



**Stormwater Advisory Group
Meeting Minutes
March 17, 2009**

1. **Introductions** - Introductions were made.
2. **SWAG Bylaws, Co-Chairs Elected** – After much contemplation, Don Nuxoll and Justin Wilson agreed to act as co-chairs for the SWAG. The bylaws were briefly reviewed and signed.
3. **Annual Reports, SW Management Plans** – Cheryl Sonnen reviewed the annual reports and SW management plans with the group. A minor change was made to the education task by expanding it beyond only schools.
4. **IDDE Ordinance** – Many good comments came from the SWAG regarding the ordinance. A summary of comments follows:
 - a. **Definitions** – Municipal Separate Storm Sewer System (MS4) – add drywells, detention and retention ponds to definition. Discussed whether oil/water separators should be added to this definition.
 - b. **Section .030 Applicability** – the question was posed whether discharges from outside the City’s jurisdiction needed to be dealt with in this ordinance.
 - c. **Section .040 Enforcement** – There was a question whether the violation will be site specific or person specific.
 - d. **Investigation** – there was quite a bit of discussion about the level of fines and the relative magnitude of discharges. The SWAG recommended a tiered approach – hazardous vs. nonhazardous.
 - e. There was also discussion about delivery and acknowledgement of a notice of violation. The SWAG felt that mailing and assuming the notice is served after three days is not adequate and unfair to people that are out of town. They felt that delivery and signature acknowledging receipt is the only fair way to handle this.
 - f. **First violation** - Clean up language to clarify that a fine can be imposed but hasn’t with the first notice.



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- g. Second and subsequent violations
 - i. Should a written notice be required for second offense?
 - ii. Define when monitoring equipment will be required.
 - iii. There was a comment to maintain as much flexibility in this section to allow enforcement officer discretion.
 - iv. There was a suggestion to delete the jail time.
 - h. .060 General Provision – move this to the front of the ordinance to make it a kinder, gentler document. We advised that this would be left to the discretion of the legal team.
5. **Public comment** – There was no public comment.
6. **Next meeting** – The next meeting was scheduled for April 21, 2009 from 4:00 – 6:00 p.m. at the PUD office. Cheryl handed out information to discuss at the next meeting regarding the construction ordinance.

Action Items:

- Cheryl will meet with legal team to discuss and incorporate comments from SWAG and provide updated draft at next meeting.

