MARION WATER QUALITY ADVISORY COMMITTEE
MEETING MINUTES

Thursday, February 25, 2021
5:30pm – 7:30pm

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

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

ABSENT: Rick Massey

Action – Approval of Minutes

Zach Diehl opened the meeting at 5:32pm. Mark motioned to approve the October 21, 2020 meeting minutes; Richard Walker seconded the motion. A voice vote was unanimous. Motion passes.

Modification to minutes: remove Andrew as being in attendance. Elizabeth Parker will make the modification and send the revised minutes to the group.

Gary White: New applicant for MWQAC

Gary introduced himself to the group. Gary is from Oregon and has a background in culinary arts. He then transitioned into senior living projects in Washington, Oregon, and California. As his family enjoys the outdoors and boating, Gary would like to be involved in a role allowing him to contribute to clean water, infrastructure, and water quality in Marion County. Commissioner Cameron advised him to apply to this committee, seeing it as a possible good fit. Each Advisory Committee member shared their backgrounds and how they came to be part of this group.

Engineering Design Standards

Matt led the discussion on engineering design standards and permit details. Post construction in this context is storm water infrastructure that is intended to reduce pollutant-loading from storm water coming off new and redeveloped sites. This is intended to provoke conversation and thoughts for ultimate recommendations to staff, and will lead to language to be included in the standards recommendations to Brown & Caldwell (BC). Setting the language aside for now, we will be looking at impacts and long-term sustainability.

Our goal is to develop stormwater standards that meet the phase-two permit requirements and to engage staff and stakeholders to identify and resolve key policy issues. We will need to develop consensus and understanding for a clear project path moving forward.

Overview: project management, policy and technical issues, resolution of key policy decisions, and the stormwater design manual. Richard asked if they reached out to Keizer – Matt will have to confirm with BC. Matt shared that we're currently doing internal and external outreach and will provide feedback to consultants. Today, the topics are retention through operation and maintenance.

Phase II Permit 2021 Review: this flowchart shows Marion County storm water quality treatment requirements over an acre, water quality requirements. Review thresholds that Marion County needs to change, retention required, and LID Green Infrastructure.

City of Salem requirements for water quality: if project single family over 1300 sf, they have to have water quality standard. City of Salem standards: thresholds are more stringent than are required for Phase two; Salem is closer to meeting the phase two requirements; Salem predominately prioritizes green infrastructure and infiltration; Salem defines MEF and does not include a specific retention design storm. Richard commented that Keizer is still early in the process.

Question to consider: threshold for Triggering Requirements. Permit requirement….project sites discharging stormwater to system that create or replace 10,890 SF or more of new impervious surface area; currently, Marion County is one acre, Salem is 10,000 sf. Staff recommended to update threshold to ¼ acre. Marion County has an area with high urban density and not a lot of developable land.

Mercury TMDL. We have 18 months to work on the Mercury TMDL requirements, tailoring it to make sure it blends together well. Brent said basically, we're just trying to think if additional requirements between ¼ acre and 10k sf should have issues flagged for committee. Richard asked if we knew why Salem went with 10k sf. Zach said when the analysis was done on commercial projects for past three years; it was the threshold that would catch the 80% number.

This only applies to stormwater management area in East Salem, and the pocket that runs to Fruitland, stretching to Hwy 22 approaching Aumsville; urban areas as defined by US Census. Most of Marion County's acreage is in rural areas. Matt stated that if the developer can design something so it's not discharging to MS4, this should meet minimum design requirements. Alex mentioned that the definition of MS4 is important as well – reference definition off the permit.

Numerical Stormwater retention requirement: volume based method, storm event percentile-based method, annual average run-off method. No current standard for retention keeping water on-site.

Treatment calculation use rational method, use of hydrograph method, and WQV is required for treatment facility design. It shall be based on the volume of runoff from the WQ design storm event. Examples: WES = 0.5; Lake Oswego =10-year, 24 hour storm event – treatment storm is 1'; Gresham = 1.2 storm, water quality storm – 80% of average annual runoff.

Matt stated that the recommendation provided at the workshop was to use Salem's 1.38 as the standard. Conversation was that Marion County was ok keeping WQ standard the way it is. Soils don't infiltrate well in East Salem.

