



Submitted after the meeting

35627 #1039

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BARBARA CLARK, AUDITOR
CITY OF PORTLAND, OR.

BY _____

AUDUBON SOCIETY OF PORTLAND

Inspiring people to love and protect nature.

July 10, 1997

Mayor Vera Katz
City Council
City Hall
1220 SW Fifth Avenue
Portland, OR 97204

Dear Mayor Katz and Commissioners,

I wanted to follow up my oral presentation of yesterday's Stormwater Policy Advisory Committee's recommendations with written comments for the record and a few follow up observations.

As I mentioned yesterday, my comments on the recommendations reflect my own comments as well as those of several other conservation community representatives who served on the SPAC. Additional comments are only my own. First and foremost, we are very pleased with the philosophical and policy direction the SPAC recommendations give the various city bureaus and we urge your adoption and support of the recommendations. I will outline below one major area of disagreement with the recommendations and ask for your explicit affirmation of a number of other policies which are contained in the recommendations.

I realize you voted unanimously yesterday to accept the recommendations, but I still feel it is important to raise these issues again for your consideration and possibly for later clarification as we move toward adoption of the Handbook.

Relationship To Region 2040: I thought there was a lot of good questioning and comments among Council yesterday. Mayor Katz's observation that the SPAC recommendations are only one element of a much larger picture is right on target. I did, however, want to reiterate my opening remarks to you yesterday. Mayor Katz opened the discussion by saying "on the one hand the city has the 2040 goals to address and on the other hand there are important environmental issues to be addressed."

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The Region 2040 Growth Concept is intended to integrate development and environmental objectives. Mayor Katz closed her comments prior to voting to accept the SPAC recommendations by stating she is "opposed to moving the UGB." I want to reiterate my opening remarks and ask Council, as I did yesterday, to go on record regarding protection of natural resources, including the quality of our urban waterways, with respect to its "position" on the UGB.

1000 Friends of Oregon, the Coalition For a Livable Future, the Audubon Society of Portland and many others, including Metro 2040 staff, have gone on record as stating the following: We all want to implement a regional Growth Concept which will ensure the most efficient utilization of land inside the UGB and that will ensure that no more land than is absolutely necessary is added to the UGB. Those objectives notwithstanding, it is also our position that the loss of quality of life inside the UGB, including degradation of the quality of our water, loss of fish and wildlife habitat, and loss of Greenspaces is not acceptable. If some small adjustments to the UGB are necessary to maintain the quality of life inside the UGB due to protection of lands for water quality, flood reduction, protection of fish and wildlife habitat, protection and creation of parks and natural areas, that is consistent with the 2040 Growth Concept. It is also consistent with our goal to maintain a tight UGB.

I asked the City Council yesterday if it were willing to go on record as stating unequivocally that it supports this concept. I am enclosing a draft resolution that I would like Council to consider. In my opinion the acceptance of the SPAC recommendations is one small step in the direction of acknowledging more needs to be done to protect natural resources inside the UGB as our city and region grows.

Regarding Commissioner Hales' comments about wanting to ensure equitable regulations throughout the metropolitan region, I could not agree more and would urge both Commissioner Hales and Commissioner Francesconi to work toward speedy adoption and implementation of the Model Ordinance and Title 3 maps so Title 3 of the Urban Growth Functional Plan is adopted by all local jurisdictions. Much of the philosophy and many of the provisions contained in the SPAC recommendations are consistent with Title 3. Your leadership in this arena would be much appreciated.

Council asked if the Region 2040 planning process could address issues of stormwater management. They already have to some extent through Title 3 and the Model Ordinance which will be considered soon by MTAC on which the City of Portland is represented and MPAC on which Commissioner Hales and Francesconi represent the city. More comprehensive stormwater and

lands are included in the Special Circumstances on page 7 of the recommendations is that SPAC agrees we do not want to address stormwater management in a manner that degrades sensitive ecological areas such as EP and EC zones. It is not acceptable to simply dump stormwater into, run pipes and facilities through or build facilities within E-zones and other environmentally sensitive areas.

4. The other special circumstances, while being a potential "off ramp" as Council and staff described them yesterday, are not an outright exemption from dealing with stormwater issues. We are comfortable that, given the recommendations are intended to maintain natural resource values, the city not degrade other environmental values in the process of addressing stormwater management (protection of sensitive ecological areas and groundwater for example). However the SPAC recommendations state very explicitly that, even in the other special circumstances, "applicants must identify the portion of stormwater from the development which can be managed on site." It is important that Council send a clear message to the technical team writing the Handbook that the special circumstances are not "exemptions" and that, as the recommendations state, as much as possible must be done to address stormwater management on site.

5. With respect to Special Circumstances #2): Soil conditions are such that on-site treatment would significantly increase risk of landslides; #7) The site has a high water table which would limit infiltration opportunities; or #6) Structural or other physical limitations at the site would preclude either placement or necessary maintenance of on-site treatment measures or practices, I'd like to recount what Rick Michaelson, President of the Portland Planning Commission said at Tuesday's hearing on the city's White Paper on stormwater management in the SE Portland Planning Area. Commissioner Michaelson suggested it might be desirable or even necessary to downzone in some areas which are simply too steep, are in floodprone areas or otherwise pose too great a risk to human health and safety to develop.

Metro has removed steep slopes, floodplains, wetlands and stream corridors from the "buildable lands" inventory inside the UGB. These 16,000 acres represent both our most ecologically sensitive lands and lands which pose the greatest threat to sliding, flooding and earthquake. Council should consider carefully and should direct the technical committee writing the Handbook to recognize some areas should simply not be developed or should be developed at much reduced density for both human health and safety and ecological reasons.

As an aside, I would like to reiterate my kudos for what was for me a first at the Planning Commission hearing. Virtually all of the city bureaus participated in the presentation to the Planning Commission and it was clear

there was close coordination among Planning, Buildings and BES. The interbureau coordination appears to be much improved over previous years. This, I assume, is one specific outgrowth of the SPAC process. We applaud that coordination.

6. Cost: Mayor Katz brought up the issue of cost and it was discussed at some length on SPAC. Both Dean Marriott, Commissioner Sten and Jerry Palmer addressed this issue quite eloquently yesterday. Council should state explicitly that cost considerations must not simply look at the cost of the installation of a project, which will often be much less expensive than engineered structural approaches by the way. We are all collectively paying higher costs today than we would have had stormwater been managed in a manner closer to the SPAC recommendations. When costs are considered we must also calculate all of the benefits, both environmental and economic, that accrue from the implementation of more environmentally sound stormwater management.

7. The Handbook and Discretionary Review: We are in agreement with the "presumptive approach", with producing a Handbook which will present a "menu approach" and which strives to remove discretionary review of many projects. The reality, however, especially in areas like SW Portland, and where Environmental Zones are involved, discretion and close scrutiny is necessary. We hope Council understands and gives clear direction to the Handbook technical committee that discretionary review cannot and should not be eliminated.

