

Moore-Love, Karla

From: J. M. Zweerts <jmzweerts@aol.com>
Sent: Thursday, January 25, 2018 12:02 AM
To: Moore-Love, Karla
Cc: jbmiiinc@comcast.net; ronspdx@gmail.com; ncharlton.jbmi@gmail.com
Subject: No Rain Water Tax testimony J.M. Zweerts
Attachments: Floathome Rain Tax.pdf

Dear City Council Members,

Floathome Rain Tax

I am Jan Zweerts, a home owner at Jantzen Beach Moorage, a retired locomotive engineer on a fixed income. I volunteer at Willamette Shore Trolley as Superintendent of Operations to help keep 6 miles of city owned right-of-way open for future transit use.

I say no to this language change. All rain water falling on floathome roofs just flows into the river with no impact on the city sewers. The residents could channel the rainwater into the sewers for the city to treat at great expense but that would be silly. It appears to me that the council's attempting to change the laws of physics by stating a home floating on a river is impervious surface that does not allow water to flow underneath it.

No rain tax please, keep the definition of an impervious area the same as it was for 40 years, "means the area of a property that does not allow rainwater to percolate naturally into the ground."

Raising the cost of home ownership and renters many who were on a fixed income will only worsen the current ongoing homeless crisis. Floating Home Communities in Portland maintain their own walkways and the infrastructure for water, sewer, power. Floathome residents pay for these costs and having the city charge additional taxes on our roofs takes away \$25.00 a month per home that should be used for infrastructure maintenance. The city used satellite surveillance to gather square footage information and stealthily planned a raid on the pocketbooks of the floating home community.

The continuing increase in these type of fees and taxes will eventually drive out people who are on fixed incomes off the river and onto the streets or out of the state completely. Yes, the places they vacate will sell at higher prices and be filled up by mostly out of state people who have no long-term connection to the rivers. Without the institutional memory of people who have been on the river for years you're simply setting up a scenario for a large disaster in the future with people who have absolutely no concept of how to live on the river. People who do not know how to secure a home if it breaks loose, how to clean a honey pot, what to do in high or low water.

If you continued to price out the people who have been in the Portland metro area for the last 20 to 30 years and they leave you lose a vast amount of institutional memory

that makes Portland work. I am a small cog in this, but many small cogs make this city work. Driving out your cogs by importing people from other states who have not a clue how this city works is good for the developers but will cause a great many problems for the City of Portland, Multnomah County and other government bodies due to their naïve expectations of how things work.

This is my opinion, I cannot prove it but if you observe current behavior in Portland you'll see that trend happening now.

Sincerely,
Jan Zweerts

Attached PDF of JMZ testimony

Moore-Love, Karla

From: Ron Schmidt <ron@theplanninggroup.org>
Sent: Wednesday, January 24, 2018 10:32 AM
To: Moore-Love, Karla
Subject: My Testimony for the January 10pm session Stormwater Fees / Rain Tax / Overstretch of a City Bureau
Attachments: WOOO_counciltestimony RAS .pdf

Karla:

I am amazed at your ability to do what you do and keep chaos at bay in such a graceful fashion. Thank you for your service, you are the calm of the storm.

Please input my testimony into the record and pass on to Mayor Wheeler and the Commissioners. Let me know if they meant to give the citizens every opportunity to comment by keeping the record open and until when.

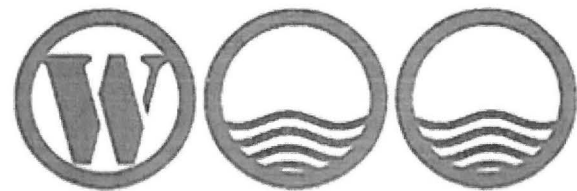


NO RAIN TAX



Best regards,

Ron Schmidt
President, WOOO
Chair DAG Dredging Advisory Group
503-539-6817
Ron@ThePlanningGroup.Org
www.WaterfrontOregon.com
<https://www.facebook.com/WaterfrontOregon/>



WATERFRONT ORGANIZATIONS 

**TESTIMONY OF RON SCHMIDT,
PRESIDENT, WATERFRONT
ORGANIZATIONS OF OREGON
JANUARY 10, 2018 IN CITY
COUNCIL CHAMBERS**

Mayor Wheeler, Council Members Fritz, Eudaily, Saltzman and Fish, thank you for your service and hard work to make our city better. My name is Ron Schmidt and I am a floating homeowner, a co owner of our crowdfunded moorage, Director of HINooN - the only representative democratic form of neighborhood association in our city, member of the CNAC after your warm reaffirmation and reappointment several weeks ago. I speak today as the President of the Waterfront Organizations of Oregon. Our membership includes marinas and floating home moorages on the Willamette and Columbia Rivers. We represent about 1,000 floating home owners in Portland.

I am here on behalf of our membership to request that city council vote no on the ordinance proposed by the Bureau of Environmental Services to change the definition of impervious surface in city code. Our membership views this ordinance, and the pretense that it is a clarification, as a veiled attempt to permanently raise stormwater fees on a targeted group of ratepayers.

In November of 2015, ratepayers in Portland floating home moorages saw their stormwater fees double, and in some cases quadruple, without warning. The reason is because the Bureau of Environmental Services arbitrarily decided to break with decades of policy and ignore city code to assess stormwater fees on floating homes. Fortunately, this action was successfully challenged by Vigor Industrial, which demonstrated to an Administrative Review Committee that the definition of impervious area in the city code does not apply to overwater structures. While our members are in the process of appealing the additional stormwater fee imposed by the BES, we are confident of success given that our appeal has the same basis as Vigor's. The BES knows this, and is trying to rush through a change in definition, first calling it an emergency ordinance, in order to claw back revenue from floating home owners and waterfront businesses. As a citizen of Portland, the audacity of a city bureau attempting to raise revenue in this manner is concerning.

Floating home communities are different than land homes. Precipitation falling on a floating home discharges directly to the river. There is no associated stormwater infrastructure, public or private, and there are far less impacts to stormwater runoff than associated with a comparable land home. That said, floating home moorages are associated with upland properties serving as parking lots and storage areas with carports and garages. These upland areas can be quite substantial in size, and floating home owners have always paid stormwater fees for impervious area associated with these properties. So, any claim that floating home owners do not pay their fair share of fees without this ordinance, is without merit. Especially given that most moorages treat their own stormwater from their impervious surfaces and put it back into the river without use of the city systems. And given that BES has caused contamination of submerged lands our members rent from the Division of State Lands and have spent HUNDREDS OF THOUSANDS OF DOLLARS to clean up your contamination (per members Oregon Yacht Club re Oaks Bottom)

I appreciate you listening to the concerns of our membership, and respectfully ask that you vote no on this ordinance. I hope to personally continue my efforts in step with you to make our city a better city, whether it be by land - HINooN, by air - CNAC or by sea - WOO.

Best regards,

Ron Schmidt, President WOOO, Member CNAC, Director HINooN, Stockholder JBMI

Parsons, Susan

From: Robert Meyer <meyer_46@hotmail.com>
Sent: Wednesday, January 24, 2018 4:38 PM
To: Moore-Love, Karla
Cc: Parsons, Susan
Subject: Roof water tax on float homes

Karla, I live at the Portland Rowing club and attended the meeting on this subject a couple of weeks ago.

