



CITY OF BEND

## Stormwater Quality

### Public Advisory Group Meeting Summary

Thursday, December 6, 2018 9:00 AM – 11:00 AM

City Utility Annex—Eisenhower Conference Room

**Attending:** Barbara Rich (Citizen at Large); Todd Cleveland (Deschutes County CDD); Frederick Moore, Krista Ratliff (DEQ); Karna Gustafson (COBA); Scott Wallace (Wallace Group/Bend Chamber); Lawrence Klein (Wylder Solutions/Citizen at Large); Tom Headley (Century West Engineering); Sean Mulderig, Steve Prazak, Wendy Edde (City of Bend Utility); Brad Mandal (City of Bend-CDD)

#### Key Items Discussed

- **PAG Appreciation Recognition.** City staff recognized members who have served and recently retired, and thanked all the Public advisory Group members for their efforts, especially with the density and drainage discussions over the past 20 months.
- **“One Water” New Customer Brochure Review.** Attendees generally approved of the brochure, intended to be a first introduction for new customers to the Utility Department, as currently the first introduction has been a bill. Members commented favorably on the inset tabs, good graphic design and clear concise information. Scott asked how they will be distributed—the first small run has been distributed during education programs as we received feedback. Ultimately they will be distributed to all new customers with the design such that it can fit into an envelope with the initial bill.

#### **DEQ Municipal Separate Storm Sewer (MS4) Phase II NPDES General Permit**

**Overview.** (DEQ’s final General Permit (<https://www.oregon.gov/deq/wq/wqpermits/Pages/MS4-Permits.aspx>). Bend’s existing permit: <https://www.oregon.gov/deq/FilterPermitsDocs/ms4Pbendp.pdf>) Wendy reminded attendees that the MS4 permit is for stormwater draining to surface waters, such as our Deschutes River. Wendy provided a brief overview of the General Permit released by DEQ on November 30<sup>th</sup>, along with a history of MS4 NPDES permitting including the remand rule. Whereas the City’s current MS4 permit is an individual permit, this permit is meant to cover all MS4 Phase II’s across the state. Wendy recognized the difficulty in trying to craft a permit that meets maximum extent practicable requirements for municipalities as small as 1,500-2,000 population and City’s like Bend that are growing by more than that each year. Wendy shared that the Upper Deschutes River does not currently have a TMDL, but there are pollutants of concern in the river and DEQ will create a TMDL for the

Upper Deschutes in coming years (they have one TMDL development ahead in the Eastern Region to complete before developing the one for the Upper Deschutes).

Wendy noted the cause or contribute language that the City has commented on in previous drafts remains, but the requirement to inspect septic systems (which is under the purview of the county or state) is no longer in the stormwater permit. Wendy noted that the permit does not require stormwater monitoring—the City monitors stormwater in its UIC permit and monitors ambient water quality in the river but not the direct pipe outfalls. The City has 60 days to determine whether or not to accept the general permit, apply for an individual permit, or take other action. City staff are currently analyzing the permit in detail with respect to the MEP standards that Congress set out and the City's ability to implement.

Karna asked what the implications to the everyday builder or person are. Wendy indicated that the City is still conducting review but one item that she noticed is that the Stormwater Management Plan will need to be updated yearly and post construction controls may see an increase. If the City were to go with an individual permit, this permit would be the starting base for creating an individual permit. Phase I permits included commercial/industrial inspections and river monitoring, which could be negotiated into an individual permit.

Scott asked if the regional Central Oregon Stormwater Manual (COSM) is part of the permit. Wendy indicated creation of the COSM manual was one of the tasks in the City's first integrated stormwater management plan (ISWMP) that the City developed as part of our 2007 permit, which is currently administratively extended, and that ISWMP became a part of the permit. So the development of the COSM was part of the permit. The COSM was first released as guidance in 2008 and comments were taken on it during the first couple of years of use. It was then revised in 2010 and that version was adopted as design standards in the City's Standards and Specs and in our Bend Code. There is a potential that permit requirements especially related to post-construction controls will result in changes needed to the COSM (at least for Bend). In answering a question as to whether other changes are needed for the COSM, Karna indicated that in general, not taking into account permit requirements, she does not feel a revision is necessary.

- **Density and Land Use.** Attendees discussed the recent lot size reductions passed by Council for duplex and triplex lots to help meet density requirements. Karna indicated that the goals are to work to reduce the commute miles traveled by bringing people back to within the existing city limits and make living affordable. Lot size has a direct effect on density, but lot coverage may but does not necessarily have a direct impact (given that one could build multistory and have the same or more density). Brad indicated that the affordability of a connected triplex would not have been practicable for a connected triplex. Lot coverage has not changed yet though there was a push for a 0.6 scaling ratio minimum for floor area to lot size. Council will also be considering proposals for tiny homes on wheels, and building requirements in upcoming meetings.

The PAG did not have any changes to the summary document or the two-page fact sheet summarizing PAG priorities and recommendations related to density development and stormwater. The documents provide guidance to City staff for improving the stormwater program. PAG members expressed support for City staff to present to Council about the links between stormwater and land use and the input provided by members on the density and drainage issue. Wendy indicated that Ryan had suggested taking a presentation to Council about April, once the new Council is seated. Staff will begin work on the presentation.

- **Additional Updates.** Due to time constraints, time given to the remaining items on the schedule were truncated.
  - Wendy indicated that City staff are currently conducting online surveys of Clean Water Works Partner main contacts and employees, and about to start a general public survey that will be released in January to avoid conflict with the City's community survey. The public survey will use questions asked before so comparisons can be made. She asked PAG members to help spread the word when released to help maximize the number of respondents.
  - Staff are currently working on field verifying water wellheads and the status of drill holes in time of travel areas so that we can ensure our UICs are being protective of water quality. The City is also having a summary analysis prepared of our ambient water quality data. City staff are planning a new and redevelopment themed workshop for the spring, to be focused on better site design and the breadth of options available to allow flexibility in design.
  - Staff across the City are working on the biennial budgets for the FY2019-20 and FY2020-21 years now. Department Heads will review the proposals in January and the process will move forward with City Hall review, Budget Committee review and Council review prior to final approval in May/June.

### **Key Decisions Made/ Action Items**

- If PAG members notice any changes needed to previous meeting summaries, contact Wendy.
- Wendy will share the link to the Clean Water Works public survey in January and PAG members will forward as they feel comfortable to help get a large number of respondents.
- PAG members with ideas for the workshop or early budget preferences should contact Wendy.
- Wendy will make changes to the incorrect cell phone listings in the PAG roster.