8. Off-Site Facilities: I would like to second Margaret Mahoney's admonition to Council that the city needs to move with urgency to identify and purchase lands where off-site facilities are needed. The Planning Commission brought this issue up as well and my understanding is they will urge BES and other city bureaus to conduct a survey and establish priorities for acquisition as quickly as possible. I would draw your attention to the SPAC recommendation that you "move quickly to acquire appropriate sites which meet multiple public objectives including stormwater management, habitat development, open space and passive recreation."

BES and Parks in particular should partner whenever possible to ensure off-site facilities provide the community with multiple benefits. We are especially pleased that BES has been purchasing floodplain properties in Outer Southeast Portland along Johnson Creek for both flood and water quality purposes. They also provide important fish and wildlife habitat, open space, wildlife viewing and hiking areas.

Unresolved Issue: Redevelopment: Contrary to the language in the SPAC recommendations, there was not agreement on the following. If you read

section V A., page 4 you might conclude that there was consensus on the following statement: "SPAC recommends that only that portion of redevelopment resulting in a net increase in impervious surface be subject to these recommendations."

To be sure, many SPAC members, especially some city bureaus, feel strongly that this statement should be city policy. However, in my caucus with stream groups and other conservation representatives on SPAC and in talking with non-SPAC members, there is a strong feeling that this was a non-consensus item. Our position throughout the SPAC process is that redevelopment projects must also address stormwater management.

In fact, as I pointed out at yesterday's hearing, your own twice-approved by City Council (once in 1993 and once in 1995) NPDES permit states very explicitly that the City of Portland is to "Develop stormwater quality (and SPAC would add quantity) treatment facility requirements for all new and redevelopment projects."

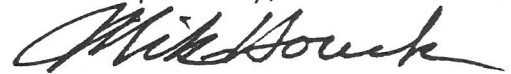
As with the Special Circumstances, we acknowledge that it may not be possible to deal with all stormwater on-site in all cases. This is as true with redevelopment as with other circumstances. However, Council should send a clear message to the Handbook committee that you expect them to strive for addressing stormwater management on all redevelopment projects as well, as mandated by your own NPDES permit.

There are several examples around the city, OMSI parking lot; Walnut Park; PCC annex and KPTV, which resulted in net reduction of impervious surface and creation of water quality landscaping and/or bioswales for pretreatment of water prior to discharging into the stormwater system. These approaches were cost effective as well, costing significantly less than more traditional approaches. If Council does not insist on trying, these approaches will not be taken because redevelopment projects will be presumed to be too difficult to address on-site stormwater management.

Port of Portland and Columbia Corridor Association: As I pointed out yesterday, the Port of Portland had every opportunity to participate in the SPAC process, their testimony notwithstanding. I was quite taken aback that the Columbia Corridor Association, which was a formal member of the SPAC, came to you with their recommendations but failed to raise them at SPAC. I see no rationale for treating industrial and commercial lands differently than other land uses in the city. The fact that there is a drainage district and separate NPDES permits for how they operate their facilities (not that cover new or redevelopment projects) is not a reason to exclude them from the SPAC recommendations.

I am hopeful these follow up comments will prove helpful as Council continues to deliberate this and other issues associated with keeping Portland livable as we continue to grow. As I said at the outset, the SPAC recommendations are about "integration" not "balancing" environmental against development objectives. This approach is consistent with both the City of Portland objectives and the goals outlined in Region 2040, the Functional Plan and upcoming Regional Framework Plan. We are hopeful that you will exhibit leadership both within the city and regionally by implementing innovative and progressive stormwater management and natural resource protection.

Respectfully,

A handwritten signature in black ink, appearing to read "Mike Houck". The signature is fluid and cursive, with the first name "Mike" being more prominent than the last name "Houck".

Mike Houck
Urban Naturalist

TESTIMONY SIGN-UP FOR

35627

10am TC Stormwater Policy

IF YOU WISH TO SPEAK TO THE CITY COUNCIL,
PLEASE PRINT YOUR NAME AND ADDRESS BELOW

NAME

ADDRESS & ZIP CODE

1		
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6	Anne Rickel	CCA PO Box 55651 97238
7	David Lohman	Port of Portland Box 3529 97208
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Date: 7/9/97

Page 1 of



COLUMBIA CORRIDOR
ASSOCIATION

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35627

July 8, 1997

Mayor Vera Katz
City Commissioners
City Hall
1120 SW 5th Ave
Portland, OR 97204

RE: Stormwater Management Guidelines and Handbook

The Columbia Corridor, Portland's largest industrial area, is home to 17,800 acres. The Columbia Slough travels over 30 miles through the Corridor and abuts thousands of acres of industrial land. How the City decides to address stormwater runoff is of critical significance to the Columbia Corridor Association (CCA) and its members.

The Columbia Corridor Association (CCA) requests that it participate in developing the City codes and the Stormwater Management / Mitigation Handbook (*handbook*). The final recommendations published by the Stormwater Policy Advisory Committee (SPAC) appear to overlook the development needs and constraints of industrial (and commercial) development. They also fail to recognize the role drainage districts play in handling water quantities and flows.

Specifically, the CCA is most interested that the following be addressed during the development of the codes and *handbook* as applicable:

1. (Final recommendations Page 2) The SPAC recommends that "to the maximum extent practicable, the quality of the stormwater leaving the site after development has occurred is equal to or better than the quality of stormwater leaving the site prior to development". However, the Performance Standards (Section VI) omit the qualifying phrase "maximum extent practicable". CCA would like to see this phrase included in the performance standards.

Many industries within the Columbia Corridor are individually permitted under, and complying with, NPDES stormwater requirements. Recent guidance from DEQ has stated that Best Management Practices applied "to the maximum extent practicable" would indicate that the stormwater will not significantly contribute to water quality problems, even in water quality limited streams. DEQ will apply this standard to all permitted industries. There appears to be no need for the city to duplicate these efforts.

2. (Final Recommendations, Section III & Section VI) The SPAC final recommendations stated goal is to "avoid, and where avoidance is not practicable, minimize and mitigate the impact of development on stormwater, so that the quality and quantity of stormwater leaving the site after development has occurred approximates the quality and quantity of stormwater leaving the site."

The document's stated performance standards for quantity suggest a flow rate basis which required no greater than pre-development flow leave the site. This infers that detention will be required in all developed locations of the City. (What is a pre-development flow rate ? How will it be determined, measured?) Flow rate metering may be appropriate in locations where down stream flooding is an issue. However, in a basin such as the Columbia Slough, where the stormwater is controlled by mechanical methods, the decision to detain water to prevent inundating the slough should be evaluated by the Drainage District in terms of its ability to manage the water.

