

Clean Water Services

Clean Water Advisory Commission

Meeting Notes

November 18, 2015

Attendance

The meeting was attended by Commission Chair Tony Weller (Builder/Developer), Commission Vice Chair Mike McKillip (District 3-Rogers), and Commission members Molly Brown (District 2-Malinowski), Lori Hennings (Environmental), John Jackson (Agriculture), Art Larrance (At-Large-Duyck), Judy Olsen (Agriculture), Erin Poor (District 1-Schouten), David Waffle (Cities), and Clean Water Services District Deputy General Manager Diane Taniguchi-Dennis (for General Manager Bill Gaffi).

Commission members Alan DeHarpport (Builder/Developer), Erin Holmes (Environmental), Stephanie Shanley (Business), and Richard Vial (District 4-Terry) were absent.

Attending from Clean Water Services were Bob Baumgartner (Regulatory Affairs Department Assistant Director), Nora Curtis (Conveyance Department Director), Mark Jockers (Government and Public Affairs Manager), Tom VanderPlaat (Water Supply Project Manager), and Ken Williamson (Regulatory Affairs Department Director).

1. Call to Order

Mr. Weller called the meeting to order at 6:34 PM in the conference room at the Clean Water Services Administration Building.

2. Review of Meeting Notes from April 8, 2015

There were no comments regarding the Meeting Notes from April 8, 2015.

3. Draft NPDES Permit Renewal Review

Mr. Baumgartner provided an update on the NPDES (National Pollutant Discharge Elimination System) permit renewal application process (*presentation and handouts attached*). As noted during previous presentations to the Commission, the renewal has been delayed for several years but DEQ issued the draft permit last month and is taking public comments through Monday, November 23. It appears that DEQ will issue the final permit during the first quarter of 2016, after considering comments and making any necessary adjustments to the draft permit.

A public hearing was held November 12, though Mr. Baumgartner said that comments are now most often submitted in writing and most come in toward the end of the comment period. He added that throughout the development of the permit renewal application, Clean Water Services has reached out to stakeholder groups to explain the District's goals and approaches so they can provide informed opinions. All comments

received will be published and Clean Water Services will work with DEQ to respond.

Mr. Baumgartner noted that DEQ has had to address numerous emerging policy issues, which has not only contributed to the delay in processing the NPDES permit renewal application, but has required Clean Water Services to make ongoing adjustments to the application in response to those policy changes.

The goals and key elements of the permit renewal application, which have been discussed in detail during previous meetings, were reviewed in the presentation and handouts. Clean Water Services wants to address growth, fully utilize existing infrastructure, and support sustainability by responding to the various individual regulations with an integrated approach that will benefit the entire watershed.

The draft permit continues or expands several unique components of the existing permit—such as water quality trading, riparian/stream restoration, and regional integrated stormwater management—and includes some new features and numerous new requirements. Mr. Baumgartner noted that Clean Water Services has been working on some of these permit elements in anticipation of DEQ policy changes. For example, mercury at the wastewater treatment facilities has already been reduced by more than a third, and a plan has already been developed to meet the new ammonia standards. Mr. Baumgartner said the general permit conditions are not controversial but some specific elements will prompt comments, in part because this is the first permit to reflect DEQ's recent policy work.

Mr. Baumgartner noted that unlike many municipalities, Clean Water Services is not requesting a compliance schedule in its permit renewal application. However, there will need to be clarification with DEQ on operating the NTS facilities and making adjustments without incurring a permit violation.

Mr. Baumgartner added that the final permit renewal approval will allow completion of pending revisions to the Clean Water Services Design & Construction Standards (D&Cs). The revised D&Cs will be part of the integrated stormwater management approach and permit compliance, particularly the new hydromodification requirements

4. Tualatin Basin Water Supply Project/Scoggins Dam Repair

Mr. VanderPlaat gave an update on the Water Supply Project—now known as the Water Supply Joint Project to reflect the working relationship between Clean Water Services and the federal Bureau of Reclamation—efforts to increase the capacity of Hagg Lake behind Scoggins Dam and the seismic safety issues that have come to light (***presentation and handout attached***). The dam and reservoir are a Reclamation project constructed in the 1970s. Mr. VanderPlaat pointed out that there is nothing wrong with the dam and it has operated safely for almost 40 years, but it was not designed to survive the major earthquake which scientists now believe is probable in the Cascadia Subduction Zone—magnitude 9.0 with 200 seconds of strong shaking. He suggested watching “Unprepared” on the OPB (Oregon Public Broadcasting) website and reminded everyone to have

emergency plans in place.

