



MARION WATER QUALITY ADVISORY COMMITTEE

MEETING MINUTES

Tuesday, December 21, 2021 @ 5:30 pm
Virtual meeting via Zoom

PRESENT: Members: Richard Walker

Zoom: Mark Grenz, Rick Massey, Zach Diehl, Brenda Sanchez, Brent Stevenson, Rebecca McCoun

Staff: Matt Knudsen, Max Hepburn (MC Land Development and Permit Supervisor in Engineering), Ryan Crowther (MC Capital Projects Manager in Engineering), Brian May (MC Public Works Environmental Services)

Guests: None

ABSENT: Gary White

QUORUM: Yes

ADMINISTRATIVE (Information/Discussion/Action)

Zach called the meeting to order @ 5:32 p.m.

Member and Staff introductions: Done

Public Input: None

Review Construction Erosion and Sediment Control Ordinance

Matt brought up the ordinance via screenshare to show the Advisory Committee. The ordinance changes the current code; it amends definitions and updates them to the current standards based on their permit.

Brent asked for clarification on construction site activity needing a permit; Matt clarified that this is only within the stormwater management area. Max stated that this is referencing our building code, not necessarily our right of way code.

Max stated that the biggest change to definitions is the ground disturbing activities; this now encapsulates all that large development had under its definition. Matt stated that this is straight from the NPDES Permit.

Richard asked about the definition of redevelopment or replace impervious area; Max stated this isn't in the code language, but instead it's a new standard.

Section 15.10.050

Previously large developments meant an acre and above and that definition has been removed. This has been updated to state, “an erosion prevention and sediment control permit is required inside a stormwater management area if construction site activity will expose at least one quarter or an acre of soil.” The large development and high risk were removed and the new threshold of a quarter of an acre was kept, creating one permit in order to eliminate confusion.

Max stated that there is an DEQ Erosion Control template available via the County’s website that can be used. Every project that requires a permit will need to submit an Erosion Control plan, which will need to be designed.

Max asked about common development plans and Matt stated that there are differences as to what DEQ defines as common development and what the County defines them as. Language for common development might be added at a future time as clarification comes from DEQ. Zach asked if they have talked to DEQ about the small lot, 1200C permits for common plan of development; Matt stated they have had group conversations and DEQ believes it would require a permit no matter the timeline.

Matt added “or other phased development” to when an erosion prevention and sediment control permit is required.

Section 15.10.060

Matt stated that this modifies the Section 15.10.060 B, Erosion Prevention and Sediment Control plan primarily, to more specifically detail that the plan must include such as sizing criteria, performance criteria, design specifications, guidance on selection and placement of controls and specifications for long term operation and maintenance, along with appropriate inspection interval and self-inspection checklist.

Rick Massey asked if 15.10.060 B was required with the permit. Matt clarified that the post-construction requirements of long-term operation and inspection information was more for phased or long-term projects. Max stated they were also required in the MS4 permit (Municipal Stormwater), and they are being directed by DEQ for these requirements.

Section 15.10.090

Matt stated that this modifies Section 15.10.090 D and E. D is amended for changes to the site conditions must be updated within the Erosion Prevention and Sediment Control plan. E is amended to, “project phase completion, final stabilization, removal of temporary erosion control measures and permit closure must take place before sale or division of any portion of a development and before issuance of a certificate of occupancy.” Rick, Mark and Zach requested more information and Matt clarified as they have had issues with properties changing hands and the permit still in the previous applicant’s names.

Matt suggested splitting Section 15.10.090 E into two sections, with one being changes in ownership need to be updated and the second being a certificate of occupancy cannot be issued until after the process is completed.

Matt pulled up the MS4 permit and shared via screenshare. Max stated that the moment DEQ

issues an Erosion permit, its on the owner to complete the process and update it along the way.

Zach provided Matt with the Standard Erosion Control Plan for the City of Salem and Matt shared it via screenshare. Zach stated that each house has its own Erosion Control Permit; the fees go to the permit holder. With each home having its own Erosion Control Permit, this reduces delay.

Matt stated that an internal conversation has to happen to see if a process like the City of Salem's would work for the County. Brenda suggested adding in verbiage stating that once the project goes from the developer to the builder, the permit be transferred over as well; Matt stated that that would be discussed during a County internal meeting.

Richard asked where the language of Section 15.10.090 with storm event came from, specifically the ½ inch of water. Max clarified that the language came from the previous ordinance.

Matt will send out the documents, with the highlighted changes, to the advisory committee.

Section 3: Severability

Matt stated that this is a legal portion of the document; this states that if any part of this is deemed unlawful, it does not mean that the entire document is.

FUTURE TOPICS / EMERGING ISSUES / OTHER BUSINESS

Other comments: Matt stated that the language will be reviewed by County staff and asked for committee members to send suggestions to him.

Matt requested Zach send any other plans for reference over to him.

Brenda thanked the staff and committee members for the meeting.

Matt thanked the committee for their attendance and comments/feedback.

Adjourn: Zach adjourned the meeting at 6:52 p.m.

NEXT MEETING: TBD via Doodle poll