Requirements for detention on individual industrial properties directly impact those facilities. Detention is either accommodated in underground storage tanks, which can be costly because of size and maintenance, or on the surface in areas otherwise utilized for the facility, such as parking lots. When detention is placed on the surface, it either limits the size of the facility (because land is dedicated exclusively for the detention pond) or inhibits the functionality of the facility (e.g., ponding in a parking lot restricts the use of the lot during the wet season.)

The CCA recommends that the water quantity requirements be further evaluated and imposed where it is practical. The CCA believes that detention within the Columbia Slough should be addressed with the Multnomah County Drainage District to determine the districts ability to process additional storm water. In addition, the CCA recommends that when the handbook is developed, the design criteria be clearly defined so that both independent engineers designing these facilities and those reviewing at the City understand the specific design requirements. **The CCA requests that a registered professional engineer in Oregon, experiences in stormwater hydraulics, and with experience on industrial sites, be on the handbook committee.**

3. (Final Recommendations, Section VII & VIII) The SPAC has stated that compliance for water quality and quantity could be addresses in either of two ways. These two ways are "presumptive compliance", which are those identified in the handbook, or "performance standards", which the applicant for development will be required to demonstrate that he/she meets. Development permits will be issued based upon one of those two methods. The CCA is concerned that it may be too difficult to demonstrate compliance with performance standards. The SPAC has stated that the "predevelopment conditions" or "no impact" standard may not be achievable in many areas of Portland, and thus restrict the development from providing creative approaches to storm water management. In addition, depending upon the criteria set forth, either approach may conflict with SPAC's recommendation (page 2) of "to the maximum extent practicable."

4. (Final Recommendations, Section VIII, Subsection B) The SPAC recommendations suggest that an applicant for land division must plan to manage the stormwater runoff from all impervious surfaces at the land division site, including planned and anticipated buildings, roads, driveways and walkways. Further, the applicant must identify and reserve locations for stormwater management and related conveyance systems. The CCA has several issues with this recommendation. First, in large land divisions involving industrial property, it is sometimes very difficult, if not impossible, to anticipate the location of planned buildings, sidewalks, and driveways. The Corridor is designated

an " industrial sanctuary" by the city and the city should recognize that industrial developments are not always predictable. Industrial subdivisions, as seen in the Columbia Corridor, are often divided in anticipation of future development with no definite plans. This recommendation does not provide the development flexibility often required in industrial areas.

Second, this recommendation assumes that storm water management will involve ponds and swales as the predominant means for stormwater management. Ponds and swales may not be prudent in industrial areas, where product handling, and property use offer situations where spills and passive contamination can occur, despite precautions and secondary containment. More traditional, structural methods may be appropriate in these locations (e.g., subsurface detention).

Finally, as industrial areas become more densified, land division may be applied to existing, parceled property. There may not be any available land to reserve for these facilities. The issue of what is "practicable" may become highly subjective.

5. (Final Recommendations, Section IX) The SPAC recommends monthly stormwater fees. The property owners in the Corridor already pay a monthly drainage district fee for drainage services to the districts. How will the city reconcile this ?

6. (Final Recommendations, Section X) The SPAC suggests that it will be at the City's discretion to "determine what stormwater management facilities are publicly owned and managed".

The City of Portland Title 17-Public Improvements are very clear regarding " Any water quality control facility that receives stormwater runoff from a public right-of-way shall be a public facility". (Section 17.38.040 C. 1, "Stormwater Quality Facilities Required, Maintenance")

The CCA is not clear about the intent of Section X final recommendations. It seems, if a water quality facility receives stormwater runoff from a public right-of-way, there is no question about responsibility for ownership and maintenance. However, Section X appears to indicate that BES can take private property for drainage and manage it. It also appears to imply that the facilities are ponds and swales by the suggestion of "dedicated access and easements". Again, the CCA wants to point out that more traditional structural methods, such as "Stormceptors" and Oil/Water Separators, may be more appropriate for industrial areas. Lastly, there may be circumstances where the city requires management by private landowner and no means are provided to apply this fairly.

(CCA has concerns about precedent being set by the city. The city constructed water quality facilities in NE Airport Way but is not maintaining them.)

7. (Final Recommendations, Section XI) The SPAC suggests that the handbook contain aesthetic design standards for stormwater treatment measures and practices, including those which provide multiple benefits such as wildlife habitat, public recreation, and education.

Once again, the assumption is that the only approvable storm water quality facilities are those which

CCA
Page 4

are ponds and swales. Using the land this way may be inappropriate for individual industrial sites for reasons again summarized below:

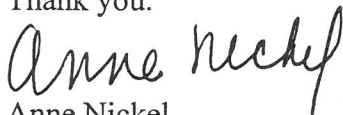
- * Property availability for industrial land is limited. Metro's 2040 assigns the number of jobs. Portland must generate. Sufficient industrial lands is critical to meeting this goal.
- * Product handling and property use can offer situations where spills and passive soil contamination can occur.
- * Private development of individual industrial properties are not intended to create a place for public recreation.
- * There are areas within the Columbia Corridor, such as the Portland International Airport, which is required by FAA to discourage wildlife habitat.

The CCA recommends further discussion of this issue. Evaluating aesthetic attributes is fraught with subjectivity. The CCA recommends that, if pursued, aesthetic design requirements recognize the differences inherent in residential, commercial and industrial uses. The CCA agrees that providing multiple benefits may be appropriate for a residential area; however, it usually appears inappropriate for industrial zoned properties.

8. (Final Recommendations, Section XII) The SPAC recommends a systematic monitoring program be designed and implemented by BES. CCA agrees because it will make BES's monitoring protocol more meaningful. However, it is unclear to the CCA how this requirement relates to those facilities which already have a NPDES permit with water quality monitoring requirements. CCA believes those properties with an NPDES permit should be exempt.

Again, the Columbia Corridor Association (CCA) would like to participate during the development of the codes and handbook to be sure that these issues are addressed. It is important that the development needs and constraints of industrial (and commercial) development be given full consideration.

Thank you.



Anne Nickel
Executive Director

35627

Richard Michaelson
906 NW 23rd Ave
Portland, OR 97210

July 8, 1997

Mayor Vera Katz & Portland City Council
1220 SW Fifth Ave
Portland, OR 97204

Dear Mayor Katz and Council Members.

I am writing on behalf of the Portland Planning Commission to give our input on the Storm Water Policy Advisory Committee report which you will be hearing on July 9, 1997. These comments come from a work session that we had with Planning, Buildings, and B.E.S staff during our meeting this afternoon.

The Planning Commission has identified storm water run off as a major issue affecting our ability to meet the City's housing and development goals in Southwest Portland. We are pleased that the City is discussing the storm water policy on a City wide basis, but we want to express our hope that the priorities for implementation can be coordinated with our Southwest planning efforts.

