construction is allowed due to flow levels.

- Construction will take place after Labor Day.
- The commissioners asked for Ms. Rankin to provide the favorable responses of the dam removal to the board; and
- The commissioners are concerned with the impacts to the park and how people recreate with their families.

East Salem Stormwater Permit Implementation Update

- Matt Knudsen

Summary of presentation:

- In 2007, the Department of Environmental Quality (DEQ) issued a stormwater permit to Marion County;
- The permit runs in five-year increments;
- It allows Marion County to discharge urban stormwater into receiving bodies of water;
- The permit has six major components:
 - Public education and outreach:
 - The county is required to provide outreach to the public for water quality within the specified area.
 - Public participation and involvement:
 - The county has an advisory committee; and
 - Allows people stewardship opportunities.
 - Illicit discharge and detection and elimination:
 - Tracks potential dumping and pollution and ensure that it doesn't occur.
 - Construction site runoff control:
 - Sites that are over an acre are required to have construction site runoff best management practices.
 - Post construction runoff control:
 - Treat the water to allow it to filtrate through before going into the ditch.
 - Pollution prevention:
 - Cleaning catch basins; and
 - Street sweeping.
- In 2018, DEQ issued the county their second permit, which required the county to review their six minimum control measures;
- In the next few years, the county will need to complete the following tasks:
 - Assessment of the county's education outreach program:
 - Communication on reducing pollution.
 - Have an engineering standard consultant:
 - A consultant is working with the county on engineering standards and ordinances, so they match with the minimum thresholds within the DEQ permit:
 - Construction erosion;
 - Runoff control;
 - Post construction runoff; and
 - Needs to be completed by February 2023.

- Over the next year, Public Works will bring information before the board that has been gathered from the engineering consultant, as well as what the advisory committee is recommending for implementing the program;
- Public Education and Outreach Program:
 - Have opportunities for people to pick up trash;
 - Storm drain markers;
 - Held an Erosion Control Summit; and
 - Sees a higher level of stewardship when Public Works educates the community.
- The county holds a Water Day, which is an educational opportunity for elementary students; and
- Hold's field trips at Packsaddle Park to watch the Salmon run.

BEACHIE CREEK FIRE UPDATE:

Brian Nicholas:

- The water truck is still up in Detroit acting as a water dispensary;
- Requesting the National Guard to provide a Water Buffalo in Detroit;
- Fuel in the canyon is an issue:
 - Oregon Department of Energy and the State Fire Marshal are working on a solution.
- Oregon Department of Transportation (ODOT) phase two clean up:
 - Submitted a request for the state to include private non-county roads in the cleanup; and
 - Breitenbush lodge is on commercial lands, so will add to commercial properties request.
- Looking for ways to use block grants to bring consultants in that can devote time to help the cities with their immediate needs; and
- Today at 5:00 p.m. is the hard deadline for submittal to FEMA of the damage inventory and narrative for Category B.

Tamra Goettsch:

- People that are sheltered under the state, which are housed at the hotels, as well as the camps, continue to be fed through the state contract:
 - The Kitchen on Court Street has the contract with the state and continues to provide 2,000 meals a week.
- A staff person from the state is the sheltering liaison;
- The disaster case management team for Marion County is the SIT team;
- Marion County will have two disaster case managers, as well as the one from Linn County:
 - This is helping with staffing to help work with the families.
- To date, 86 families have been interviewed:
 - There are 65 families in hotels and in camps; and
 - There are 32 families that have been housed.
- SIT has made progress with prioritizing housing with the USDA:
 - Worked with three landlords that have large housing stock:
 - Able to get 15 units from the landlords to get families into housing.

LEGISLATIVE UPDATE:

Barb Young:

Summary of presentation:

- SB 464 will be in Senator Burdick's committee and Ms. Young let Senator Girod know there will be a public hearing;
- SB 465 will be having a hearing in the House February 15th:
 - Marion County will have an opportunity to speak from 5:30 p.m. – 6:30 p.m.
- The House Special Committee on Wildfire Recovery is scheduled for Monday and Wednesday from 5:30 p.m. – 7:30 p.m.;
- Aurora Airport bill has not moved;
- The Department of Corrections Funding bill has been assigned to a subcommittee on Public Safety;
- The vaccination bill has not been scheduled yet;
- Monitoring HB 2100, which directs housing and Community Services Department to study laws related to housing and to report findings to interim committee of Legislative Assembly no later than September 15, 2022:
 - Jimmy Jones introduced the bill.
- Commissioner Bethell would like SB 238 to be tracked:
 - It has to do with School Resource Officers.
- The commissioners would like the Sit/Lie bill to be tracked;
- Jami Cate has a meeting with the governor and has asked for talking points on the canyon from Marion County:
 - Asking \$20-40 million for the sewer infrastructure;
 - \$500,000 for immediate assistance for the cities of Gates and Detroit for operating money for two years;
 - \$500,000 for the Wildfire Recovery Program to support the CDBG Program; and
 - \$10-\$20 million for workforce housing.

COMMISSIONERS COMMITTEE ASSIGNMENTS AND UPDATES:

Danielle Bethell:

- Would be helpful to have an infographic with what the symbols on the trees mean up the canyon.

Meeting adjourned at 10:27 a.m.

COMPLETED BY: **Kristy Witherell**

Reviewed by: *Melissa Rounds*