I consider the briefing that BDS gave to the Commissioners was not as balanced as it could have been. There was no comparison of the way roofs are treated regards land based houses and float homes which do not contribute to storm water entering the sewers. The exceptions for land based houses are an important part of giving the Commissioners all the evidence they need to make a fully informed decision.

atb, Robert Meyer
503 743 9302

Moore-Love, Karla

From: Bob <jzzz@comcast.net>
Sent: Tuesday, January 23, 2018 3:36 AM
To: Moore-Love, Karla
Subject: testimony to city council re:rainwater fees on 1/11/18

Good afternoon. I'm Bob Hume, a long-time (50 years to be exact) resident of the Oregon Yacht Club moorage on the Willamette river. As a floating home owner I am going to appeal to your sense of fairness here. I urge the council to say no to the code change before you. My argument would be that we already pay for the upland impervious areas- the fees already involved there. We shouldn't pay a fee for a service we don't use...by including the footprint of our roof and the actual floating part of our moorage. It has increased each homeowner a fee of \$26 a month. It doesn't sound like a lot, initially, but you add that up for a year(forever) and it does make a difference. Our floating portion of our moorage is, I would argue, not an impervious area.

Thank You

CLARIFY STORMWATER BILLING METHODOLOGYIF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE (Optional)

Email (Optional)

✓ RON SCHMIDT	1933 N JANTZEN AVE PORTLAND 97217	RON.SCHMIDT@PORTLAND.ORG
✓ B. Sallinger	551 NW Cornell 2nd, Portl	bsallinger@suburbanliving
✓ John Weigant	18989 NE Marine Dr #15, PDX, 97230	johnweigant@comcast.net
✓ ALAN SPOTT	5555 N. Channel PDX 97217	ALAN.SPOTT@VIGOR.NET
✓ Diana Andresen	2630 N. Hayden Is. Dr. #53 Portland OR. 97217	diana4328@aol.com
✓ JESS Andresen	2630 N. Hayden Is. Dr. #53 Portland, OR. 97217.	
✓ Jan Zweerts	1859 N. Jantzen Ave 97217	janzweerts@aol.com
✓ Nikki Charlton	1809 N. Jantzen Ave. 97217	ncharlton@comcast.net
✓ Joy Hoffacker	1893 N Jantzen Ave 97217	isaila@gmail.com
✓ CATHY EVANSON	2630 N. HAYDEN ISL RD.	WORMBU@AOL.COM
✓ David Beavers	2630 N. Hayden Isl. Dr.	BEAVERS.DW@YAHOO.COM

CLARIFY STORMWATER BILLING METHODOLOGYIF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE (Optional)

Email (Optional)

✓ Chris Rich	Perkins Coie 1120 NW Couch, Portland OR 97209 10th Floor	crich@perkinscoie.com
✓ CW Taylor	2630 N Hayden Is. Dr. #29 Portland, OR 97217	bigcw Taylor@aol.com
left ✓ Scott W Gordanier	2630 N Hayden Is Dr #22 Portland OR 97217	Scottgordanier@hotmail.com
✓ JOHN JOHNSON	7720 SW MACADAM AVE 97219	JOHN@K35RESOURCES.COM
✓ Bob Turner	7720 SW Macadam Ave #21 97219	rbturner@comcast.net
✓ Bob Hume	6901 SE Oaks Park Way Slip E 97202	jzzz @ comcast.net
✓ Jim Hillman	2630 N. Hayden Is Dr #32 PDX	jim@hillman, emt. /
✓ George Donnerberg	17809 NE Marine Dr A13 Portland 97230	george@donnerberg.com
✓ SAM GALBREATH	7720 SW MACADAM AVE SUITE 20 PDX 97219	SAM@COMCAST.NET
✓ ELLEN WAX		ELLEN.WAX@WORKINGWATERFRONT PORTLAND. OR
✓ Ted Labbe	3011 NE Hoyt St Portland OR 97232	ted.labbe@gmail.com

Susan Carlson
✓ DAW CAR / SON
✓ Doug Brown

264 N. TOMAHAWK IS. DR
" " " "
301 N. BRIDGETON RD, Slip # POTTER

saychezplz@
hotmail.com
Capt has / 44 / 2 Hot mail. Co
dbrunc@msn.com

Moore-Love, Karla

From: Ronald Fulcher <ron1portland@gmail.com>
Sent: Thursday, January 18, 2018 12:13 PM
To: Moore-Love, Karla
Subject: BES fees/tax stormwater on rule changes

1-18-2018

City of Portland, Mayor Wheeler and Commissioner Fish, Fritz, Eudaly, Saltzman and Auditor Caballero

I am sending in my testimony in hope that you will consider applying fairness to this proposed definition rule change on impervious surfaces. I believe that floating home roofs and docks should be exempt from the storm water fee/tax. As you heard in the testimony, all the rain that falls on our floating residential homes and docks go directly into the river and not into City managed storm sewers. In fairness, no City service, no fee/tax.

Most of the floating home owners i know agree with paying the stormwater fees/tax on our land based property. That includes our parking lot and garages/ carports for which we do get minimal City service. [We have complained for years about blocked catch basins on Hayden Island resulting in flooded streets every time it rains]

I would like to comment on Mayor Wheeler's comment that he had a "philosophical" concern that our verbal testimony sounded to him that residential floating home owners didn't want to pay this stormwater fee by equating it to people without school age children not wanting to vote to pay for schools. My wife and I are 68 years old living on a fixed income and have always to support our schools because it is good for our community and is the right thing to do.

Many of the people that live here at Jantzen Beach Moorage Inc., are on low and fixed income. This BES change to the residential floating structures rule would result in a \$25.00/month increase in our cost and would be a huge unfair burden for services not rendered. It is easy for me to see how so many homeless people are forced out of their homes due to unfair fees/tax or unjustified rent increases are levied.

Most of the people i know agree with the rule change on commercial/ industrial floating property to protect our rivers from pollution. Floating homeowners are very concerned with protecting our rivers and have helped clean up diesel fuel spills on I-5 bridges and belong to the Clean Marina program.

Thanks, Ron and Patti Fulcher
1741 N Jantzen Ave., Portland Or., 97217
503-939-2170

If you have any questions please feel free to call, write or email me.

Moore-Love, Karla

From: sam galbreah <samg61@comcast.net>
Sent: Saturday, January 13, 2018 11:27 AM
To: Moore-Love, Karla
Cc: 'Ron Schmidt'; DICKAS, BILL; Tony McCoy; board@macadambay.com
Subject: JOHN JOHNSON TESTIMONY 1/10/2018 AGENDA ITEM 41
Attachments: Testimony of JK Johnson.pdf

Karla, here is another testimony from a Macadam Bay Member.

Please note that John Johnson is a Hydro Engineer in private practice previously with the U.S. Fish and Wildlife Service, National Marine Fisheries Service and Oregon Department of Fish and Wildlife...