In particular, it is important that the identification and acquisition of regional storm water facility sites be coordinated with our proposed up zonings. Storm water can not be handled on site in the proposed high density town centers, and the appropriate development of these areas can not proceed without the development of regional facilities. These areas must be the number one priority for establishing regional storm water facilities.

It is also extremely important that the City's bureaus work together to provide multi faceted solutions to storm water issues. Runoff does not know whether it is on private property or on public land, whether it is in an E zone or not, and the present division of responsibilities for storm water management does not lead effective solutions. In Southwest we must do a better job of limiting the effect of one person's storm water solution on the adjacent person's property, and the present division of bureau responsibilities is not effective in dealing with these conflicts.

Yours truly,

Rick Michaelson

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BARD RA CLARK
CITY OF PORTLAND, OR.
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To: Council Clerk
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From: Rick Michaelson
Fax number: +1 (503) 274-5473
Business phone:
Home phone:

Date & Time: 7/8/97 11:50:46 PM
Pages: 2
Re: S.W.P.A.C. Report

Please distribute this letter to City Council members for the June 9th hearing on Storm Water Policy.

Thank you very much

made copies

Richard Michaelson
906 NW 23rd Ave
Portland, OR 97210

July 8, 1997

Mayor Vera Katz & Portland City Council
1220 SW Fifth Ave
Portland, OR 97204

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Yours truly,

Rick Michaelson

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BARBARA CLARK, AUDITOR
CITY OF PORTLAND, OR.

BY _____

#1039

35627

Jere W. Retzer
5115 SW Alfred St.
Portland, OR 97219

July 7, 1997

Dear Mayor Katz and City Council:

While the overall recommendations of the Stormwater Policy Advisory Committee (SPAC) contain many good things I have the several concerns which I believe should be addressed before these policies are adopted. I am a resident of the Crestwood neighborhood in SW Portland and former chair of the Crestwood Neighborhood Association. In that position I helped to found the Crestwood Headwaters Group (CHG), of which I am still a member. I recently wrote to the Mayor and Planning Commission about several concerns I have relative to development near our urban streams, notably Woods Creek, which has its headwaters in the Crestwood neighborhood. My concerns about the SPAC recommendations are as follows:

1. The report seems to view that each piece of land can be considered independently of its surroundings. In the real world, however land has a relationship to adjacent lands and in many cases, commonly found in southwest Portland land proposed for development may be serving to filter and/or manage stormwater from adjacent property. The policy should account for these situations and the required standard should be no net negative impact for stormwater leaving the property, including that passed from adjacent properties. This should especially be the case for properties in or adjacent to environmental overlay zones, as discussed below.
2. The report does not address the protections required by Portland's current environmental overlay zones. These are especially sensitive areas that must be adequately protected and should be specifically addressed. It should not be permitted to allow additional stormwater or pollution to be discharged into environmental overlay zones.
3. The report does not address enforcement. We have seen within the Crestwood neighborhood repeated examples of ineffective enforcement of stormwater requirements of approved building permits. One recent example was the J. C. Crossroads development, which required onsite management. In this case, however improper grading of the parking lot rendered the onsite management ineffective. It was left to the Crestwood neighborhood to detect and report this problem on March 15, and the Bureau of Buildings has yet to address a corrective action. This was an obvious problem that should have been caught. What of all the deviations from permit which the neighbors do not catch?
4. The report does not seem to address what will be the course of action if on-site treatment and management are not practical and if there is also no practical off site alternative. What then? This is a particular concern in areas in the southwest, notably those near Woods Creek and within the proposed West Portland Town Center, for example:

- a. Under provisions VIII.C.4, properties zoned for several different zones, including CG and RH (both of which may be used in the Crestwood portion of the town center) may be

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exempted from onsite management for a variety of reasons including "site location, soil conditions, or cost." Who will determine that these factors render onsite management "impractical" and what will be the course of action if there is no available off site location for stormwater management? J.C. Crossroads again provides an example. This is a general commercial development (CG) within the town center. Onsite management, in this case a compost filter, was required. Would this requirement now be waived? We should not allow this new policy to weaken current protections.

b. Other, residentially zoned areas adjacent and above Woods Park (in or next to environmental overlay zones) provide additional examples. These properties are in some cases above known slide areas in the park, but are themselves below adjacent residential properties so that if onsite management is "impractical," which is probably the case, stormwater from these properties would have to be pumped uphill to a nonexistent offsite management facility. What do we do in these cases? Allow the development to further aggravate the current mudslides and further degrade Woods Creek? This is not an acceptable alternative, but to do otherwise may constitute a "taking" if the property is not already built to maximum potential. What is worse is that we do not even know which properties may fall under these circumstances and may therefore be about to approve upzoning some of these properties under the Southwest Community Plan. We should not approve any upzoning in these or similar areas until we know the impact on public safety and the environment.

5. City policies should provide incentives for developers to work with adjacent property owners for the benefit of water quality. This is particularly the case for property adjacent to publicly owned land. Significant amounts of open space within and near Crestwood are owned by ODOT, and the highways maintained by ODOT, notably I-5 and Barbur are significant polluters of area streams. These ODOT properties, for example the lot northeast of Blockbuster Video in West Portland Park, are in many cases ideal locations for stormwater management facilities. However, property owners and neighborhoods need the city's help to get ODOT to the table and turn this potential into reality. In Crestwood, for example we could use the city's help to get ODOT to work with the Crestwood Headwaters Group to develop a management facility to mitigate for outfall from I-5 into the South Fork of Ash Creek adjacent to two properties owned by BES and Metro. While ODOT recognizes that they have a responsibility it is not easy for a neighborhood or developer to identify the ODOT rules, offices and procedures that need to be followed to make such a complex undertaking happen.

6. The need for offsite management will be especially acute in the West Portland Town Center and I recommend that the city acquire Deer Canyon within the Crestwood neighborhood to provide a management facility, as well as habitat, connectivity for the southwest recreational trail and open space for the town center as I recommended in my June 30, 1997 letter on development issues along Woods Creek.

Sincerely,



Jere W. Retzer

CITY OF PORTLAND

Stormwater Policy
Advisory Committee

FINAL RECOMMENDATIONS

Stormwater Management Requirements for New Development

June 1997



Stormwater Policy Advisory Committee

Members

Bruce Allen

Portland Development Commission

Scott Barrie

Home Builders Association of Metropolitan Portland

Brad Baugher

FANS of Fanno Creek

Cathryn Collis

City of Portland, Bureau of Environmental Services

Jacqueline Dingfelder

Portland Utilities Review Board

Lamoine Eiler

Forest Heights Development

Michael Faha

GreenWorks, P.C.

