

Clean Water Services

Clean Water Advisory Commission

Meeting Summary

January 8, 2014

Attendance

The meeting was attended by Commission Chair Tony Weller (Builder/Developer) and Commission members Molly Brown (District 2-Malinowski), Lori Hennings (Environmental), John Jackson (Agriculture), John Kuiper (Business), Mike McKillip (District 3-Rogers), Art Larrance (At-Large-Duyck), Judy Olsen (Agriculture), Stephanie Shanley (Business), Richard Vial (District 4-Terry), David Waffle (Cities), and Clean Water Services District General Manager Bill Gaffi.

Commission members Alan DeHarport (Builder/Developer), Erin Holmes (Environmental), and Cathy Stanton (District 1-Schouten) were absent.

Others in attendance were Shah Smith (student and interested citizen) and Clean Water Services staff members Mark Jockers (Government and Public Affairs Manager), Jerry Linder (General Counsel), Mark Poling (Business Operations Department Director), Bruce Roll (Watershed Department Director), Diane Taniguchi-Dennis (Deputy General Manager), Lorene Walsh (Government and Public Affairs), and Laura Porter (Watershed Management Department).

1. Call to Order

Mr. Weller called the meeting to order at 6:39 PM in the conference room at the Clean Water Services Administration Building.

The new CWAC Agricultural Representative John Jackson who was appointed by the Board of Directors on December 3, 2013, was welcomed to the Commission. Mr. Jackson owns a six-acre nursery agricultural operation south of Cornelius and recently completed a term as Chair of the Oregon Water Resources Commission and on the Oregon Watershed Enhancement Board. Mr. Jackson served as the Planning Division Manager for Clean Water Services (then Unified Sewerage Agency) from 1989-99.

2. Review/Approval of November 13 Meeting Notes

There was discussion about the purpose of the meeting notes and what length, level of detail, and formality might be best to document the workings of a group which is not a decision-making body but which does take formal action on some agenda items.

There were no revisions suggested to the notes from the meeting held November 13, 2013. Ms. Brown moved to close the comment/revision period. Ms. Olsen seconded. Motion passed.

3. Election of Chair and Vice Chair

Mr. Vial moved to appoint Mr. Weller as Chair and Mr. McKillip as Vice Chair. Ms. Hennings seconded. Motion passed.

4. Recommendation of Budget Committee Members

Mr. Vial moved to recommend Ms. Brown, Mr. DeHarpport, Mr. Kuiper, Mr. McKillip, and Mr. Weller to the Clean Water Services Board of Directors for appointment as citizen members of the Budget Committee. Ms. Olsen seconded. Motion passed.

5. Appointment of Appeals Subcommittee

Mr. Waffle moved to approve Ms. Olsen, Ms. Shanley, and Mr. Vial as members of the Appeals Subcommittee with Mr. Larrance as an alternate. Ms. Hennings seconded. Motion passed.

6. A Decade of Innovation and Tree for All Campaign

Mr. Roll shared an overview (*presentation and handout attached*) of innovative strategies implemented by Clean Water Services since 2004, when it received the nation's first integrated, watershed-based NPDES (National Pollutant Discharge Elimination System) permit. Mr. Roll said the watershed-based permit was based on a vision shared by Mr. Gaffi and a few others at that time that a healthy watershed would support a healthy river, and that a coordinated response, rather than various agencies acting separately on different requirements related to specific aspects of the watershed, would provide the greatest overall long-term benefit to the Tualatin River watershed. They also realized that to have a meaningful impact on the watershed would require inclusion of all the different land use perspectives. Mr. Roll said a key aspect of the 2004 NPDES permit was the provision for water quality "credits" and "trading" to address temperature requirements. He added that the multiple approaches to regulatory compliance and the community-based implementation of the NPDES permit were unique in the utility business. Throughout the coming year, Clean Water Services will be celebrating a decade of water quality trading and partnerships.

Mr. Roll's review included the following points:

1. Clean Water Services could have spent \$150 million over 20 years to build, operate and maintain chillers at wastewater treatment facilities, which would have discharged cooler water at those specific spots in the lower Tualatin River. Instead, they embarked on a Tree for All program to restore native riparian vegetation to provide cooling shade all along the river and its tributaries—enhancing habitat and providing other benefits throughout the watershed at the same time, and at less than one-tenth the cost.
2. The ag community was particularly important to the early credit/trading efforts as there were existing programs to encourage native vegetation through USDA (United States Department of Agriculture), FSA (Farm Service Agency), and TSWCD (Tualatin Soil and Water Conservation District). Farming, forestry, environmental, and government agency representatives worked together to develop ECREP

(Enhanced Conservation Reserve Enhancement Program), an expansion of an existing riparian buffer program. Funding from Clean Water Services provided economic incentives for landowners to increase participation.