Sam Galbreath
Sam Galbreath Associates
Slip 20
Portland, Oregon, 97219
Phone: 503-244-3435
Fax: 503-244-3435
E-mail: samg61@comcast.net

From: John K Johnson [mailto:john@k35resources.com]
Sent: Wednesday, January 10, 2018 11:13 AM
To: Sam Galbreath; Ron Schmidt; Bill Dickas; Tony McCoy
Subject: My Testimony (unless I change my mind--haha)

fyi

John K Johnson
K35 Resources LLC
5331 SW Macadam Ave 258-115
Portland, OR 97239
Email: John@K35Resources.com
Phone 503-928-4378 (same number for cell and landline)
FAX 503--245-2631
<http://www.K35Resources.com>

Wednesday, January 10, 2018

RE: Clarify stormwater billing methodology (Ordinance introduced by Commissioner Fish; amend Code Sections 17.36.020 and 17.36.050)

1. I am John K Johnson, a resident at Macadam Bay floating home moorage, 7720 SW Macadam Avenue.
2. Permeability:
 - a. I recognize that the City properly makes charges at times that broadly benefit all residents, and that sometimes it is difficult to make these charges appear rational and fair, however the proposed wording of the amendments seems to be "a bridge too far" and represents an awkward and implausible use of the English language, by defining impermeable surfaces as "permeable", by mere definition. From Section 1 of the proposed ordinance revision "... *clarify what is considered to be impervious for the purpose of statement billing.*" There is no question what permeable means. However, for water-based activities such as marinas, moorages, and boathouses, there is no linkage whatsoever between either permeability or impermeability of docks and marinas rainwater failing straight into the river creates no costs or management role by the City. It goes straight to the river. The City is not involved and therefore this "user fee" is irrational.
 - b. There being no reasonable linkage this, nominally termed a "user fee", is actually a tax trying to masquerade as a user fee—since it bears no relation to any actual use.
3. A separate point: Virtually all of the 1000 floating homes in the area have "on appeal" the current version of the "Stormwater billing methodology"—a version that has shown itself vulnerable to challenge—and that, even if the new amendments were to be successfully adopted, will represent a contested amount of charges dating from approximately August of 2015 (date current version of charges were adopted) for approximately 1000 homeowners. I ask that the City, in the end, and sober reassessment of this proposal and the testimony of varied witnesses, make appropriate refunds.
4. I understand (not from City sources) that this charge will be approximately \$300/year for my 984 square foot house. My taxes are around \$4000 a year, so this fee represents an increase of 8% in my "taxes."

Sincerely,



John K Johnson

Email: John@K35Resources.com

Moore-Love, Karla

From: Cathy Evanson <wormbu@aol.com>
Sent: Thursday, January 11, 2018 11:00 PM
To: Moore-Love, Karla; Wormbu@aol.com
Subject: Wednesday January 10th Public Hearing Testimony - Clarify stormwater billing methodology
Attachments: City of Portland Storm water public hearing testimony.Cathy Evanson.West Hayden Island Moorage.pdf

Dear Karla,

Attached are my written notes of my testimony given before the City Commissioners on the stormwater billing issue on January 10, 2018. We were asked to send these in and I thought you might be the best contact person. If these should go to someone else please advise and I will redirect.

We were very impressed with the turn out of the residents and representatives from within our 1,000+member floating home communities. It demonstrates that we are all deeply concerned about the impacts of this proposed billing methodology revision and we want to be involved in the drafting of this language.

We look forward to having open discussions with both staff members and city council members. If you would like to arrange community based meetings we are glad to help as well.

With warmest regards,

Catherine Evanson
2630 N Hayden Island Drive, Slip 31
Portland, Oregon 97217
Cell Phone: 513.777.0465
Email: wormbu@aol.com

Below is a written copy of my testimony at the hearing on January 10, 2018 regarding revisions to the language of the City of Portland stormwater plan:

My name is Cathy Evanson and I am a resident of the West Hayden Island Moorage.

I want to start by asking for a show of hands, those in the room who are a Civil Engineer, would you please raise your hand. (It is noted that 2-3 people raised their hands.)

The reason I ask is that I have heard a lot of comments that try to address some of the issues, in layman's terms, but I do want to discuss a few of the technical issues. I will try to explain these in a way that is clear to understand and hopefully gets the point across.

There are normally three major items that are usually of the most concern when dealing with stormwater design and assessments, they are:

1. The quantity of stormwater runoff, is it increased?
2. The water quality of stormwater runoff, is the water quality decreased?
3. The increase in time of concentration (tc) of stormwater runoff, does the water run off faster creating flooding at inopportune time?

The issue most of us in the audience are here today about, is the change in the language that would result in an increase in the charges the City of Portland is proposing to charge us for stormwater services. Specifically, those of us who live on **floating homes**. We are not receiving any stormwater services from the City of Portland for the portion of communities that lie over the top of the water, and that is our homes.

1. Quantity: We live in communities of homes that are floating on top of the river. When the rain falls on our homes, it runs down our roofs, through roof and gutter drains and is discharged directly to the river. In terms of stormwater design, the river is actually already considered an impervious surface for purposes of calculating stormwater runoff, therefore the water that falls on our homes does not increase the quantity of runoff, that water was already falling onto an impervious surface. **Therefore, we are not increasing the quantity of stormwater.**
2. Quality: The water runoff is not picking up additional pollutants from our homes that would not already been falling on the river had our homes not been there. The same amount of dirt falls on our homes, and is washed into the river. **Therefore, we are not decreasing the quality of stormwater.**
3. Time of Concentration: This is the time it takes the water to run off our property and reach the point of discharge. Usually when impervious surfaces are constructed, they increase the time of concentration. This is normally calculated to ensure that the time of concentration of the discharge of stormwater is not increased from a property, and possibly creating a surge in the volume of water at the point of discharge occurring concurrent with a storm surge. In the case of our floating home communities, the rain would have fallen directly onto the river without any delay in its time of concentration. **Therefore, the time of concentration is not increased nor decreased.**

Clearly we are not impacting any of the three basic stormwater design components and we are not receiving any service from the City of Portland, therefore we should not be assessed for any onsite stormwater fees.

The next matter of concern to us, is your very own policy, the “City of Portland Stormwater Management Plan (SWMP) Summary” says very clearly on page two, there are seven bullet points here, I want to call attention to # 3 & #4, the City of Portland’s NPDES MS4 stormwater management area permit does NOT cover:

- Stormwater that flows to sumps
- Stormwater that flows to the combined sewer system
- Natural Stream systems
- Direct stormwater discharges from private property to natural stream systems (without entering the MS4)
- Areas with no public stormwater infrastructure
- Areas with individual, general, or industrial stormwater permits

So your own policy has been the guidance and the reason why we have not been charged or should not have been charged for this in the past. We do not have any on-site impacts related directly to our homes. We do however have land based improvements including our parking lots and garages, and we DO pay for the stormwater fees related to those improvements.

Some people stood up and talked before me here today, and they said that we should consider the philanthropic reason we should want to pay for this even though we do not receive the service. They say “philanthropically” it helps to have us pay more than we should because it helps spread the cost out to more tax payers. What this assumes is that we do not pay for our share of the stormwater impacts. And we do, we pay for our land based improvements that create stormwater impacts.

The last item is a statement regarding cost, the commissioners have asked a few other people to statement the economic impact of this policy on our community. One of our WHIMOA Board members provided an estimate of \$15,000 per year for our community alone, and we have 52 homes.

This concludes my recount of my testimony that day.

I do also want to include additional input as to the jurisdiction of the City of Portland. I believe the Ownership on the underlying lands belonging to the State of Oregon, this is whom we have a lease from for the water based improvements, does the City of Portland have jurisdiction over land owned by the State? Also, I believe the waterway actually falls under the jurisdiction of the Army Corp of Engineers because it is navigable waterway. Your own maps show the drainage basin areas, and they specifically exclude those areas in the navigable waterways for a reason, I do not believe you have jurisdiction there, and that is where our homes are located and that is also why they have been exempted in the past, and they should continue to be exempted.