Rosemary Furfey

Metro

Mike Houck

Audubon Society

Paul Keiran

Oregon Department of Environmental Quality

Gayle Killam

Oregon Environmental Council

David Knowles

City of Portland, Bureau of Planning

Margaret Mahoney

City of Portland, Bureau of Buildings

Anne Nickel

Columbia Corridor Association

Bruce Niss

City of Portland, Water Bureau

Jerry Palmer

Alpha Engineering, Inc.

Vic Rhodes
City of Portland, Office of Transportation

Sheree Stewart
Oregon Department of Environmental Quality

Dawn Uchiyama
City of Portland, Bureau of Parks and Recreation

Alternates

Mike Bercutt
Opus Homes

Sallie Edmunds
City of Portland, Bureau of Planning

Don Gardner
City of Portland, Office of Transportation

Tim Hayford
Multnomah Drainage District #1

Doug Marker
Portland Utilities Review Board

Amy Patton
Oregon Department of Environmental Quality

Janet Senior
City of Portland, Water Bureau

Kendra Smith
Audubon Society

John Southgate
Portland Development Commission

Facilitator

Pam Wiley

Final Recommendations
Stormwater Policy Advisory Committee

I. Purpose, Findings and Intent

The Stormwater Policy Advisory Committee (SPAC) was established with the primary purpose of making recommendations to the Bureau of Environmental Services (BES) regarding stormwater management requirements for development (NPDES Stormwater Permit BMP ND5), including water quality criteria and detention requirements. The committee set as its goal the determination of measures needed to ensure that development occurs in a manner which avoids, or where avoidance is not practicable minimizes and mitigates, the resulting increase in stormwater and the pollutants stormwater contains. The committee recognizes that this goal, and its supporting policies, must be integrated with the city's other environmental protection, density, transportation and economic development goals and policies.

In dealing with these issues, the committee has viewed stormwater as both a valuable resource and a management challenge. As a resource, stormwater is critical to fish and wildlife habitat, recharges groundwater supplies, and is important to the maintenance of natural and artificial landscapes. As a management challenge, stormwater can cause flooding, destroy fish and wildlife habitat, and pollute groundwater and surface waters. Management is the key difference between stormwater which contributes to and stormwater which degrades Portland's water quality and quality of life.

The SPAC has invested considerable time learning about stormwater management problems, and reviewing existing and potential stormwater management solutions. Key findings of the SPAC are as follows:

- Portland's diverse geography makes it difficult to apply a uniform performance standard throughout the city. On the other hand, developers and review staff prefer certainty and ease of administration, making a uniform standard desirable.
- Existing built and natural stormwater management systems have a limited capacity to handle increased volume and pollutant loads, and in some cases are being harmed by existing flow and pollutant loads.
- Existing and potential Clean Water Act requirements related to water quality-limited streams may severely limit stormwater solutions if those solutions would result in increased discharges of pollutants to these water bodies.
- Solving the stormwater quantity and quality problems related to *new* development will not result in marked improvements in water quality, or prevent flooding or stream degradation related to stormwater impacts of *existing* development. The goal of these recommendations is avoid exacerbating existing stormwater quality and quantity problems.

- Any stormwater management solution must support the region's and the city's commitment to protection of water resources, natural resource lands and a compact urban form.

Given these findings, the SPAC recommends that:

- 1) stormwater be managed as close as practicable to the site at which development occurs, in a manner which avoids negative quality and quantity impacts on adjacent streams, wetlands, groundwater and other water bodies, and*
- 2) to the maximum extent practicable, the quality of stormwater leaving the site after development has occurred is equal to or better than the quality of stormwater leaving the site prior to development, and*
- 3) to the maximum extent practicable, the quantity of stormwater leaving a site after development has occurred is equal to or less than the quantity of stormwater leaving the site prior to development.*

The committee recognizes that site conditions, cost, regulatory issues and other factors make it impracticable to achieve complete on-site management everywhere. For example, SPAC has discussed the challenges to practicable on-site management where the location of sensitive cultural features, or natural features which provide significant environmental benefits, preclude on-site management; where soil conditions will not support on-site management, or are such that on-site treatment would significantly increase the risk of landslides or result in contamination of groundwater; where city policy or regulation allows a high percentage of impervious surface; or where physical limitations at the site would preclude either the placement or necessary maintenance of on-site treatment facilities.

It is the intent of this policy, however, that even where such circumstances exist, practicable options for managing all or a portion of the stormwater from the development will be explored, and practicable solutions implemented. In some cases, special measures will be needed to assure that on-site management does not result in threats to public health and safety.

The committee also recognizes that, with the possible exception of flow rate, a "pre-development conditions" or "no impact" standard may not be achievable in many areas of Portland. Regardless of what measures are taken to avoid or minimize impacts, development will almost always have the effect of increasing the volume of stormwater leaving the site, and increasing the levels of pollutants in stormwater, as measured against pre-development conditions.

To encourage development to occur in a manner which meets a "pre-development conditions" standard to the maximum extent practicable, the committee is proposing that a set of stormwater management/mitigation measures be developed which would result in the applicant/development being presumed to comply with the standards. Applicants

choosing alternative measures would be required to demonstrate that such measures meet the standards.

The committee recommends that these measures, and other technical information needed to implement this general policy, be identified and described either in regulation (code) or in a *Stormwater Management/Mitigation Handbook*, as appropriate. The committee recommends that the regulations and *Handbook* be developed by a BES technical committee with review by other affected city bureaus and other interested parties.

Finally, the committee recognizes that stormwater management is an evolving science. The policy direction recommended here is based on the best knowledge available today. The costs, benefits and effectiveness of these recommendations should be monitored carefully, and adjustments to this policy, any subsequent regulations and the *Stormwater Management/Mitigation Handbook* made over time as new knowledge is acquired. The process for making such adjustments should provide for public review. As changes are made, however, applicants already in the development process should be held to the applicable standards that existed at the time of application unless the applicant requests or consents to the new provisions.

II. Definition of Terms

- A. Post-development - Means a change from conditions at the site at the time of application for development.
- B. Pre-development - Means conditions at the site immediately prior to application for development.
- C. Development - A change in conditions resulting in an increase in the amount of impervious surface at the site above a certain level (to be defined by regulation).
- D. On-site - Means the stormwater management measure or practice is located within the boundaries of the site it was designed to serve, or, if not located within those boundaries, on property contiguous to the site through either ownership or easement. An on-site stormwater management measure or practice may be publicly or privately owned and maintained.

If a proposed development includes more than one ownership, then all ownerships are included as the "site". For example, a stormwater management measure or practice is considered to be on-site if it serves:

1. a single residential, commercial or industrial or other single use in single ownership;
2. multiple residential or other uses in multiple ownerships; or

3. mixed uses and single or multiple ownerships in a single planned development district.

E. Off-site - Means the stormwater management measure or practice is not located within the boundaries of the site. Such measures or practices may be publicly or privately owned and maintained.

