

# Agenda

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## ENVIRONMENTAL SERVICES COMMISSION MEETING

450 - 110<sup>th</sup> Avenue NE (City Hall)

Conference Room 1E-113

Thursday, March 1, 2012

*Open House for Storm and Surface Water System Plan – 5:30PM*

Regular Meeting – 6:30PM

1. Call to Order – Brad Helland, Chair
2. Oral Communications  
Note: Three-minute limit per person, maximum of three persons for each side of topic.  
Additional presentation may be heard at Agenda Item 8.

	<u>Page No.</u>	<u>Action</u>
3. Approval of Agenda *	1	X
4. Approval of Minutes * <ul style="list-style-type: none"><li>• February 9, 2012 Regular Meeting Minutes</li></ul>	2 - 13	
5. Reports & Summaries <ul style="list-style-type: none"><li>• ESC Calendar/Council Calendar *</li><li>• Desk Packet Material (s)<ul style="list-style-type: none"><li>▪ Conservation &amp; Outreach Events &amp; Volunteer Opportunities #</li></ul></li><li>• Storm &amp; Surface Water System Plan</li><li>• Stream Team Update</li><li>• CIP Proposed Changed to Existing Projects</li><li>• Year-end Budget Monitoring Report</li></ul>	14 - 17 18 - 19 20 21 22	X X
6. New Business		
7. Director's Office Report		
8. Continued Oral Communications		
9. Executive Session		
10. Adjournment <ul style="list-style-type: none"><li>* Materials included in packet</li><li># Materials separate from packet</li></ul>		

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**CITY OF BELLEVUE  
ENVIRONMENTAL SERVICES COMMISSION  
MEETING MINUTES**

Thursday  
February 9, 2012  
6:30 p.m.

Conference Room 1E-112  
Bellevue City Hall  
Bellevue, Washington

**COMMISSIONERS PRESENT:** Chair Helland; Commissioners Mach, Morin, Swenson, Wang, and Weller, Randy Cowan

**COMMISSIONERS ABSENT:** None

**OTHERS PRESENT:** Wes Jorgenson, Nav Otal, Pam Maloney, Phyllis Varner, Tony Marcum, Dave Perry

**MINUTES TAKER:** Laurie Hugdahl

**1. CALL TO ORDER:**

The meeting was called to order by Chair Helland at 6:30 p.m.

**2. ORAL COMMUNICATIONS: None**

Brian Parks, President, Phantom Lake Homeowners Association, expressed appreciation for the grant maintenance work on the outlet channel as well as Pond A dredging. He expressed concern that this is the first they have heard about the grant being conditional on formation of a Lake Management District. On the contrary, at a meeting on 5/24/2011 where Ms. Otal first introduced the grant idea and again urged them to form an LMD they specifically asked if the grant was conditional to a LMD and staff had responded that it was not. He stated that the residents do not support an LMD because the problems are caused by excessive City stormwater from streets and Pond A going into the lake since 1980 development in Eastgate, and were not caused by the lake property owners. There is also a potential long-term issue of liability for accumulated metals over time from upgradient landfill which is not the residents' fault. He said Ms. Otal stated this Monday in a meeting with the Homeowners Association that Utilities was not concerned with flooding lawns and yards, just flooding of primary structures. However, the environmental impacts of drowning mature trees, flooding natural habitat, and other environmental and regulatory impacts of raising the ordinary high water mark are just as critical to the residents. If Utilities doesn't take responsibility for the impact of excessive water flowing into the lake, he wondered what department does. He stated that it is not the responsibility of the residents as they cannot control inflow. Recent landslides along Sammamish Parkway are clear grounds for concern about overloading Phantom and the unnatural outfall through Weowna as well. The Homeowners' Association

concur with the one timber maximum as the KCM weir redesign recommended for a lake level no higher than 260.7. He stated that their primary concerns have been and continue to be large, uncontrolled volumes of stormwater entering Phantom Lake without corresponding outflow capacity compensation. The Phantom/Weowna outlet channel to Lake Sammamish is a manmade feature; old maps show no natural inlet or outlet creeks, but instead just surface and groundwater flow in and out of Phantom Lake. Currently there is massive stormwater coming in and merely an 1800's ditch dug by one farmer going out. It is not a lake to put polluted point source stormwater into as it isn't a "receiving lake" and might even violate federal laws regarding such. As a result of the overwhelmed lake and outlet channel, a primary residence structure at 2004 West Lake Sammamish Parkway is threatened. He asked that the ESC protect Phantom Lake from too much stormwater and recommend that the City Council consider the limited capabilities of this altered system. He distributed photos of the outlet channel, the bottleneck culvert, where it comes out under the parkway at full capacity, and a resident's bridge which is in danger of being washed out.