Moore-Love, Karla

From: sam galbreath <samg61@comcast.net>
Sent: Thursday, January 11, 2018 6:09 PM
To: Moore-Love, Karla
Cc: 'Ron Schmidt'; board@macadambay.com; DICKAS, BILL
Subject: TESTIMONY AT CITY COUNCIL HEARING 1/10/18 AGENDA ITEM 41
Attachments: CITY COUNCIL TESTIMONY.docx

Karla, I am pleased to provide you with my testimony. I understand, it, along with other written testimony submitted by the 24th will be provided to Commissions, involved BDS and City Attorney staff and others usual in such proceedings. Please confirm receipt and it is in proper form...Thanks for your help.

Sam Galbreath
Sam Galbreath Associates
7720 SW Macadam Ave
Slip 20
Portland, Oregon, 97219
Phone: 503-244-3435
Fax: 503-244-3435
E-mail: samg61@comcast.net

1/10/2018

Portland City Council Wednesday pm Session

Agenda Item 41

TESTIFYING: Sam Galbreath, River resident for 24 yrs. @ Macadam Bay where he is Board member & treasurer, member of the River Community Advisory Committee of the Bureau of Development Services & Board member of the Waterfront Owners of Oregon (WOOO)

I speak in support of the position of WOOO provided subsequent to this session in writing.

I WILL ADD 3 FURTHER POINTS:

1. All except 2 of the moorages in Portland have appeals pending before the Bureau of Environmental Services (BES) Administrative Review Committee (ARC). Those appeals are for relief from the increased off-site surcharge starting in August, 2015 due to the change in BES definition of permeable surface. These appeals are based on Vigor's successful appeal of the same. If passed, this amendment places those appeals in question as to whether it would be applied retroactively. If so, it would be legally questionable. We ask that the appeals be directed by Council to proceed expeditiously, based on the interpretations applied to the Vigor case without regard to this pending issue.
2. Until the summer of 2015, floating structures were exempt from off-site storm water charges based on their "new" interpretation of permeable surfaces FOR GOOD REASON: rain water that falls on floating homes and their floating infrastructure never enters the City storm water system! The administrative change without prior notification of affected parties, was a means to increase fees ignoring the quid-pro-quo requirements of them. We have always shared support of the City's storm water system through payment of our off-site fees for our uplands impermeable improvements. We have never questioned this. It is as it should be.
3. If clarification of this definition is to be made, it should include EXEMPTION FOR FLOATING HOMES AND THEIR OVER WATER INFRASTRUCTURE from calculating storm water off site fees.

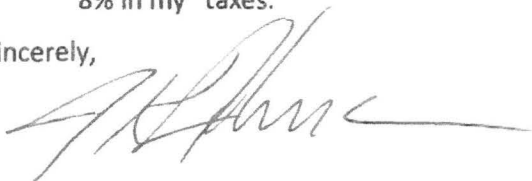
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Wednesday, January 10, 2018

RE: Clarify stormwater billing methodology (Ordinance introduced by Commissioner Fish; amend Code Sections 17.36.020 and 17.36.050)

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3. A separate point: Virtually all of the 1000 floating homes in the area have "on appeal" the current version of the "Stormwater billing methodology"—a version that has shown itself vulnerable to challenge—and that, even if the new amendments were to be successfully adopted, will represent a contested amount of charges dating from approximately August of 2015 (date current version of charges were adopted) for approximately 1000 homeowners. I ask that the City, in the end, and sober reassessment of this proposal and the testimony of varied witnesses, make appropriate refunds.
4. I understand (not from City sources) that this charge will be approximately \$300/year for my 984 square foot house. My taxes are around \$4000 a year, so this fee represents an increase of 8% in my "taxes."

Sincerely,



John K Johnson
Email: John@K35Resources.com

✓

Testimony to City Council by John Weigant re: amendments to City Code 17.36.020 and 17.36.050

These amendments are nothing but a money-grab by changing definitions. They can be resolved by further definition changes.

1. What is stormwater?

- I was unable to find a definition in the City Code, although I did not check all 89 pages that the search listed for the term “stormwater,” and I had no access to the City’s Stormwater Manual on such short notice.
- My Webster’s New Collegiate Dictionary doesn’t define “stormwater.”
- Wikipedia has a good article describing it. The concern about stormwater is two-fold: runoff and pollution the runoff may pick up. Neither applies to floating homes or any over-water structure because there is no “runoff” into a “drainageway” and roofs add no pollution.
- 33.640.100 (Streams, Springs, Seeps, and Wetlands), whose definition of stream does not include the Willamette or Columbia River. Apply that exclusion to stormwater definitions.

2. Further amend Subsection 17.36.050 F 2. by adding to exclusions at the end, “, and structures over free-flowing water.”

3. Benefit vs. Cost. Do floating homes add to stormwater runoff? Not one iota. In fact, after rain, evaporating dampness reduces runoff. What’s left isn’t “runoff,” because none of it enters a “drainageway.” Without the overwater structure, 100% of the rain would end up in exactly the same place. Moorages already pay the City for their parking lots, located on the river side of dikes. My moorage’s parking lot drains, through filters, directly into the river through a private concrete drainageway that’s just a few feet long. So we pay a fee for our overland impervious surface, but get no direct benefit. Do we get an “indirect benefit” from the fee? We get the general benefit of urban services from the property and other taxes we pay, but unless there is a specific link between a fee and a benefit, it cannot apply. The term is far too broad to have any practical meaning. Note that floating homes can’t get another “benefit:” flood insurance. But we don’t need it, because “rising tides float all boats.” Flood insurance doesn’t apply to us, nor does this fee.

4. My moorage fights tooth and nail to keep costs down. For 12 years we held our monthly HOA fees to \$189 a month. For the past three years, we had to play catch-up, but could not convince members to add more than \$20/month to fees. Adding \$25/month for a fee that gives us no benefit whatever would invite substantial anger. That anger is likely to result in exposes in publications like Willamette Week, and citizen initiatives whose result is not likely to please City Commissioners.

5. Disclosure. My moorage, The Islands, is in Gresham, not Portland. Several years back, Gresham imposed a similar fee. I was treasurer. On discovery, I went to city staff, and told them applying the fee to floating homes was ridiculous and inapplicable. Staff agreed, and abated the fee. Were Portland to implement this fee, Gresham would likely follow suit, so your action will affect me. Furthermore, once a fee like this is established, it can easily expand. ***Please defeat this ordinance now.***

John A. Weigant
The Islands Moorage
18989 NE Marine Drive, #15
Portland, OR 97230 (503-491-8450)



I am Alan Sprott, Vice President, Environmental Affairs for Vigor. Vigor is a ship builder, ship repairer and manufacturer headquartered in Portland with operations in Oregon, Washington and Alaska. We employ approximately 1,200 people, most of them skilled tradespeople, in the Greater Portland area.

I am here today to ask you to say no the code changes before you.

As individual utility ratepayers we have very little, if any, recourse in challenging Bureau of Environmental Services' (BES) assessments. As such, we rely heavily upon city council to closely scrutinize BES' efforts to increase revenue, whether from rate increases or changing the code to secure new sources of revenue. In this case, BES' claim that this is a matter of clarifying a definition in the code is simply not true. An Administrative Review Committee (ARC) decision and decades of interpretation by prior BES officials provides perfect clarity that the definition of impervious area does not apply to overwater structures of any type, and this is what this ordinance is all about.