III. Goal

The goal of these recommendations is to avoid, and where avoidance is not practicable minimize and mitigate, the impacts of development on stormwater, so that the quality and quantity of stormwater leaving a site after development has occurred approximates the pre-development quality and quantity of stormwater leaving the site.

IV. Basic Policy Recommendation

Stormwater should be managed as close as practicable to the site at which development occurs, and in accordance with the standards, guidelines and incentives recommended herein.

V. Redevelopment

- A. City policy is to encourage redevelopment, and stormwater management requirements should not discourage redevelopment. Accordingly, SPAC recommends that only that portion of redevelopment resulting in a net increase in impervious surface be subject to these recommendations.
- B. The avoidance, minimization and mitigation of stormwater quality and quantity impacts related to *pre-existing* impervious surface should be encouraged through financial incentives as described in Section IX.
- C. BES should develop, as part of its rate structure, incentives for stormwater management for water quality for redevelopment.
- D. SPAC recognizes that changes in type and intensity of land use related to redevelopment may have impacts on stormwater quality. However, the committee was unable to reach consensus on how to address this problem.

VI. Performance Standards

A. Quality:

1. Standard - Stormwater quality measures and practices must be designed so that the quality of stormwater leaving the site post-development, either by

surface or groundwater flows, is equal to or better than the quality of stormwater leaving the site pre-development.

2. Design Criteria - Water quality treatment standards for post-development stormwater flows will be based on a range of storm frequencies of up to the .83 inches/24 hour event.

B. Quantity

1. Flow Rate Standard- Stormwater collection systems must be designed so that the flow rate of stormwater leaving the site post-development is equal to or less than the pre-development flow rate.
2. Design Criteria - Detention standards for post-development stormwater flows will be based on a range of storm frequencies of up to the 10-year event.

VII. Compliance

There are two different ways to comply with the performance standards in Section VI.:

A. Presumptive Compliance

Development which incorporates approved stormwater management measures and practices identified in the *Stormwater Management/ Mitigation Handbook* complies with the standards in Section VI.

B. Performance Standards

Development may incorporate measures and practices other than those set forth in the *Handbook*; however, applicants using such measures and practices will be required to demonstrate that they meet the standards in Section VI.

VIII. Process

A. Development Permits

1. An applicant for any development permit must provide for stormwater management in accordance with the standards for stormwater quality and quantity in Section VI. and the *Stormwater Management/ Mitigation Handbook*. In meeting this requirement, an applicant has the option of either:
 - a) Using the presumptive compliance approach described in the *Stormwater Management/Mitigation Handbook*; or

- b) Designing the required stormwater system based on the performance standards in Section VI.

2. At the time of application, an applicant for any development permit under either 1(a) or 1(b), above, must submit information regarding pre- and estimated post-development conditions at the site adequate to determine that the applicable standards will be met. Such information shall include but not be limited to soil type, slope, size of parcel, increase in impervious surface to be created by the development, and the nature of the proposed use. Detailed application requirements are provided in the *Stormwater Management/ Mitigation Handbook*.

3. An applicant for a development permit under 1(a) (presumptive compliance approach) must identify, from the menu of options provided in the *Stormwater Management/ Mitigation Handbook*, the stormwater BMPs to be used to manage stormwater at the site.

4. An applicant for a development permit under 1(b) (performance standards) must:

- a) identify pre-development run-off at the site as specified in the *Handbook*;
- b) provide a projection of post-development run-off at the site, based on modeling or other calculation methodology identified in the *Stormwater Management/ Mitigation Handbook*; and
- c) include with the description of the proposed stormwater management measures and practices, a description, including relevant calculations, of how the proposed measures and practices will meet the performance standard in Section VI.

B. Land Divisions

An applicant for a land division must plan to manage the stormwater runoff from all impervious surfaces at the land division site, including but not limited to all planned and anticipated buildings, roads, driveways and walkways. Therefore, in addition to providing the information in “3” and “4” above, and in accordance with regulation or guidance set forth in the *Stormwater Management/ Mitigation Handbook*, an applicant for a land division must identify and reserve locations for stormwater management measures or practices and related conveyance systems.

C. Development Permits and Land Divisions

1. Special Circumstances

a. Site location, soil conditions, cost and other circumstances may make it impracticable to treat or manage all stormwater from the development on-site. Such circumstances include, but are not limited to, the following:

- 1) The site contains sensitive ecological or cultural features, or natural features which provide significant water quality or environmental benefits.
- 2) Soil conditions are such that on-site treatment would significantly increase the risk of landslides.
- 3) The site is characterized by soil types which will not support on-site treatment.
- 4) The site is within a RX, RH, CM, CS, CX, CG, EX, IG1, or IH zone located within the 2040 design types (Central City, Regional Center, Town Center, Station Community and where appropriate portions of Main Streets).
- 5) On-site treatment would result in likely contamination of groundwater.
- 6) Structural or other physical limitations at the site would preclude either the placement or necessary maintenance of on-site treatment measures or practices.
- 7) The site has a high water table which would limit infiltration opportunities.

Where such circumstances exist, applicants must identify the portion, if any, of the estimated stormwater from the development which can be managed on-site. Where the applicant demonstrates that either all or some portion of the development's stormwater cannot be disposed of on-site, off-site disposal is allowed. [see Section XV]

b. Where a portion of the stormwater is to be treated on-site, the applicant must identify how the stormwater will be treated or disposed of, following appropriate guidelines from the *Stormwater Management/Mitigation Handbook*.

2. Existing Capacity

If there is an existing engineered stormwater system in place that can reasonably address the a) water quality and/or b) water quantity issues related to this and other foreseeable developments in the area, the applicant may apply to use that system. However, on-site management is encouraged even in these areas and applicants electing to manage stormwater on-site shall receive credits against stormwater fees (SDC's and monthly charges).

IX. Incentives

The stormwater fee structure (SDC's and monthly stormwater fees) should encourage the avoidance, reduction and mitigation of stormwater impacts. The fee structure should be based on the cost to the public to provide the system required to address stormwater impacts. Anything done to reduce the cost to the public should reduce the fees. However, everyone should pay a base fee.

X. Ownership and Maintenance of Facilities

On-site facilities, whether public or private, will be required to provide maintenance assurance for a period of 2 years. The City will determine what stormwater management facilities are publicly owned and managed. The City will retain the option of contracting for the maintenance and inspection of stormwater management facilities. Such facilities shall require easements or other dedicated access as stipulated in the *Stormwater Management/Mitigation Handbook*.

XI. Stormwater Management/Mitigation Handbook

It is the intent of the SPAC that the *Stormwater Management/Mitigation Handbook* clearly identify the minimum Best Management Practices necessary to meet presumptive compliance, and provide for a development application review process that minimizes the number of situations in which discretionary review is necessary.

A. The *Stormwater Management/Mitigation Handbook* shall provide menus of on-site measures and practices, that will fulfill the on-site requirement to the degree practicable for different land uses and site conditions.