Mr. VanderPlaat reviewed some alternatives that had previously been considered to provide adequate water supply for drinking, irrigation, recreation, and water quality in the Washington County area over the next 50-100 years. The Water Supply Project process and alternatives were discussed in detail by Mr. VanderPlaat at several Commission meetings in the past several years. The alternative selected for feasibility study was to raise Scoggins Dam by 40 feet. Water Supply Project partners and Reclamation were already doing studies related to the dam raise when a routine review by Reclamation's Dam Safety Program highlighted the earthquake risk. The seismic issues have delayed action on the dam and increased the potential cost, and some of the original Water Supply Project partners have chosen to pursue other water sources instead. Now one of the other alternatives—known as the multi-source option, with a 12-foot dam raise and a pipeline to bring water from the Willamette River—is getting more serious consideration.

Reclamation and Clean Water Services have been working closely to develop several alternatives for addressing the seismic issues and raising the dam. Under its current guidelines, Reclamation can only develop modifications to its existing dam. Clean Water Services is working to encourage Federal legislation that would allow Reclamation to look beyond that limited scope. Such legislation would apply to Reclamation dams and reservoirs in several Western states. Meanwhile, Clean Water Services has also been working with its own engineering consultants to explore additional alternatives for Reclamation staff to review.

Mr. VanderPlaat showed slides and explained several of the options generated by Reclamation and by Clean Water Services, describing construction techniques, materials and timeline along with the relative cost, schedule, and other logistics for each. The cost for the original multi-source option's 12-foot dam raise with the additional seismic upgrades is now estimated at \$300 million. That comparatively high cost has sparked growing interest in one of the more recently-developed alternatives, the "downstream dam" option. A narrower natural opening about two miles downstream from the current one would require a dam of only about half the width of the existing one, and being downstream could provide about the same storage capacity at a much lower height, or nearly double the storage capacity for a dam of the same height as the existing one—both resulting in significant savings on materials and other construction costs. However, a downstream dam would inundate the Stimson lumber mill which is just below the current dam and could affect up to 30 other properties, including as many as 22 homes. One of the biggest considerations with this emerging alternative would be the logistics and costs of relocating the mill and compensating other property owners.

Mr. VanderPlaat said the best construction technique and material to meet seismic requirements, whether to modify the existing dam or build a new one, appears to be RCC (roller-compacted concrete). It is quicker to build, leaves a narrower footprint, and holds together better than an embankment dam. In an earthquake, an RCC dam would shake but not deform—it would stay in a block.

Mr. VanderPlaat explained that Reclamation's obligation under its Safety of Dams Program is to provide seismic upgrades for the existing structure and maintain its current capacity. Reclamation would pay 85% of the cost for seismic upgrades and local partners such as Clean Water Services would pay 15%, but Reclamation would be in charge of the project so local partners may have little control over the cost. Reclamation would have no obligation to pay for the multi-source option's 12-foot increase in dam height—100% of that cost would be paid by Clean Water Services. Even if Reclamation is authorized to pursue alternatives beyond upgrading the existing structure (such as building a new dam downstream and adding additional benefits), its obligation would be to maintain the current capacity under the 85/15 cost share. Additional benefits such as increase storage would be fully funded by CWS.

Mr. VanderPlaat outlined comparisons of storage capacity, and fill reliability for the downstream dam at different heights, and shared maps showing the potential maximum effect on property and roads in the area. He also discussed ideas for location of new roads and what to do with the existing dam if the downstream dam option is selected.

Reclamation and Clean Water Services plan to complete their evaluation of the options and announce a preferred alternative by the end of 2016. Some preliminary engineering/design and environmental work will be part of that evaluation and some has been completed during the earlier study of the 40-foot dam raise, but more comprehensive work will be required once the preferred alternative is identified.

Mr. VanderPlaat said all of the information he has shared tonight was presented to neighborhood residents at a November 9 meeting, which included a Stimson representative. He emphasized there are numerous challenges and uncertainties with the downstream dam option, and that it likely would be 5-10 years before any actual construction activities commence regardless of which alternative is pursued.