The BES is mischaracterizing the purpose of this proposed ordinance. It is not intended to clarify stormwater definitions or billing methodology. Rather, it is an attempt to create a new source of revenue by imposing stormwater fees on a class of structures that have not been subject to the fee since adoption of the utility code in 1977. Overwater structures, which include docks, piers, and floating homes, have intentionally never been included in the stormwater rate structure imposed by BES.

The BES is bringing this ordinance forward in response to losing an appeal to the ARC brought by my company after BES imposed stormwater fees on overwater structures for the first time. In November 2015, in an attempt to grow revenue, BES abruptly began assessing stormwater fees on overwater structures. This new assessment was in response to the need to curtail excessive utility rate increases that had become the subject of much public opposition.

Just a month later, in January 2016, Commissioner Fish penned an Op-Ed in the Oregonian (attached) lauding the utility bureaus for holding annual rate increases below five percent, showing the political motivation of BES' attempt to capture new revenue. What actually occurred was a partial shift in BES' revenue burden to certain ratepayers that drastically and immediately drove up their costs. For example, we would have been much better off with a rate increase of even 10 percent since BES' new methodology of assessing overwater structures immediately added seventy thousand dollars, or roughly 17 percent, to our annual stormwater

bill. Even without this new assessment, our current annual stormwater charges are over four hundred thousand dollars, even though we manage all of our own stormwater on site, and are investing millions in stormwater collection and treatment technologies at our facility as part of the superfund cleanup. In short, we are already paying more than our fair share for stormwater management, and we are concerned with the apparent lack of transparency regarding how BES generates its revenue.

There are also significant issues with the definition of “Impervious Area” proposed by the BES. First, the proposed definition amending the city code simply states that the term is defined in the city’s Stormwater Management Manual. This is not true. There is no defined term for impervious area in the definitions section of the manual. (attached) Second, the proposed definition provides far too much discretion to BES staff in determining what constitutes an impervious area. We have already experienced that BES will use this discretion to its benefit.

We urge the council to require BES to prioritize serving the public with existing resources as opposed to growing revenue by targeted expansion of properties assessed for stormwater fees. Should BES be able to justify to the public why it needs additional resources, revenue should come from fully vetted broad-based rate changes rather than this kind of targeted, anti-business effort.

Thank you for your consideration.

Submitted by
Alan Sprott

Why Portland utility bills will rise a bit (OPINION)

Updated Jan 30, 2016; Posted Jan 30, 2016

bigppe.JPG

A segment of Portland's 'Big Pipe' project, seen in 2010. (Bruce Ely/Staff)

39

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By The Oregonian Editorial Board
Editorial.oped@oregonian.com

By Nick Fish

On Monday I will release my proposed budgets for the Bureau of Environmental Services (BES) and the Water Bureau. For the third straight year, I directed our public utilities to keep their combined rate increase *under* 5 percent, and once again they've delivered.

Budgets reflect values, choices and priorities. As part of our continuing commitment to transparency and accountability, I want to address three important questions I am often asked: What drives rate increases, what do I get for my money and does my voice count?

Let's start with some basics. The city's utilities manage \$21.7 billion in infrastructure, oversee more than 1,000 dedicated professionals and protect the health of six watersheds. The Bull Run Watershed is the envy of the nation. We provide clean, safe and reliable water to nearly a million people in the region. We manage 30 billion gallons of wastewater and stormwater annually. And last year, thanks to a partnership between BES, the Parks Bureau and the community, we welcomed salmon back to Crystal Springs.

So why are we proposing to increase rates? At the top of the list is the cost of complying with unfunded federal and state regulations. Like the \$1.4 billion Big Pipe project, completed on-time and on budget, which keeps sewage out of our streams and rivers. Or the federal rules requiring us to disconnect and bury our reservoirs.

Next is the cost of replacing old and damaged pipes. More than 2,000 miles of pipe deliver water throughout the Portland metropolitan area, and 2,500 miles of pipe carry billions of gallons of wastewater to our treatment plant annually. While our system is an engineering marvel, many of our pipes are more than 80 years old. The question isn't whether they'll break, but when.

Finally, we are committed to making our system more resilient. Portland is at risk of a major earthquake. When the "Big One" hits, we need to be prepared. That's why the budget includes critical investments to fortify our reservoirs and the pipes under the Willamette River.

No one likes to pay more for a basic service, especially when other household bills keep going up. A key issue for my family is: Are we getting good value in return?

As Portlanders, we enjoy some of the highest quality water in the nation. The Bull Run Watershed and Columbia South Shore Well Field meet or exceed all safe drinking water standards. The city delivers two gallons of water to my house for about a penny--a pretty good deal. And by investing in green infrastructure like bioswales and trees, we are harnessing the power of nature to capture runoff and save ratepayers money.

How do our combined water, sewer and stormwater bills stack up against comparable cities? A family of four would pay double or more for the same services in Seattle, San Francisco or Atlanta. Another way of looking at value is to ask what would happen if we cut corners. Flint, Michigan, is a stark reminder that investing in our water system isn't just good policy, it's a matter of public health and safety.

Last year, in response to community concerns, I fulfilled a commitment to improve oversight and transparency by creating a new citizen-led Portland Utility Board (PUB). I also invited the highly regarded Citizens' Utility Board (CUB) to serve as an outside, independent advocate for our ratepayers. The CUB paid immediate dividends, recommending that we end an outdated developer subsidy. Together, the PUB and the CUB are helping us craft a responsible budget and plan for the future.

Your voice matters, too. In the months ahead, there will be plenty of opportunities for the families and businesses we serve to weigh in. Our proposed budgets will be posted online at <https://www.portlandoregon.gov/cbo>. I encourage you to attend a PUB meeting, participate in one of our community budget forums, or contact me directly at nick@portlandoregon.gov. It is an honor to lead our public utilities. Working together, we can continue to deliver high quality services at a fair price, invest ratepayer dollars wisely, and protect our precious natural resources for generations to come.