B. The *Stormwater Management/Mitigation Handbook* shall include approved run-off calculation methodologies, facilities design guidance, Best Management Practices (BMP's), impervious surface reduction strategies and pollution prevention measures presumed to comply with the performance standards, and other technical information needed to support and implement these policy recommendations.

- C. The Handbook shall also contain minimum aesthetic design standards for stormwater treatment measures and practices. In addition, SPAC encourages the City to provide incentives to encourage the development of stormwater management measures and practices which provide multiple benefits, including stormwater treatment and detention, wildlife habitat, and public recreation and education (where appropriate).
- D. The *Handbook* should be developed by a BES technical committee with review by other city bureaus, including Planning, Transportation, Water, Buildings and Parks and Recreation; with the assistance of appropriate regulatory agencies such as the Department of Environmental Quality and the U.S. Environmental Protection Agency; and with additional input from other interested parties.
- E. Development of the *Handbook* is a high priority. BES should make every effort to complete the *Handbook* by September 30.
- F. In developing the *Handbook*, BES should rely to the greatest extent possible on existing documents, including the stormwater management manual of the Unified Sewerage Agency, existing BES manuals, BES manuals/handbooks already under development, manuals and handbooks developed by other cities, and other information.
- G. Until the *Handbook* is adopted, BES will adhere to existing interim policy adopted pursuant to OAR 340-41-026(3)(c).
- H. The process of developing and adopting the *Handbook* should include specific provision for SPAC review.

XII. Monitoring

Because stormwater management is an evolving science, and because these recommendations rely on presumptive compliance with stormwater management standards, adequate monitoring of the performance of stormwater treatment efforts is essential. The SPAC strongly recommends that a systematic monitoring program be designed and implemented, by BES. The program should be funded through the base stormwater fee at a level adequate to provide the resources needed to regularly review the effectiveness of measures and practices prescribed to comply with the performance standards. Surface and groundwater sampling should be included in the monitoring program. Results of monitoring should be incorporated in revisions to regulation and/or the *Stormwater Management/ Mitigation Handbook* as necessary.

XIII. Revisions

A. Regular Review - The SPAC recommends that these policy recommendations, and any city code adopted pursuant to these recommendations, be reviewed every three years. The process for reviewing and revising the policy and related code should include a clear requirement to notify parties of interest and the general public about the revision, and provide opportunities for public participation.

B. Emergency Code Revision - In addition to the above, city code adopted pursuant to these recommendations should make provision for emergency code revision.

C. Application of Revised Standards - Notwithstanding the above, applicants should not be subject to changing standards once an application has been submitted; only those standards and requirements in existence at the time of application should apply unless the applicant requests or consents to new provisions.

XIV. Revisions to Existing Code

SPAC recommends that BES, PDOT, PDC, BOP, BOB and other appropriate city agencies review existing code requirements to assure consistency with and to further these policy recommendations.

XV. Off-Site Stormwater Management

The basic policy recommendation of SPAC is to manage stormwater *on-site or as close as practicable to the site at which development occurs*. However, as provided in Section VIII.C.1., SPAC recognizes that circumstances may make complete (that is, to the design storm level) on-site management impracticable. In such cases, it is intended that applicants consult the *Handbook* to determine whether practicable options exist to handle some portion of the stormwater from the development on-site. For the portions of stormwater that cannot be managed on-site, (that is, the quality and quantity beyond that treated on-site and up to the design storm level) off-site facilities must be located and/or developed and stormwater conveyed to that location.

The SPAC concludes that the City may not be able to simultaneously meet its goals of high density development and satisfaction of local, state and federal water quality standards without substantial investment in off-site stormwater management facilities. Accordingly, SPAC urges the City to:

- conduct an inventory of existing, appropriate public and private lands to identify potential sites for locating off-site stormwater facilities;

- through the facility planning process, identify priority sites for off-site facilities, with special emphasis on proposed high density areas of the City and areas of the city where significant known obstacles to on-site management exist;
- develop a financing plan to support both the acquisition of needed sites and the design and construction of off-site stormwater management facilities and related conveyance systems; and
- move quickly to acquire appropriate sites which meet multiple public objectives including stormwater management, habitat development, open space and passive recreation.

SPAC further recommends that the cost of off-site stormwater management facilities be paid for through the use of an "in lieu of" fee.

Exhibit B

**Implementation Strategy
for the
Stormwater Policy Advisory Committee Stormwater Management Guidelines**

June 24, 1997



**Prepared by
Bureau of Environmental Services**

Implementation Strategy

Background

In 1995, the City of Portland was issued an National Pollutant Discharge Elimination System (NPDES) Stormwater permit. The Bureau of Environmental Services (BES) has lead responsibility to implement permit requirements and to manage stormwater runoff. Under the conditions of the permit, the City must develop and implement management practices to mitigate stormwater quality and quantity impacts from new and redevelopment. The Stormwater Policy Advisory Committee (SPAC) was formed at the direction of Commissioner Mike Lindberg in April 1996 to assist the City in the development of these guidelines.

Stormwater Management Handbook

The SPAC has completed a report, *Stormwater Management Requirements for New Development* (Exhibit A), outlining stormwater policy recommendations. These recommendations will be implemented through the development of a Stormwater Management Handbook and City codes. The handbook will be developed with input and review by a SPAC technical advisory committee. The committee will include a broad based mix of SPAC representatives from other bureaus, agencies, home builders, and environmental groups. Handbook development is scheduled to be completed this fall.

Interim Guidelines Required by the State of Oregon

In January 1997, the Oregon Department of Environmental Quality (DEQ), in accordance with section 303(d) of the Clean Water Act, issued a listing of water quality limited streams. Listed streams do not meet water quality standards or support the federally defined "beneficial uses". With the exception of Balch Creek, all major streams within the City of Portland are included on this list.

Oregon Administrative Rules (OAR) prohibit new or increased discharge loads, including stormwater, to water quality limited streams [OAR 340-41-026(3)(C)]. On February 7, 1997, DEQ provided the City with a letter which required that new stormwater discharges under the City's Stormwater NPDES Permit, in order to comply with that OAR, be controlled to the point that they not significantly contribute to a violation of water quality standards. To meet that regulatory requirement, BES has developed interim stormwater management guidelines. The interim policy guidelines for stormwater management will be applied as described in the attached "Discussion of Interim Stormwater Guidelines" (page B-2). These interim guidelines will remain in effect until the Stormwater Management Handbook has been completed and adopted by BES and implementing Codes have been approved by City Council.

