

MARION WATER QUALITY ADVISORY COMMITTEE

MEETING MINUTES

Wednesday, October 21, 2020
5:30pm – 7:30pm

Public Works/WebEx
5155 Silverton Rd NE
Salem, OR 97305

PRESENT: **Members:** Brent Stevenson, Mark Grenz, Brenda Sanchez, Rebecca McCoun, Zach Diehl, Rick Massey, Richard Walker
 Staff: Matt Knudsen, Alex Wade, Elizabeth Parker

ABSENT:

Action – Approval of Minutes

Zack Diehl opened the meeting at 5:33 p.m. Rick Massey motioned to approve the February 12, 2020 meeting minutes. Mark Grenz seconded the motion. A voice vote was unanimous. Motion passes.

DEQ Audit & Annual Report

Matt reported that the DEQ audit and annual report were conducted under NPDES - Phase 2 – Municipal Water Permit. It started in April/May; there wasn't a walkthrough due to COVID-19 restrictions, so we filled out form to show proof of audit. The audit was split up over a few weeks and gave them information in parcels. They gave us a document to fill out, which was a good opportunity for Alex to get familiar with program and go through the program in detail. They provided feedback and comments in the following areas:

Education and Public Outreach - they were very impressed. Staff posts reports to website.

Discharge – they were over all very positive in this area. The ordinance doesn't need to be updated; however they did ask us to write an escalating enforcement procedure for county response for illicit discharge.

Dry Weather Screening Program - we need to work more on this program. Staff will write procedure guidelines, field screening parameters, and action levels. Sampling guidelines will be developed for if we can't identify source.

Construction and erosion – we need to update our county code. We started look at this and the threshold has shrunk. We will have to meet the permit requirement in this area.

Enforce procedure to standard education – we've done some work to better track and document inspections for sediment control. We're checking all boxes, but not tracking. We're also working on making a more robust process to make sure we meet these requirements.

Matt was pleased that DEQ was positive about our program. We're wrapping up the annual report, which is from March 2019 to June 2020. 3/19 – They've changed the format to document areas by means of a series of questions about the program. This is for the entire program, not just four control measures. We will mail out on Friday and put on our website for public review. Rick asked on site minimum requirements, what was number change, etc. Alex confirmed ¼ acre or 10,090 square feet. Matt K will give more a more detailed process as to when the county will be involved with stakeholders. Regarding ordinance and standard changes – we will work through with the advisory committee and then report recommendations to the Board of Commissioners.

Matt introduces Alex Wade as the new Environmental Specialist. Alex started this position, and one month later, DEQ said they wanted to do an audit. DEQ wasn't sure how to do the audit with COVID-19 restrictions in place, so they did an "at-distance" audit. As Marion County was their first "at distance" audit, we provided them with a couple sites to look at.

Matt shared that Alex had done exceptionally well at learning the program on the fly, while becoming familiar with the process. Alex was able to evaluate our outreach and education program, ensure regulatory compliance, and build upon the successes in our program.

Matt stated that DEQ expects us to meet all the new requirements within three years. We will have challenges with the new permit. MWQAC will help make sure the county isn't putting something out that isn't implementable in the field. Regarding the annual report, this is the first with the new permit. With this new format, we did a 60-page narrative, and now the document we fill out is about 20 pages. Alex went through the document for the entire five year term. There are some findings that weren't urgent, and we'll work on these at a later time. Matt commended Alex for stepping up and being productive while learning the program.

Engineering Design Standards

We have a contract with Brown and Caldwell to consult with Marion County on design standards and processes in order to meet permit requirements. Matt shared that the initial kick off meeting is on Monday. Brown and Caldwell will give us a gap-analysis between what current standards are and what the City of Salem's are. We chose the City of Salem because they're local and we want to promote continuity. When properties will be annexed, Salem's standards are similar. MWQAC will assist us moving forward in working on the gap analysis, and also help us identify work sessions with stakeholders. MWQAC will engage the Board of Commissioners to review and provide recommendations. We are still in early stage, so we have time to get standards in place.

Background problem in making quality decisions; post construction, the way the general permit in current state, might change with litigation in play right now. It could possibly change how we move forward. Brent asked issue with lawsuit.

Mitigation:

Matt shared that the permit mentions cause or contribute to water quality violation. This is difficult for any entity to meet – concept is good but difficult to play out in field. There is an issue with double loop requirements. If you can't meet retention standards, you have to treat and meet retention standard. Our plan currently would be to run standards past DEQ and request written approval if litigation isn't wrapped up be careful. Instead of suggesting or allowing off litigation for people who can't meet require retention or water quality, it requires the permittee to do litigation off site.

All of these items were noted and communicated before it was issued. Some of permittees sought litigation, but DEQ continued to move forward. Based on our knowledge of the permit, Public Works will seek approval before adoption.