Nick Fish is a Portland city commissioner

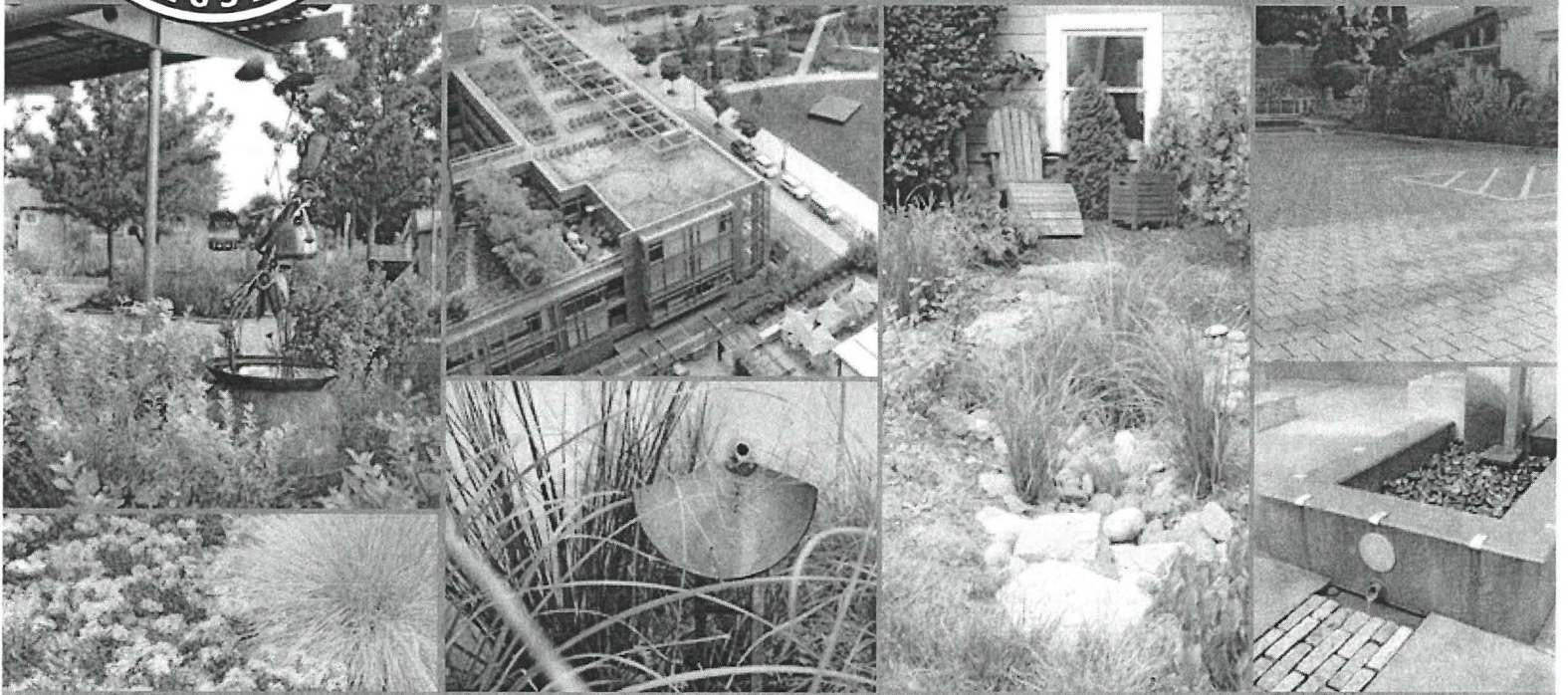
*Submitted by
Alan Sprott*

2016



CITY OF PORTLAND

Stormwater Management Manual



Definitions

Note: *The following definitions apply to terms used in this manual and are intended to supplement City Code Chapters 17.32 and 17.38.*

Applicant: Any person, company, or agency that applies for a permit through the City of Portland. Includes all parties represented by the applicant.

Approved Receiving System (Discharge Point): Any system or route of conveyance approved by BES to receive stormwater runoff or other discharges. Receiving systems include, but are not limited to, groundwater; onsite, offsite, or public stormwater, sanitary, or combined sewers; and waters of the state.

BDS: Bureau of Development Services, City of Portland.

BES: Bureau of Environmental Services, City of Portland.

Best Management Practices (BMPs): Operational, maintenance and other practices that prevent or reduce environmental, health or safety impacts. BMPs include structural controls, modification of facility processes, and operating and housekeeping pollution control practices.

Capacity: The flow volume or rate that a specific facility (e.g., basin, pipe, pond, vault, swale, ditch, or drywell.) is designed to safely contain, receive, convey, reduce pollutants from, or infiltrate to meet a specific performance standard.

Catch Basin: A structural facility located just below the ground surface, designed to collect and convey stormwater runoff to an onsite stormwater system or offsite discharge point. A catch basin has a grated lid, a sumped bottom, and outlet pipe (with a downturned 90 degree elbow or snout) to trap coarse sediment and oil. See [Section 2.3.5](#) for typical design.

Channel: The portion of a drainageway that demonstrates evidence of the conveyance of water. It is the depression between the banks worn by the regular and usual flow of water. The channel need not contain water year-round.

Check Dam: A low structure or weir placed across an open channel to control water depth or velocity, or to control channel erosion.

Combined Sewers: A sewer designed to convey both sanitary sewage and stormwater.

Connection: The connection of drainage disposal lines from all development on a property to the public sewer and drainage system.

Culvert: A hydraulically short conduit, open on both ends, generally used to convey stormwater runoff through a roadway or an embankment and typically constructed without manholes, inlets or catch basins.

Combined Sewer Overflow (CSO): A discharge of a mixture of sanitary sewage and stormwater at a point in the combination sewer system designed to relieve surcharging flows.

Department of Environmental Quality (DEQ): Oregon Department of Environmental Quality.

Design Storm: Design storms are a combination of the design storm return period (which refers to the frequency) and the storm duration (which defines the rainfall depth or intensity). A prescribed hyetograph and total precipitation amount (for a specific duration recurrence frequency) are used to estimate runoff for a hypothetical storm for the purposes of analyzing existing drainage, designing new drainage facilities, or assessing other impacts of a proposed project on the flow of surface water.

Design Water Surface Elevation (Overflow Elevation): The elevation at the upper limit of the maximum depth and the lower limit of the freeboard, which corresponds to the overflow elevation. It can be considered the initial outlet elevation or over-topping elevation of the facility where an outlet is not included. Each cell of the facility may have a different design water surface elevation. The design water surface elevation can be relative to the final discharge point, a known actual elevation onsite, or can be set to zero.

Detention Facility: A facility designed to receive and hold stormwater and release it at a slower rate, usually over a number of hours. The facility may provide minimal or no volume reduction.

Detention Tank, Vault, or Oversized Pipe: A structural subsurface facility used to provide flow control for a particular drainage basin.

Development: Any human-induced change to improved or unimproved real estate, whether public or private, including but not limited to construction, installation, or expansion of a building or other structure; land division; street construction; drilling; and site alteration such as dredging, grading, paving, parking or storage facilities,

excavation, filling, or clearing. Development encompasses both new development and redevelopment.

Development Footprint: The new or redeveloped area covered by buildings or other roof structures and other impervious surface areas that 1) does not allow stormwater to percolate into the ground, such as roads, parking lots, and sidewalks, or 2) is covered by pervious paving materials and systems.

Discharge Point (Disposal): The connection point or destination for a discharge leaving a site.

Discharge Rate: The rate of flow expressed in cubic feet per second (cfs).

Disturbance. An action that causes an alteration to soil or vegetation. The action may create temporary or permanent disturbance. Examples include development, exterior alterations, exterior improvements, demolition and removal of structures and paved areas, cutting, clearing, damaging, or removing native vegetation.

Disturbance Area. The area where all temporary and permanent disturbance occurs. For new development the disturbance area must be contiguous. Native vegetation planted for resource enhancement, mitigation, remediation, and agricultural and pasture lands is not included. The disturbance area may contain two subareas, the permanent disturbance area and the temporary disturbance area:

- **Permanent Disturbance Area.** The permanent disturbance area includes all areas occupied by existing or proposed structures or exterior improvements. The permanent disturbance area also includes areas where vegetation must be managed to accommodate overhead utilities, existing or proposed non-native planting areas, and roadside areas subject to regular vegetation management to maintain safe visual or vehicle clearance.
- **Temporary Disturbance Area.** The temporary disturbance area is the portion of the site to be disturbed for the proposed development but that will not be permanently occupied by structures or exterior improvements. It includes staging and storage areas used during construction and all areas graded to facilitate proposed development on the site, but that will not be covered by permanent development. It also includes areas disturbed during construction to place underground utilities, where the land above the utility will not otherwise be occupied by structures or exterior improvements.