Discussion of Interim Stormwater Guidelines

Oregon Administrative Rule (OAR) 340-41-026(3)(C) provides that new or increased discharge loads are prohibited if the receiving stream is identified as being water quality limited under OAR 340-41-006(3)(a). New or increased discharge loads may be allowed:

- (I) if the pollutant parameters associated with the proposed discharge are not directly or indirectly related to the parameters for which the stream is water quality limited;
- (ii) if Total Maximum Daily Loads (TMDLs) Waste Load Allocations (WLAs), Load Allocations (LAs), and reserve capacity have been established and enforceable compliance plans are established;
- (iii) for dissolved oxygen, if the Department, in its discretion, provides an allowance for WLAs that will result in no measurable reduction of dissolved oxygen;
- (iv) if, under extraordinary circumstances, the Department of EQC establishes a waste load increase for an existing source during the period between the establishment of TMDLs, WLAs and LAs and their achievement provided that the increase is temporary and does not extend beyond the TMDL compliance deadline for the waterbody.

On February 7, 1997, DEQ provided an interpretation of this rule which states, "It is generally presumed that Best Management Practices (BMP's) applied to the maximum extent practical (MEP) should control new stormwater effluents from sources subject to NPDES permits to the point that they do not cause or significantly contribute to a violation of water quality standards. In cases where DEQ feels that a new stormwater discharge may significantly contribute to a violation of water quality standards, DEQ rules contain provisions to allow DEQ to not issue a permit until TMDL is established and a WLA can be made."

Every urban stream in Portland, except Balch Creek, is listed as water quality for one parameter or another. Applying this rule, BES is prohibited from increasing discharges from development to our municipal stormwater sewer system (which, except for in the combined area all discharge to surface waters) unless BMPs are implemented so that such discharges do not cause or significantly contribute to a violation of water quality standards. Also, although BES does not have the authority to permit direct stormwater discharges to surface waters, our Development Services staff review building permit applications to approve the design of stormwater facilities. It is important that our customers know that when we authorize their designs we are not authorizing the discharge.

BES, through the Stormwater Policy Advisory Committee (SPAC), has been moving toward establishing standards for stormwater quality facilities under development. The SPAC is using a BMP approach and presumably, once in place, these standards would reduce the pollutants in stormwater to the "point that they do not cause, or significantly contribute to, a violation of water quality standards," thereby complying with the OAR.

Interim guidelines regarding stormwater discharges are necessary until these standards are adopted. These interim guidelines will use the effective BMP approach to approve stormwater quality facilities that will connect to our stormwater systems, which discharge into water quality limited streams. The effective date of these interim guidelines is July 1, 1997. During this interim period we will implement

the following guidelines: Based upon the design criteria and design storm contained in our current water quality handbook, facilities must be designed for removal of more than 50% of the pollutants of concern in the receiving stream, as identified in DEQ's 1994/1996 303(d) listing of water quality limited water bodies. Temperature is not addressed by this interim guideline, but will be addressed in future standards. During the interim period, applicants are encouraged to incorporate temperature mitigation measures into their projects.

Developments with proposed direct discharges to water quality limited streams will be held to the same guidelines. However, the City does not have the authority to permit discharges to these surface waters so we must also make it clear to applicants that we can only approve their design. They must seek approval from DEQ to discharge directly to surface waters.

These guidelines will remain in place until City Council has authorized application of the new storm water quality standards city-wide.

RESOLUTION NO. 35627

Accept the Stormwater Policy Advisory Committee's report on stormwater management guidelines for new development and direct the Bureau of Environmental Services to initiate implementation strategy. (Resolution)

- WHEREAS, The City of Portland holds an NPDES Stormwater permit to address non-point source water quality and quantity impacts.
- WHEREAS, The Bureau of Environmental Services has lead responsibility for implementing the conditions of the City's NPDES Stormwater permit and managing stormwater runoff.
- WHEREAS, The development and implementation of stormwater standards for new and redevelopment is a requirement of the NPDES Stormwater permit.
- WHEREAS, The City's goals for increased density, Sustainable City Principles and economic development inter-relate with stormwater management, resulting in complex policy issues.
- WHEREAS, To strike a balance between City goals and stakeholder issues, the Stormwater Policy Advisory Committee (SPAC) was formed in April 1996 at the direction of Commissioner Mike Lindberg.
- WHEREAS, The SPAC includes representatives from City Bureaus, Metro, the Home Builders Association, the development Community and watershed advocates.
- WHEREAS, Commissioner Lindberg charged the SPAC to determine stormwater quality treatment requirements for new and redevelopment throughout the City including sumped and combined sewer areas.
- WHEREAS, The SPAC has meet monthly for a year to discuss, evaluate, and develop stormwater management policy guidelines.
- WHEREAS, The SPAC recommendations include a policy element to be implemented through the creation of a Stormwater Management Handbook and development of supporting City codes.
- WHEREAS, The SPAC recommends stormwater management as close to the site as practicable with post development water quality and quantity equivalent to pre-development conditions.
- WHEREAS, A report detailing the stormwater policy recommendations has been prepared by the SPAC and is included as Exhibit A.
- WHEREAS, The Stormwater Management Handbook and associated City codes will be prepared by September 30, 1997.
- WHEREAS, A SPAC technical advisory committee will provide input and review of the Stormwater Handbook and code changes.
- WHEREAS, An implementation strategy, included as Exhibit B, has been developed to implement the SPAC's recommendations and identify necessary code changes.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Portland, Oregon, that the Stormwater Policy Advisory Committee's policy report is accepted and the implementation strategy initiated.

ADOPTED by the Council, JUL 09 1997

Commissioner Erik Sten
June 24, 1997
P. Mango

BARBARA CLARK

Auditor of the City of Portland
By

Britta Olson Deputy

1039

TC
10:30

Agenda No.

RESOLUTION NO.

35627

Title

Accept the Stormwater Policy Advisory Committee's report on stormwater management guidelines for new development and direct the Bureau of Environmental Services to initiate implementation strategy.
(Resolution)

INTRODUCED BY	Filed: JUL 2 1997
Commissioner Erik Sten	Barbara Clark Auditor of the City of Portland
NOTED BY COMMISSIONER	
Affairs	By: <u>Cary Kershner</u> Deputy
Finance and Administration	For Meeting of: _____
Safety	ACTION TAKEN:
Utilities	
Works <u>EKS/RRK</u>	
BUREAU APPROVAL	
Bureau: Environmental Services	
Prepared by Date	
Patrice Mango June 24, 1997	
Budget Impact Review:	
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not Required	
Bureau Head: <u>DCM</u> Dean C. Marriott, Director	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
				YEAS	NAYS
Consent	Regular <input checked="" type="checkbox"/>	Francesconi	Francesconi	<input checked="" type="checkbox"/>	
NOTED BY		Hales	Hales	<input checked="" type="checkbox"/>	
City Attorney		Kafoury	Kafoury	<input checked="" type="checkbox"/>	
City Auditor		Sten	Sten	<input checked="" type="checkbox"/>	
City Engineer		Katz	Katz	<input checked="" type="checkbox"/>	