

**OAK LODGE SANITARY DISTRICT  
SURFACE WATER MANAGEMENT PROGRAM  
CITIZENS ADVISORY COMMITTEE  
Summary of December 19, 2011, Regular Meeting**

The Oak Lodge Sanitary District Healthy Watersheds Citizens Advisory Committee met on Monday, Dec. 19, 2011, from 5:30p.m. to 7:19p.m. in the Conference Room of the Administration Building, 14611 SE River Road, Oak Grove, Oregon 97267.

**Committee members present:** Jim Ferriss  
Tom Civiletti  
Edith Coulter  
Lynn Fisher  
Jerry Foy  
Carl Poston

**Oak Lodge Sanitary District staff members present:** Brett Arvidson PE, Manager of Planning and Engineering; and Markus Mead, Administrative Services Specialist.

**Consultants in attendance:** Libby Barg of Barney & Worth and Rolan Igloria, of HDR Engineering.

**Members of the Oak Lodge Sanitary District Board of Directors present:**  
Terry Gibson, Board Representative to the Committee

**1. SWM Program Update**

Walta Vista: Mr. Arvidson held a neighborhood meeting on Nov. 15<sup>th</sup>. The residents' opinions were divided between desiring the project and those that desired the status quo. There is a geographic correlation that those upstream that realize the flooding desire the culvert expansion and those that live downstream and fear flooding desire the status quo.

MS4 Permit: The draft application was returned to OLSD. There may be a public hearing at some point.

The District area experienced a high rain event on Nov. 23. Walta Vista Culvert backed up. This was less than a 5 year event.

**2. Article 5 Overview / Discussion**

Mr. Iglorai led the Article 5 overview. He will also lead scenarios for permit thresholds.

Activities triggering an EC permit: Referencing Article 3, he summarized the permit

thresholds. An EC permit is required if there is land disturbance between 500 square feet to one acre; or, referencing Article 5, if disturbance of greater than 250 sf within a designated buffer area.

Activities not triggering an EC permit: Any existing development. Any activity that is not disturbing less than 500 sf of disturbance or less than 250 sf within a buffer. There is no retroactive enforcement. **The ordinance adoption date should be referenced for retroactive actions.**

Page 28. Section 5.6-1 a revised table is shown. The sensitive area categories are reduced from previous versions.

Page 29: 5.6.023 referencing trees (sections 8 and 9) were revised. Section 8 references existing vegetation. District would have the prerogative to ask that it's removed. The buffer widths vary due to watershed area and/or stream size. A smaller stream yields a smaller buffer.

Discussion ensued about Section 9: "encouraging trees to remain" and how it would accomplish this goal. Mr. Arvidson described that the District would not restrict any tree removal. Mitigation tree planting within the buffer is the mechanism used to gain shade which yields lower stream temperatures. Discussion ensued about mitigation ratios and tree types. DEQ uses a 4:1 ratio for shade creation; which is the same ratio proposed by this draft ordinance.

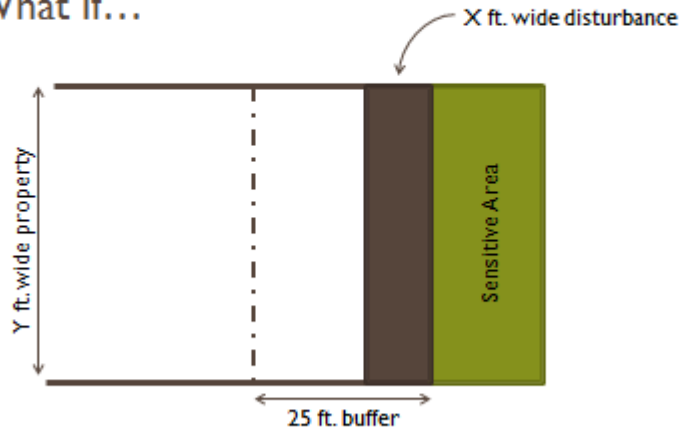
A question was asked about justification of removing tree in buffer zone. Mr. Arvidson responded that the District is not concerned with removal rationale, but performance of shade and vegetated buffers for temperature and water quality filtration. The District would not regulate removal rationale.

Ms. Barg and Mr. Igloria led Article 5 scenarios of permit-triggering activities within and outside of buffers. The code provision for permit-triggering activity within a buffer was proposed to be 250 square feet or 10% of the buffer area whichever is less. For example if the buffer dimensions are 50'x25' then up to 125 feet of allowable disturbance area is permitted prior to an EC permit requirement. Discussion ensued about the 150% provision of the following:

*Where no reasonable and feasible option exists for not encroaching within the minimum undisturbed buffer, such as at a road crossing or where topography limits options, then onsite mitigation on the intrusion of the buffer will be based on a ratio of 1.5 to 1. All encroachments into the buffer, except those listed in Section 5.6.023, require a written variance from the District. The District shall mail notice its decision to grant or deny a variance to the applicant and to owners of property within 250 feet of the affected property."*

## Article 5 – Scenarios...

- What if...



A desire was noted that this section be more explicit and direct. The proposal was to remove the percentage. A question was asked if there an advantage for the percentage? Mr. Arvidson responded that the thresholds were created to be approximately the same size given an average lot size. With the “whichever is smaller” provision, there is no advantage to including the percentage. Discussion ensued around the percentage or area threshold. The question was posed to each committee member for their preference. The preference was for a size threshold only. **The qualifier suggestion would be “per year and/or per project”. This will be considered by Mr. Arvidson and Igloria.**

A suggestion was offered if there are any “structures” proposed, an EC Plan is required.

Other article 5 Comments included an example description of gardens be included in public information materials.

The sensitive area description is uses the “top of bank” for an origination point. This baseline is variable. It could be confusing to property owners and so it will be mapped for this ordinance. A suggestion was offered to create a cross-section drawing for the code Articles. Any disturbance to the channel itself would have immediate water quality impact and any disturbance to the buffer area would have a secondary or delayed water quality impact. OLSD is approaching riparian management from a

water quality perspective which is all that it has legal authority to regulate.

Regarding existing encroachments, they are undesired, but are grandfathered. If destroyed, the encroachment could be prevented in the future.

Brett and Ronan will clarify trigger requirements for a future code draft.

**3. Committee News**

Wed. Dec. 21 is the next NCUWC meeting.

**4. Next Steps**

- HW Committee meetings: The next Article to review is enforcement. One draft will be reviewed at the Feb. meeting.
  - January 23 – part of discussion will be SDCs.
  - February 27

**5. Public Comment**

None

Adjourned at 7:16PM

**Action Items:**

<b>Date Started:</b>	<b>Item:</b>	<b>Staff Responsible / Lead</b>	<b>Date Scheduled / Completed:</b>
Dec. 19	The ordinance adoption date should be referenced for retroactive actions.	Brett/Ronan	TBD
Dec. 19	The qualifier suggestion would be “per year and/or per project”. This will be considered by Mr. Arvidson and Igloria.	Brett/Ronan	TBD
Dec. 19	A suggestion was offered to create a cross-section drawing for the code Articles.	Brett/Ronan	TBD
Dec. 19	Brett and Ronan will clarify trigger requirements for a future code draft.	Brett/Ronan	TBD

I:\Administration\Meetings\SWM Citizens Advisory Cmte\Summary\SWM Mtg Summary 12 19 2011.doc