Drainage Basin: A defined area that contributes to sanitary, stormwater or combined sewage flows to an approved connection point.

Drainage: Waters generated at or conveyed through a particular site. Drainage is predominantly surface runoff generated from rainfall. Groundwater naturally occurring at the surface (such as seeps or springs) or pumped to the surface shall be considered drainage.

Drainage Reserve: The regulated area adjacent to and including a drainageway that is preserved in a natural state to protect the hydrology and water quality of the drainageway.

Drainageway: A constructed or natural channel or depression which at any time collects and conveys water. A drainageway and its reserve area function together to manage flow rate, volume and water quality.

Driveway: The area that provides vehicular access to a site. A driveway begins at the property line and extends into the site. In parking areas, the driveway does not include vehicular parking, maneuvering, or circulation areas.

Drywell: A subsurface structure (e.g. cylinder or vault) with perforated sides and/or bottom, used to infiltrate stormwater into the ground. A drywell is a UIC by DEQ definition.

Ecoroof: A lightweight low-maintenance vegetated roof system consisting of waterproofing material, growing medium, and vegetation; used in place of or over the top of a conventional roof. Ecoroofs provide stormwater management by capturing, filtering, and evaporating rainfall.

Flow: The rate or volume of water moving within a natural or man-made system. Flow is often measured as a ratio, such as cubic feet per second (cfs).

Flow Control: The practice of limiting the release of peak flow rates and volumes from a site. Flow control is intended to protect downstream properties, infrastructure, and natural resources from the increased stormwater runoff peak flow rates and volumes resulting from development.

Flow Control Structure: A device used to delay or divert a calculated amount of stormwater to or from a stormwater management facility.

Freeboard: The vertical distance between the design water surface elevation (overflow elevation) and the elevation at which overtopping of the structure or facility that contains the water would occur.

Geotextile: A woven or non-woven water-permeable material, generally made of synthetic products such as polypropylene, used in stormwater management and erosion and sediment control applications to trap sediment or to prevent fine soil particles from clogging the aggregates.

Green Street: A vegetated stormwater management facility located within the planting strip or other portion of public rights-of-way.

Groundwater: Subsurface water that occurs in soils and geological formations that are fully saturated. Groundwater fluctuates seasonally and includes perched groundwater.

Growing Medium: Growing medium supports plants and microorganisms that improve the function of vegetated stormwater facilities. Growing medium may include stormwater facility blended soil, blended topsoil, or native soils. See the individual facility design criteria and details for requirements in private and public stormwater facilities.

Impervious Surface: Any surface that has a runoff coefficient greater than 0.8 (as defined in the City's *Sewer and Drainage Facilities Design Manual*). Types of impervious surface include rooftops, traditional asphalt and concrete parking lots, driveways, roads, sidewalks, and pedestrian plazas. Slatted decks and gravel surfaces are considered pervious unless they cover impervious surfaces or gravels are compacted to a degree that causes their runoff coefficient to exceed 0.8.

Infiltration: The percolation of water into the ground. Infiltration is often expressed as a rate (inches per hour), which is determined through an infiltration test.

Inlet: An inlet means: 1) A structure located just below the ground surface designed to collect stormwater runoff from paved surfaces such as streets and parking lots that have no sumped sediment storage or inverted pipes to capture pollutants. See [Section 2.3.5](#) for typical details. AND 2) The entry point, such as downspouts, piping, or curb cuts, into an onsite stormwater management system or discharge point.

Manufactured Stormwater Treatment Technology: A proprietary stormwater management facility structural facility or device. See [Chapter 2](#) for design approach information or [Section 2.4.8](#) for submittal requirements for manufacturers seeking to be on the approved list.

Maximum Depth (Storage Depth): The greatest vertical distance between the design water surface elevation (overflow elevation) and the top of the growing

medium of a surface facility or the base of a subsurface facility, which creates a reservoir capable of providing safe storage capacity of stormwater.

Municipal Separate Storm Sewer System (MS4): A conveyance or systems of conveyances such as municipal streets, catch basins, curbs, gutter, ditches, manmade channels or storm drains owned by the City of Portland designed or used for collection or conveyance of stormwater

Open Channel: A fluid passageway that allows part of the fluid to be exposed to the atmosphere.

Operations and Maintenance (O&M): The continuing activities required to keep stormwater management facilities and their components functioning in accordance with design objectives.

Outfall: A location where collected water is discharged. Outfalls can include discharge from stormwater management facilities, drainage pipe systems, and constructed open channels.

Overflow: Excess volume of stormwater or wastewater that exceeds the storage or conveyance capacity of a facility or system component and causes a release of flow to another facility, system component or the environment.

Partial Infiltration: When the total infiltration design storm (or another specified design storm as required) is unable to be completely percolated into the ground.

Parking Area: The area of a site devoted to the temporary or permanent storage, maneuvering, or circulation of motor vehicles. Parking areas do not include driveways or areas devoted exclusively to non-passenger loading.

PBOT: Portland Bureau of Transportation

Permit: An official document issued by the Director authorizing performance of a specified activity.

Pervious: Any surface determined to have a runoff coefficient less than 0.8; a surface modified in a way to encourage infiltration of water (as defined in the City's *Sewer and Drainage Facilities Design Manual*).

Pervious Pavement (aka Porous Pavement or Permeable Pavement): Alternative pavement systems that allow water to percolate into subsurface drainage systems or the ground. Examples include permeable pavers, pervious asphalt, and pervious concrete systems.

Planter: A structural facility filled with topsoil and gravel and planted with vegetation. The stormwater planter receives runoff from impervious surfaces, which is filtered and retained for a period of time. Planters may be further classified by their ability to infiltrate. An infiltration planter has an open bottom, allowing water to infiltrate into the ground. A flow-through planter has an overflow that must be directed to an acceptable discharge point. Flow-through planters may have an impervious or sealed bottom, either through a waterproof liner or a poured concrete base. Site conditions will determine appropriate facility selection.

Pollutant: An elemental or physical material that can be mobilized or dissolved by water or air and could create a negative impact to human health or the environment.

Pollution Reduction (Water Quality): The Pollution Reduction storm event is representative of 90% of the average annual rainfall and is used to size facilities for the pollution reduction stormwater management requirement. Also known as the water quality storm.

Pollutants of Concern: Constituents identified by DEQ or BES as having the potential to have a negative impact on the receiving system, including surface waters, groundwater, the wastewater collection system, or the wastewater treatment plant. Pollutants of concern can include suspended solids, metals, nutrients, bacteria and viruses, organics, volatiles, semi-volatiles, floatable debris, and increased temperatures.

Practicable: Available and capable of being done, as determined by the BES Director, after taking into consideration cost, resources, existing technology, and logistics in light of overall project purpose.

Presumptive Approach Calculator (PAC): Calculation tool used to size vegetated stormwater facilities.

Public Facility: A street, right-of-way, sewer, drainage, stormwater management, or other facility that is either currently owned by the City or will be conveyed to the City for maintenance responsibility after construction. A new stormwater management facility that receives direct stormwater runoff from a public right-of-way becomes a public (City-maintained) facility unless the right-of-way is not part of the City's road maintenance system.