Elfi Rahr, 16509 SE 18<sup>th</sup> Street, Bellevue, expressed appreciation to Nav Otal and Tony Marcum for the February 6 meeting with the Homeowners Association to discuss Phantom Lake and serious environmental problems. She asked the commissioners to help with these matters. She expressed concern about rezoning the Eastgate Corridor including the infill of existing parking lots with 4-6 story buildings in the I-90 Business Park. She expressed concern that Pond A and its major stormwater conveyance system to Phantom Lake will add to the already adversely impacted shoreline destruction that presently exists from the prolonged high water floods. It is important to have baseline discharge rates for correct calculations to safeguard the lake from further damage. They have been asking for over a year for a flow meter to be installed at the outflow of Pond A as quickly as possible. She also requested that rain gauge data from Phantom Lake Elementary School be utilized instead of data from SeaTac Airport as the isopluvial charts indicate significant difference in the rain patterns for the two stations. Finally, she requested that the City live up to the Concomitant Zoning Agreement that was signed on March 10, 1980 for the business park that states that the City should mitigate any adverse impacts which might result because of the proposed rezone.

Norman Baullinger, 16226 SE 24<sup>th</sup> Street, Bellevue, stated that he lives on Phantom Lake and has been involved with Phantom Lake activities for several years. He expressed concerns about the excess water coming into the lake from underneath SE 24th Street from both the road and from Pond A. Volumes in storms are much greater than the outflow channel of the lake can handle. With the water continually coming into the lake at an uncontrolled rate and with limited outflow capability, the lake levels constantly go up and remain high. The high lake levels have caused the surrounding lakeline to be saturated and trees are continually dying and falling over because of the saturated ground. They are looking for some way to have the inflow controlled. One way to do that is to have flow meters installed underneath 24<sup>th</sup> Street to measure how much water is

coming in and how much water is going out through that outlet channel so they have some good baseline data to be able to be able to make some judgments in the future about what they should be done.

**3. APPROVAL OF AGENDA**

**Motion made by Commissioner Swenson, seconded by Mach, to approve the agenda. Motion passed unanimously (7-0).**

**4. APPROVAL OF MINUTES**

January 5, 2012 Regular Meeting Minutes

**Motion made by Commissioner Weller, seconded by Commissioner Cowan, to approve the minutes. Motion passed unanimously (7-0).**

**5. FOLLOW UP QUESTIONS/ANSWERS**

None.

**6. REPORTS AND SUMMARIES**

**a. ESC Calendar/Council Calendar**

Wes Jorgenson, Assistant Utilities Director, asked the Commission to decide if they would rather meet on July 5 or 12. There was consensus to meet on July 12. Mr. Jorgenson asked for patience as they go through the budget process this year.

**b. Desk Packet Material**

The Draft Storm System Plan was provided in the packet so the ESC would have time to review it and be able to provide comments at the next few meetings. There is also a summary and background information accompanying it.

**c. Stormwater Management Guide**

Nav Otal, Utilities Director, introduced the Stormwater Management Guide. She stated that this is a draft document and staff welcomes input. She explained that stormwater is a complex interplay of public and private ownership and there are a lot of regulations and complexities around it that are confusing. There is also a lot of room for misinterpretation. This document is designed to serve as high-level reference material for the ESC, the City Council, and staff. It is not a legal document, but is a summary of the concepts that are in the legal documents.

Tony Marcum, Operations Manager for Utilities, reviewed the layout and some of the key concepts of the document. The system in place today is piecemeal and

complex. Stormwater needs to be managed to address urbanization's increased run-off and the increased potential for flooding. He reviewed how the hydrologic cycle is altered by urban development and drastically increases runoff. As the water flows over rooftops, streets and yards it picks up pollutants which flow into streams, lakes, and wetlands.

Aging infrastructure and increased regulatory compliance are two major issues facing Bellevue right now. In terms of life cycle, the surface water system is generally thought to be beyond its midway point. Some elements of the system such as corrugated metal pipe are already showing signs of failure. Much of the system was installed piecemeal without accurate drawings records so it is a tremendous challenge to update those records. Regulatory compliance will continue to be a major challenge. They expect to see new technologies that focus on surface water quality and quantity issues such as LID and natural drainage practices. These will have an impact on existing programs and services.

The system is a network of public and private infrastructure. This fact leads to a lot of confusion and sometimes causes challenging customer interactions. He reviewed how development has progressed in Bellevue and the history of Bellevue's Utility system. Essentially, in the last 40 years they have gone from no management of surface water to very complex regulations and requirements.