Richard asked regarding gap analysis, if Marion County was reaching out to City of Salem staff who might know how this functions better? Matt stated that we will continue to communicate with the City of Salem engineer. One of our concerns we're making sure the system is maintainable. It could meet the intent of standard, but may not meet maintainability. Matt will make note.

Santiam Canyon Fire Damage Update

Santiam Canyon Fire update – Matt mentioned that Rebecca and Watershed Council are involved. Her team is doing a lot of work up there and we appreciate their efforts and input. Matt shared a presentation from Marion County Public Works Environmental Services. The county has a lot of infrastructure – roads – in the Santiam Canyon. Initial stages after fire indicate massive destruction. Marion County has completed initial assessment of our facilities – first screen was conducted in the first week after the fire. At the first assessment, it was still smoky.

Gates Hill Rd – vegetation off road issues. We have contractors logging some of these areas as well as power companies. In meantime, we're making sure we have erosion control material down.

North Fork Rd – significant culvert damage on North Fork Road. Logging and erosion control measures are in place. Many roots of trees are burned/still burning, which will increase chances of erosion and slides. The initial phase will be seeding, and we've already seen vegetation coming back. One of our main focuses is erosion control. We're working with BLM to contact property owners and will promote continuity and duplicating efforts. On some roads, we only have a certain number of feet in right of way.

Parks: it is heartbreaking for our parks staff at Marion County. A Marion County vehicle was destroyed, access to the river at a few parks was destroyed as some were built from wood. All Marion County Parks are closed and we'll be doing assessments and working with landscaping and engineering entities to bring back our parks to better than they were before the fire. It will be a long road – many, many years.

Epart: this group will look for landslides and potential structures that may be impacted by landslides. One major issue is debris moving in water. Debris flow is significant after fires. We have efforts in place to mitigate debris flow and vegetation turbidity. The Beachie Creek fire damaged area is one of the largest and devastating fires ever recorded in Oregon. Epart allows us to respond with a better knowledge base

Rebecca shared that the Watershed Council is doing site visits with property owners and erosion control and mitigation. They used City of Salem grant funds to purchase straw, and they have volunteer in Mill City spreading straw. Over 90 land owners were contacted as we triaged and advised to use straw bales near rivers. Slope of less than 30%.

They were able to get funds from the Marion County Water District to fund an engineer to look at sites in Marion County and provide solutions. The Watershed Council also applied for a 50k grant from City of Salem. Rebecca was able to visit seven sites on Monday. As trees are still falling over, there will be significant landscape changes, so they plan to wait before making major investments.

Rebecca hasn't gone past Elkhorn/Ruth streets and doesn't feel comfortable on the main road with falling trees. Brenda asked if Marion County will receive funds to help replace culverts. Matt reported we're looking at many options including FEMA and OEM to cover some/all expenses. This falls under emergency clause, so it's 100% reimbursable. If not, 70-70% covered. NRCS is working on an equipment program for property owners who will be doing large agriculture timber projects. Rebecca's teams are helping property owners who need emergency erosion control materials, but funding is limited.

2021 Preview

Alex provided an overview of 2021. There is talk about NPDES and TMDL issues possibly on the horizon.

Education/outreach: we are planning an erosion control summit in January with the Mid-Willamette-Outreach Group to be held via Zoom. Another project will be having volunteers do some storm drain marking – still in background check. We will review and update the Environmental Services website and storm water management plan. Alex mentioned that they've started talking with dog services to perhaps reinvigorating the "scooper program. "Trash Tuesday" is also being looked at.

We are drafting an escalating enforcement procedure for illicit discharge protection and elimination as there have been recent issues in this area. Stormwater crews are working on map to confirm structures, outfalls, and make sure they're in the right places. Regarding the dry weather component, we've been doing the screening and will track and document more requirements to meet all requirements. Alex noted that we will be escalating the enforcement piece and tracking

dry weather flows, which is turning out to be exciting. Standardization will help as well as having experiences to document in writing.

Dry weather screening- we will be documenting priority locations and putting in a stormwater management plan this year. Alex will be working on construction erosion and sediment control in 2021. He is continuing to work with the Marion County Engineering Department to find solutions for job tracking and document inspections; standardize the procedure. MWQAC will be hearing more about this as we request feedback and ultimately provide recommendation to the Marion County Board Commissioners. Our goal is to develop plans and procedures for long term maintenance and have good housekeeping management practices for ongoing improvement. Matt stated that the key focus in 2021 will be documentation. The permit is documentation heavy for permit requirements, thus the amount of documentation will increase considerably. Matt shared in closing that Alex will be very busy in 2021, and his work, progress, and enthusiasm is very appreciated.

For 2021, MWQAC will continue to have quarterly meetings, starting in January. Matt plans on scheduling a follow up meeting to go over draft and ordinance language. This will be a rough draft as we brainstorm, conduct gap analysis, and look at all sides of how this will be.

Happy Holidays, Happy New Year – have a wonderful holiday season. Meeting was adjourned at 7:00 p.m.

Next Meeting:

Thursday, February 25, 2021