

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF SUBMITTING ) RESOLUTION NO. 85-606  
THE REGIONAL WASTE TREATMENT )  
MANAGEMENT PLAN FOR RECERTIFICATION) Introduced by the  
 ) Executive Officer

WHEREAS, The Regional Waste Treatment Management Plan must be recertified annually to preserve the region's eligibility for federal sewerage assistance; and

WHEREAS, The Water Resources Policy Alternatives Committee of the Metropolitan Service District has reviewed the plan and found it to need no amendments at this time; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District shall forward the Regional Waste Treatment Management Plan to the Department of Environmental Quality and the Governor of the State of Oregon for recertification.

ADOPTED by the Council of the Metropolitan Service District  
this 26th day of November, 1985.

  
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Ernie Bonner, Presiding Officer

ES/srs  
4591C/435-3  
11/13/85

STAFF REPORT

Agenda Item No. 9.1

Meeting Date Nov. 26, 1985

CONSIDERATION OF RESOLUTION NO. 85-606 FOR THE  
PURPOSE OF SUBMITTING THE REGIONAL WASTE  
TREATMENT MANAGEMENT PLAN FOR RECERTIFICATION

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Date: October 28, 1985

Presented by: Neil McFarlane

FACTUAL BACKGROUND AND ANALYSIS

The first element of the Areawide Water Quality Management Plan called for under the Clean Water Act of 1977 (P.L. 95-217) was adopted in October of 1980 when Council adopted the Regional Waste Treatment Management Plan ("208" Plan). The final element of the Plan was adopted by Council Ordinance in February 1982 in the form of the Regional Stormwater Management Plan. Taken as a whole the Plan, its 15 amendments, and its supporting technical documents represent a comprehensive strategy for sewer system development, sewage treatment plant siting, drainage and stormwater management, and water quality maintenance in the Metro region.

An ongoing requirement of the Act is that the Plan be maintained as an accurate statement of the region's water quality management problems and the short- and long-term solutions to those problems. The Plan is used as the basis for allocating federal funds for such things as sewers and sewerage treatment plants. In order to satisfy this requirement, federal guidelines call for an annual review and, if necessary, an annual update and amendment to the Plan.

The Plan was developed under the technical review of a Council appointed body of experts called the Water Resources Policy Alternatives Committee (WRPAC). The WRPAC is composed of individuals representing the cities of the region, the three counties, certain state agencies directly interested in water quality, the Corps of Engineers, soil and water conservation districts, sanitary districts, laymen representing the interests of the public-at-large, and representatives of businesses and industries directly affected by water quality management issues.

On October 25, 1985, the WRPAC held its annual meeting to review the Plan and make its recommendations on recertification of the Plan. The conclusion of the review was that:

1. No formal amendments are required at this time. Existing plan policies are an accurate reflection of the region's current Water Quality Management situation.

Metro's budget for the Intergovernmental Resource Center contains funds for editing the base "208" Plan document to incorporate the many amendments approved since 1980. This effort is beginning now, and will result in an edited plan being submitted to the Council for adoption by the end of FY 1986. This will provide a second opportunity this fiscal year for potential amendments, should they be called for.

2. That the plan be submitted to the Oregon Department of Environmental Quality for recertification, as recommended in the attached Resolution.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of attached Resolution No. 85-606.

NM/srs  
4591C/435-4  
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Ayes: Councilors Cooper, DeJardin, Gardner, Kirkpatrick,  
Kelley, Myers, Van Bergen, Waker and Bonner

Absent: Councilors Hansen, Kafoury and Oleson

The motion carried and the proposed Ordinance was amended.

Vote on the main motion as amended: A vote resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Kirkpatrick,  
Kelley, Myers, Van Bergen, Waker and Bonner

Absent: Councilors Hansen, Kafoury and Oleson

The motion carried and the Ordinance was adopted as amended.

Doug Drennen announced staff planned to mail notices about the changes brought about by passage of this Ordinance to all effected parties immediately.

9. RESOLUTIONS

9.1 Consideration of Resolution No. 85-606, for the Purpose of Submitting the Regional Waste Treatment Management Plan for Recertification

Neal McFarlane announced staff would be preparing major amendments to the Plan in the next few months. The proposed action now before the Council was a required annual process.

Motion: Councilor Kirkpatrick moved, seconded by Councilor Van Bergen, to adopt Resolution No. 85-606.

Sherry Patterson, 18926 S.W. Earlwood Avenue, Lake Oswego, testified she resided in an unincorporated area included in the unified sewage agency area. She stated she had requested a notice of the October 25 meeting and received none and therefore, could not testify at that meeting. Ms. Patterson also testified she secured a verbatim tape of that meeting which contained numerous erroneous statements. She wanted the record to show the city of Lake Oswego had attempted to expand its urban service boundary - a two-step text and map amendment process. Ms. Petterson appealed the map amendment to the Land Use Board of Appeals (LUBA) and as a result, the City tabled the map amendment. She testified Lake Oswego sent public notice that a hearing was to be held by the Water Resources Committee Board last year at which time they amended the original Plan 208. They received notice of the Metro public hearing, but did not participate. Ms. Patterson requested if changes were going to be

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made to the Plan, opportunities for citizen participation must exist. She presently opposed the amended Plan and stated that if any changes were anticipated, she wanted to participate in that process.

In response to Councilor Kelley's question, Ms. Patterson said she represented the Indian Creek/Indian Springs Committee.

In response to the Presiding Officer's question, Mr. McFarlane explained staff had solicited involvement by circulating notice to local jurisdictions that amendments to the Plan were being considered.

Ms. Patterson requested meeting notices of the Water Services Committee to consider plan 208 amendments be published in the Lake Oswego Review. After discussion, the Council determined it would be adequate to publish such notices in the Oregonian and that staff notify Ms. Patterson of any such meeting.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Kirkpatrick, Myers, Van Bergen, Waker and Bonner

Abstain: Councilor Kelley

Absent: Councilors Hansen, Kafoury and Oleson

The motion carried and the Resolution was adopted.

Presiding Officer Bonner invited Mr. Joseph and Mr. Peterson, the consultants from the Government Finance Research Center, back before the Council to continue the discussion of Metro financing options and the outlook for tax exempt bonds given new federal tax proposals. The consultants concluded that after January 1, 1986, more would be known about tax proposals and how those proposals would effect the District.

There being no further business, Presiding Officer Bonner adjourned the meeting at 9:25 p.m.

Respectfully submitted,



A. Marie Nelson  
Clerk of the Council

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4895C/313-2  
12/24/85