The public/private systems work together to convey stormwater; no one owns storm water except waters of the state. Mr. Marcum reviewed examples of the complex public/partner network. Publicly owned elements include parts that are on land we own, the right of way, or a dedicated tract or easement. Drainage Case Law states that everyone has the right to develop their property within certain constraints. Runoff must be charged in a manner and location that is a natural or historic course.

Chair Helland asked when the case law about no diversion was developed. Ms. Otal stated that the law has been in place since the Utility was formed, but possibly before. She acknowledged that there have been many attempts by private property owners to divert the water flow in ways that benefit them.

Downstream property owners are obligated to receive and convey surface waters that are historically tributary to their property. Government has no duty to remedy private disputes between property owners, but they may act to protect its property in the same manner as any private land owner. Ms. Otal reiterated that it is not a Utility or a government function to mediate between property owners.

Commissioner Weller referred to situations where the stormwater goes from private to public to private to public and asked who was responsible for the stormwater. Ms. Otal stated that whoever owns the land is responsible for the runoff from that property.

Bellevue's storm and surface water system consists of natural system elements and constructed system elements in both public and private ownership. The natural system elements are 26 individual drainage basins, conveying stormwater runoff to Lakes Washington and Sammamish, 64 miles of open streams, and 800 acres of protected wetlands. No matter who owns the land, under State law the waters of Washington collectively belong to the public.

Everyone has a role in stormwater management. The public is responsible for managing surface water on private property and not discharging pollutants into surface water. Developers are responsible for controlling erosion during construction and building facilities per codes and standards that mitigate flooding and water quality impacts. Many city departments complete activities that have an effect on surface water. Development Services has a big impact through their permitting process. Transportation and Parks are two of Utilities' biggest customers. The county, state, and federal agencies have increasing roles with updated regulations such as NPDES Permit and laws to eliminate sources of pollution such as copper and brake pads. Finally, the Tribes have rights that allow them to influence Permit conditions.

Mr. Marcum reviewed layers of responsibility for stormwater management. The "toolbox" for managing stormwater consists of planning and capital improvement; operation and maintenance; development regulation, monitoring, property acquisition, public education and outreach, voluntary compliance and enforcement, and tree canopy coverage. Guiding policies and principles are adopted by City Council except for engineering standards which are an administrative tool used to implement many of the guiding principles.

Utilities is an enterprise fund which is fully supported by rates, not taxes. As an enterprise fund, legally they can only spend rate income on the publicly owned portion of the drainage system. The rates are competitive with local jurisdictions, are equitable (based on land-use), provide for generational equity (R&R program), and all properties both contribute and benefit.

The Briefing Papers section of the guide reviews eight individual issue papers. These include: Regulations Governing Stormwater Management; Public Roles and Responsibilities; Private Sector Stormwater Management; Flood Control; Impacts on Fish and Habitat; Impacts on Surface Water Quality; Private Lakes; and Natural Drainage Practices.

Ms. Otal emphasized that stormwater is the ultimate in public and private partnerships. Utilities' role is to educate the public so they can manage responsibly the storm drainage on their property.

Commissioner Swenson asked about the 2012 stormwater rates shown on page 16. Ms. Otal stated that these are just examples. The rates are based on runoff and based on the percentage of impervious surface on the property.

Chair Helland asked about downstream property owners' responsibility to receive and convey surface waters from upstream development. Mr. Marcum stated that the developers are required to build to standards to mimic conditions prior to development. Ms. Otal stated that it is a common misconception that it is the commercial development that has contributed to the runoff. Residential development until recently was not required to install detention. Mr. Jorgenson stated that prior to the 1970's you had to convey whatever was built upstream from you. Detention standards have changed dramatically over time. Mr. Marcum added that over the long-term as redevelopment occurs, with requirements to develop to pre-forested conditions, runoff from upstream should actually improve and not get worse.

Commissioner Swenson asked about redevelopment thresholds for dealing with runoff. Phyllis Varner stated that there are triggers, she offered to provide those to the Commission.

Commissioner Swenson referred to the federal and state environmental requirements regarding water quality and asked how that is handled because all of that water coming down is the responsibility of the City. Ms. Varner stated that rainwater is the responsibility of the City and private property owners and that the challenge is dealing with non-point source pollution. They have programs to address both the public and private systems. It is a true partnership in this sense.

Ms. Otal asked the ESC to review the document and provide comments back to staff.