5. Announcements

Mr. Jockers reminded everyone that DEQ's public comment period for the Clean Water Services NPDES permit renewal application closes at 5 PM Monday, November 23.

Mr. Jockers said there will not be a Commission meeting in December.

6. Adjournment

Mr. Weller adjourned the meeting at 8:25 PM.

(Meeting notes prepared by Sue Baumgartner)

Appendix A
Clean Water Services Advisory Commission Meeting Notes
November 18, 2015

Questions and comments regarding Draft NPDES Permit Renewal Review:

1. Is the proposed increase in the mass load limit in response to population growth?
 - a. Past regulations set specific limits for TSS and BOD which had to be met regardless of population growth. Regulations are no longer biologically-based, but those rules are still in effect. Clean Water Services has for many years far exceeded the requirements for TSS and BOD removal. The increase in mass load, and establishing the bubble load, would simply allow for flexibility in adjusting discharges from the various wastewater treatment plants to respond to changing river conditions and to more efficiently use the facilities.
2. Would the industrial/commercial stormwater program include privately-owned vaults?
 - a. Yes, there will have to be a way to ensure that private systems are properly maintained.
3. Will additional staffing be required as a result of the new monitoring requirements?
 - a. Possibly, but the District is also continually looking to increase efficiency, such as refining laboratory processes and making some operations more automated.
4. Is the litigation (mentioned during the presentation) associated with the temperature standard?
 - a. It does include temperature but the emphasis is on metals, primarily copper, cadmium, and aluminum. He added this might be one area where Clean Water Services would need to request a compliance schedule, depending on how EPA and DEQ resolve the litigation.
5. Where would copper (in the sanitary/stormwater systems) come from?
 - a. Copper is everywhere, but most of what Clean Water Services sees is from high-tech industrial customers and from tires (in road/parking lot runoff).
 - b. Copper was used in the past as a fungicide in organic farming and while still considered acceptable, it is discouraged.
 - c. The soft water in this area also leaches copper from pipes in older developed areas.
6. How many comments have been submitted so far?
 - a. Unsure, but there will be lots, some lengthy, and most will come late in the comment period.
7. Can Clean Water Services preview comments as they come in?
 - a. The District must wait until the comment period has closed before seeing comments and preparing responses, although DEQ may ask Clean Water Services for clarifying information.

Appendix B
Clean Water Services Advisory Commission Meeting Notes
November 18, 2015

Questions and comments regarding Tualatin Basin Water Supply Project/Scoggins Dam Repair:

1. What sort of things might have been dumped at the Stimson mill site since it was established in 1929—is there anything that could leach into the water?
 - a. That question came up at the November 9 meeting, where Stimson’s environmental manager acknowledged that some contaminated areas have been identified but they are isolated, and cleanup efforts have been underway at the mill site for some time already. Lumber production at the mill involves only wood and perhaps some incidental oil and grease from the mill equipment, but the hardboard production requires glues and other substances which could be more of a problem. The potential for contaminants on the mill site would be examined as part of further study.
2. Could a place even be found in Washington County to relocate the Stimson mill, especially given land use regulations?
 - a. It would be difficult to relocate the mill to a site of adequate size, with the required access to rail and water, within current zoning limitations. The current mill site is about 120 acres plus some acreage for effluent treatment. The relocation site might not need to be that large, as some of the current site is devoted to ponds which are no longer used by the mill, and there may be ways to make the mill layout more efficient to require less land.
3. Would a downstream dam affect salmon?
 - a. Coho do spawn just below the existing dam, and that would have to be considered.
4. Would any cultural resources be affected by the downstream dam option?
 - a. There are minimal cultural resources in the area; they were assessed during earlier studies of the 40-foot dam raise option as it included a raw water pipeline running through the same area. There have not yet been conversations with tribal representatives about the downstream dam option.
5. What about Elk Meadow and a downstream dam?
 - a. It would be flooded. There are actually several elk meadows in the area; another one right below the existing dam would also be flooded.
6. It would be crucial to have the new Stimson site completed before destroying the existing mill.
 - a. Yes, but not sure how Reclamation would handle relocation or compensation to Stimson.
7. How would the (drinking) water treatment plant come through a dam breach in a major earthquake?
 - a. The plant itself would fare pretty well; the holding ponds would be inundated. An emergency power plant is being built as part of local preparedness efforts.