Conversation regarding 1.38 – this is for retention. Richard said that is a high standard for soils in East Salem and will be difficult. Mark commented we'll have a hard time figuring out how to retain that amount of water. Matt and Alex agreed with Mark. Alex asked if anyone in group has been involved with a project at this level; what would a more reasonable target? Mark stated that in the area of Cordon Road in South Salem, the infiltrates are less than ½ inch per hour. The northern part of Marion County had a project that Richard reviewed; some infiltration rates in this area are at 3-6 inches per hour. How to offset the inability of retention? The group doesn't see that being a blanket standard over the entire county. Richard noted something missing from Salem's gap analysis - they have a standard for hydro and a retention standard; the City of Salem has a requirement to match to two year storm. Over threshold for release rate – Mark agrees this would be a better overall approach. Mark said at Keizer Station runoff is 100%, but in South Salem off Cordon Road and Gaffin Road, there is very little infiltration. Matt will take these comments to staff.

TSS reduction requirement included in standards: Marion County and City of Salem currently do not have. In the end, the recommendation from BC, which staff agreed with, is to use the Oregon City simple language- WQ facility designed to capture 80% of the average annual runoff. Matt stated that there is nothing specific to TSS outside of the DEQ requirement; just a simplified version that shouldn't impact a project. Mark said City of Albany has a similar approach; they established a design criteria for sizing and met the standard by design.

Brent asked if there are standards that would change regarding mercury. Matt said he believes we'll meet the standard, but not in rural areas; we have four and a half years to comply. He also noted that the TMDL doesn't blanket the county with the highest standards – don't treat agriculture same as urban.

Brenda asked if the system can treat 100% of suspended solids. Matt said it depends on if there could be a system that would remove 100%; Marion County is looking at the cost benefit analysis. Type of green infrastructure may not be as applicable to rural areas. Initially talking 88% for rural grounds. Matt said when it comes to rural areas, tools like this won't be impactful. Brent stated that Stayton and Aumsville are not impacted. Marion County doesn't have a highly urbanized area in South Salem. The Department of Agriculture has a large part to play in the TMDL.

Richard asked if this means that Marion County will develop its own BMP sizing tool. Matt stated yes, some sizing tool. Richard said that the City of Salem doesn't have a TSS requirement, but thinks Salem will have to have approved methodologies to show they meet TSS requirement. (i.e. rain garden) Will Marion County, by having approved devices, be meeting the requirements and threshold? Matt said it's already proven if using sizing tool.

How should feasibility be defined for infiltration? May develop exceptions/alternative compliance procedures. It also states that for project sites, requesting alternative compliance requires an evaluation of the written and technical justification.

Recommendation: BC and Staff agree to pull feasibility criteria into a more prominent section related to retention and infiltration. What other items should we list? Are the recommended criteria reasonable? Any there items that shouldn't be on there? Will underground utility vaults be a limiting factor for meeting post-construction storm water quality requirements? Richard doesn't know why an underground utility vault would make a difference…just physical limitations. Mark – may want to look at size criteria as there is new information on storage and water. Richard says specific requirements regarding setbacks and proximity should be determined and communicated.

The last section asks if the county would like to include alternative compliance options. If a developer can't meet treatment standards, should we have alternative compliance? Alternative compliance examples: ability for a developer to pay instead of mitigation with bank, off site mitigation, and groundwater replenishment program.

Current standard – we have NONE. Salem standard – may allow a developer to enter into a voluntary agreement with City of Salem for the payment of a fee in lieu. Mark wouldn't throw out payment in lieu option –take the money and use for higher-quality facility down the road. Mark said Salem has never offered this as an option. Richard – public vs private portion – so county isn't maintaining small facilities. Staff looked at this as a private program, not public. Richard also commented that staff shouldn't take payment in lieu off the table. Brent stated that the potential with quantity, reservoirs, could be offsite mitigation. Zach agrees with Mark and Richard regarding projects crossing over city limits; pay for instead of two completely different facilities. Matt asked for any other comments or discussion; changing perspective is important.

Matt is going take notes from this meeting and what we heard tonight to establish the nuts and bolts of how to move forward. Matt doesn't want to misinterpret any comments tonight, and asked the group to email thoughts to Matt.

Matt asked Gary for his first impressions. Gary stated that as Salem is growing, it is important to understand the regulations and standards, and he's happy to be a part of the discussion.

Matt reiterated that this is going to be a project lasting for approximately one year. We will go through the remaining items at our next meeting and then move on to construction erosion. Matt also mentioned that later in the year, MWQAC may want to form a sub-committee to dive deeper into the higher technical information.

With no further comments, Zach adjourned meeting at 7:01 p.m.

Next meeting is on Wednesday, March 31, 2021; we will have a larger conference room to allow more to meet in person.