3. There are now at least 8 agencies involved and 7 landowner incentive programs for rural areas. The original focus on riparian areas has broadened to include wetland enhancement, irrigation efficiency, and more. Landowners now get a Conservation/Water Quality Management Plan as part of their participation. More than 60 farms are involved.
4. In 2004, almost 1,000 acres were enrolled. By 2013, total acreage had grown to nearly 15,000 acres. By 2018, there should be 25,000-30,000 acres involved.
5. Fifty-three different native plant species are being placed in the watershed. About 20% are woody plants (trees); the others mostly shrubs.
6. Clean Water Services spent about \$2.5 million on these efforts in 2008-13 and expects to spend about the same amount in 2014-2018. Plant costs have dropped from \$3-\$4 each to less than \$1 each, and site preparation and planting density practices have reduced re-planting and maintenance expenses. Also, total available funding has grown as new partnerships have been formed.
7. One of the first programs in urban areas was Tree for All. Cities were challenged to plant 1 million trees in 20 years. Hundreds of projects have been completed, and Tree for All now includes urban/rural interface projects. Four million plants were placed in 2004-2012. The 10-Year Anniversary Challenge is planting 1 million trees in one year.
8. As in rural areas, partnerships are key to the success of urban efforts—Audubon, THPRD (Tualatin Hills Parks and Recreation), and numerous schools, for example.
9. Not all the groups that have become involved are motivated by regulatory compliance—Clean Water Services gets a shade credit, but what’s really inspiring is the ripple effect as different groups linked by the same project or effort are also able to accomplish their own goals.
10. Another “ripple” is the industry that has evolved. In 2004, there was not an established supply for the number of plants needed. Now there are several native-plant growers. Some participating landowners have also found that they can harvest and sell seeds from their project plantings.
11. There are challenges to the watershed-based approach and community-based implementation, as people all around the country struggle with the concept of trading, and some in the industry feel a utility should not be partnering and leveraging with the larger community.

Mr. Roll said that while tonight’s overview focused on water quality trading, Clean

Water Services is also using resource recovery (fertilizer partnership), constructed wetlands for future wastewater treatment (natural treatment systems, or NTS), and other innovations which will be highlighted throughout the coming year.

Mr. Roll also previewed two draft videos—one featuring participating farmers and one showcasing an urban school project. Once final edits are complete, the videos will be available on Clean Water Services website (www.cleanwaterservices.org)

Questions and comments from Commission members included:

1. How does this play out with the permit requirements?
 - 1.1. Making a direct connection to temperature is a work in progress. Reports are submitted annually to demonstrate how each site is doing in terms of % canopy, % invasives, and level of native plant diversity. There is more to monitoring the actual temperature than just sticking a thermometer in the water. Bob (Baumgartner, Regulatory Affairs Department) could also address this question.
2. Is there data (planting density, etc.) to show how places that were deforested (such as Vermont in the late 1800s) were almost completely reforested?
 - 2.1. In those times the value was in the timber and the replanting was forestry-driven, where our emphasis on planting native species is habitat-driven. However, we are beginning to talk about whether there is anything that could be harvested outside the first 70 feet of buffer, which is where the most shade benefit occurs. We are looking at situations in forested areas; there are different issues with forest practices laws.
3. Are we doing anything to provide information to small-lot farmers regarding alternative ways to use their land other than till and harvest—such as harvesting or growing native plants?
 - 3.1. As of last month there are 60+ farms in this program and there is more activity in that area. One of the initial concerns about ECREP was whether it would take valuable farm land out of production. We learned in the first few years that a lot of the land was floodplain that wasn't always tillable every year and wouldn't produce high-value crops anyway. Several private wetland mitigation banks have developed over the past five years—we wouldn't have seen that 10 years ago.
4. There should be more stories highlighting the advantages to local business, education, developers, etc.
 - 4.1. There is a video looking at economic aspects—Mr. Roll will show it at a future meeting. He also hopes to use a Fanno Creek-Englewood case study to capture the specific advantages to developers for lots in areas that were created in an environmentally-sensitive manner.

5. There should be a message reminding the public why Clean Water Services has taken this path instead of spending millions on chillers which would have only helped in specific location(s). A lot of money has gone into this but it is only a drop in the bucket compared to what it would have been.

7. Announcements

There were no formal announcements.

8. SDC Financing Update

Mr. Vial asked for an update on SDC (Systems Development Charge) financing, an agenda item at the last meeting. Ms. Taniguchi-Dennis said there have been some discussions with city managers, as was suggested by Commission members. The general feeling is that financing is a tool for the residential component of mixed-use developments. There was limited to no interest in offering financing for industrial customers. Interest rates have been discussed. Mr. Poling and Kathy Leader, who presented information about SDC financing at the last Commission meeting, have put together a questionnaire for city managers and should have responses by the end of this month. Based on that input, they will bring further discussion items back to the Commission, possibly in February.

9. Adjournment

Mr. Weller declared the meeting adjourned at 8:26 PM.

(Meeting notes prepared by Sue Baumgartner)