Public Improvement: An improvement of, on, over, or under property owned or controlled by the City, or property to be controlled by the City upon plat and easement recording for approved land divisions, by construction, reconstruction,

remodeling, repair or replacement, when no property is intended to be assessed any portion of the improvement cost.

Public Works Project: Any project performed or conducted by local, state, or federal governments that result in the construction of a Local Improvement or a Public Improvement.

Rainwater Harvesting: The collection and use of rainwater or stormwater runoff for water use purposes such as irrigation and toilet flushing. A facility that harvests rainwater is considered a stormwater facility only if the facility has water quality or flow control benefit, as determined by BES.

Rational Method: The method used to estimate the peak rate of runoff from a drainage basin, using the formula: $Q=CiA$. Q is the peak discharge, cubic feet per second; C is the runoff coefficient; i is the rainfall intensity, inches per hour; and A is the drainage area, acres (as defined in the City's *Sewer and Drainage Facilities Design Manual*).

Redevelopment: Any development that requires demolition or complete removal of existing structures or impervious surfaces at a site and replacement with new impervious surfaces.

Repair: Work performed to patch, replace components, replace or rehabilitate entire facilities that serve the City's sewer and drainage system.

Reservoir: The temporarily stored volume of runoff prior to overflow. For vegetated surface facilities it is defined as the volume between the top of the growing medium, the design water surface elevation (overflow elevation), and the edges of the facility (whether sloped or vertical). In a sedimentation chamber, it is defined as the volume of runoff stored prior to discharge to the receiving system.

Retention Facility: A facility designed to receive and hold stormwater runoff so that some volume of stormwater that enters the facility is not released offsite. Retention facilities permanently retain a portion of the water onsite, where it infiltrates, evaporates, or is absorbed by surrounding vegetation.

Retrofit: Installation of a new facility or system components to manage stormwater or wastewater flows.

Roadway: Any paved surface used to carry vehicular traffic (cars/trucks, forklifts, farm machinery, or any other large machinery).

Runoff Coefficient: A unitless number between zero and one that relates the average rate of rainfall over a homogenous area to the maximum rate of runoff, as defined in the City's *Sewer and Drainage Facilities Design Manual*.

Safety Factor: A sizing multiplier that evaluates the risks and values of specific conditions, including the failure mode of the construction material, unexpected construction deficiencies, and potential cost of system failure. The safety factor is applied to the maximum performance limit to calculate a risk-based design value used for sizing facilities. A safety factor must be used to provide reasonable assurance of acceptable long-term system performance.

Sand Filter: A structural pollution reduction or flow control facility using a layer of sand and optional vegetation to manage stormwater runoff.

Santa Barbara Urban Hydrograph (SBUH): A hydrologic method used to calculate runoff hydrographs.

Seasonally High Groundwater Level: The highest level that the permanent groundwater table or perched groundwater may reach on a seasonal basis.

Site: Any lot or parcel of land or contiguous combination where development occurs. For utility lines, trenches or other similar work, the site includes only the disturbance area directly related to the linear work activity.

Soakage Trench: A subsurface infiltration stormwater management facility that includes a perforated pipe laid in drain rock. A soakage trench is a UIC by DEQ definition.

Stormwater: Water that originates as precipitation on a particular site, basin, or watershed. Also referred to as runoff.

Stormwater Facility Landscaping (Landscaping): The vegetation (plantings), topsoil, rocks, and other surface elements associated with stormwater management facility design.

Stormwater Management: Techniques used to reduce pollutants from, detain, retain, or provide a discharge point for stormwater runoff that best preserves or mimics the natural hydrologic cycle. Stormwater management reduces combined sewer overflows and basement sewer backups, and helps meet the capacity of existing infrastructure.

Stormwater Management Facility: A facility or other technique used to reduce the volume, flow rate or pollutant content of stormwater runoff. Stormwater facilities

may reuse, collect, convey, detain, retain, or provide a discharge point for stormwater runoff.

Stormwater Retrofit: Installation of a new stormwater facility to treat stormwater from existing impervious area, including, but not limited to, roofs, patios, walkways, and driving or parking surfaces.

Sump: 1) A large public drywell used to infiltrate stormwater from public streets. Sumps are generally 48 inches in diameter and 30 feet deep. 2) Any volume of a facility below the point of outlet in which water or solids can accumulate.

Surcharge: 1) A flow condition when the downstream hydraulic capacity is less than the upstream inflow causing water to back up and rise above the inside crown of a pipe or facility. 2) The greatest measured distance from the water surface to the pipe crown.

Surface Infiltration Facility: A vegetated facility designed to receive and infiltrate stormwater runoff at the ground surface to meet stormwater infiltration/discharge requirements.

Tenant Improvements: Structural upgrades made to the interior or exterior of buildings.

Temporary Structure: A structure that is a separate and distinct entity from all other structures for a continuous period of three years or less. A temporary structure must be created and removed in its entirety, including impervious area associated with the structure, within three years. Paved areas such as parking lots that are developed alongside structures are not considered temporary for the purpose of this manual.

Time of Concentration (T of C or TOC): The amount of time it takes stormwater runoff to travel from the most distant point (measured by travel time) on a particular site or drainage basin to a particular point of interest.

Total Suspended Solids (TSS): Total suspended matter that either floats on the surface or is suspended in water or wastewater and that is removable by laboratory filtering in accordance with 40 CFR Table B.

Underground Injection Control (UIC): Defined by DEQ as any system, structure, or activity that is intended to discharge fluids below the ground surface such as sumps, drywells, and soakage trenches.

Vegetated Facilities: Stormwater management facilities that rely on plantings as an integral component of their functionality.

Vegetated Filter: A gently sloping, densely vegetated area used to filter, slow, and infiltrate sheetflow stormwater.

Vegetated Infiltration Basin (Rain Garden): A vegetated facility that temporarily holds and infiltrates stormwater into the ground.

Vegetated Swale (Bioswale): A long, narrow, vegetated channel used to collect, convey and reduce pollutants from stormwater runoff. Check dams are used to slow runoff, settle sediment, and improve infiltration and pollution reduction.

Water Body: Coastal waters, rivers, sloughs, continuous and intermittent streams and seeps, ponds, lakes, aquifers, and wetlands.

Water Quality Limited: Waters identified by DEQ that do not meet water quality standards. Total Maximum Daily Load (TMDL) must be developed for these waters to satisfy Clean Water Act (CWA) requirements. The most recent EPA-approved Section 303(d) list for Oregon can be found at www.deq.state.or.us/wq/assessment/assessment.htm.

Water Table: The upper surface of an unconfined water body, the surface of which is at atmospheric pressure and fluctuates seasonally. The water table is defined by the levels at which water stands in wells that penetrate the water body (City Water Pollution Control Facility Permit).

Wellhead Protection Area: A drinking water source area where additional groundwater protections are in place to secure the City's drinking water supplies and protect public health. The City regulates the storage, use, and transportation of chemicals in these sensitive areas, and more stringent stormwater management standards may apply. Additional information is available at <http://www.portlandoregon.gov/water/29890>.

Wet Pond: A vegetated basin with a permanent pool of water, used to provide pollution reduction for a particular drainage basin. The permanent pool of water provides a storage volume for pollutants to settle out and extended wet detention ponds have additional storage capacity for flow control.

Wetland: An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil

conditions. Wetlands include swamps, marshes, bogs, and similar areas, except those constructed as pollution reduction or flow control facilities.