#### d. Phantom Lake

Utilities Director Nav Otal explained that the property owners around Phantom Lake have had issues with the lake for a long time. The City has tried to help the customers they best they can given the limitations that exist. She clarified, in response to Mr. Parks comments, that staff has strongly urged the Phantom Lake residents to form a Lake Management District because any future projects will need to be funded from an LMD.

Commissioner Cowan commented that Mr. Parks' concerns seemed to be that the grant was conditional on the formation of a LMD. Ms. Otal explained that one of the conditions of the City facilitating that work was that Phantom Lake Homeowners would pursue a mechanism such as a Lake Management District for any future work on the channel, the culvert and Phantom Lake.

Mr. Marcum gave the presentation regarding Phantom Lake. He reviewed the drainage basin map and explained that it is a private lake which is owned by private property owners. He reviewed stormwater management and drainage case law basic points and principles; Lake Management Districts; and state law. Ms. Otal explained that it is very common that lakeside property owners request a

higher level of service than the rest of the city, and this is the reason the State allowed for the formation of a Lake Management District.

Chair Helland asked about the size of the district. Ms. Otal explained that it can be very small with just the lakeside owners or it can be the whole basin. It is not limited. The City would not vote on the formation of the LMD, but it would be a paying member if they owned property within the LMD.

Commissioner Cowan asked how many private lakes there are in Bellevue. Ms. Otal explained that there are only two private lakes and neither one has a Lake Management District.

Mr. Marcum reviewed City Policy and Council Direction regarding Phantom Lake. He discussed the history of the City's efforts to assist Phantom Lake homeowners. The proposed LMD was to be funded at \$200,000 per year and was to handle phosphorous control and lake level plan activities; it was also to include alum treatment or aerator modifications, outlet channel maintenance, BMP and groundwater monitoring, aquatic plant assessment, annual data review, LMD administration, etc. The breakdown of revenue sources was to be from non-lakefront residential (41%); commercial (30%); Bellevue streets/parks/schools (17%); lakefront residential (9%); and multi-family and other lakefront (3%). However, in 1996 the Committee voted to stop the LMD formation process. Commissioner Weller asked about the commercial uses. Ms. Otal explained that the original LMD was to encompass the entire basin.

Mr. Marcum reviewed the Phantom Lake Project History. In 1985-1995 the City expended \$2.1 million of primarily grant funds on water quality studies, improvements and monitoring for Phantom and Larsen Lake and the surrounding Lake Hills Greenbelt. Ms. Otal stated that a condition of using the grant funds was that there be public access to the lake.

Residents have recently expressed renewed concern regarding water quality and quantity. In response to these concerns, the city undertook the following projects this summer:

- Pond A excavation
- Source control investigation
- Obtained consultant to determine if landfill constituents were negatively affecting Phantom Lake
- Grant funded outlet channel and culvert cleaning
- Outreach plan

Commissioner Cowan asked about the illicit discharge that Ms. Rahr had referred to at the last meeting. Mr. Marcum stated after investigation staff had determined it is HVAC system condensation which is an allowable discharge.

Mr. Marcum stated that there are ongoing opportunities for improvement. As redevelopment occurs, both water quality and water quantity issues will improve because NPDES requires much stricter development standards, detention is required to mimic pre-forested conditions, there are more stringent water quality requirements, and natural drainage practices (LID's) are being used.

Recent proposals by Homeowners Association include the following:

1. Reserve a % of drainage fees specifically for Phantom Lake
2. Remove the aerator and use the savings for Phantom Lake
3. Annual "cleaning day" by PHHOA and channel/culvert residents
4. City secure grant or other sources of additional funding
5. Special purpose district or something similar
6. The City obtain permanent easements from the channel property owners and take over maintenance of the channel

Ms. Otal explained that regarding number 1, the stormwater fees are very restricted in their uses and cannot be used to provide enhanced services to any group or individual or for improvements and maintenance activities for private facilities. Regarding number 2, removing the aerator is not cost-effective and any savings would have to be used for general use for citywide services. There is nothing preventing the Phantom Lake owners from doing number 3. Regarding number 4, the City has already assisted Phantom Lake homeowners and has made it clear that any future projects for Phantom Lake must be funded by formation of a LMD. Number 5 would be an LMD and that is what the City recommends. Number 6 is not supportive of Utilities mission of preventing structural flooding or enhanced environmental benefit to the community in the form of enhanced habitat or fish passage.

Commissioner Cowan asked about the size of the grant. Ms. Otal explained it was about \$70,000.

Commissioner Wang asked for clarification on number 2. Mr. Marcum explained that it referred to savings from maintenance, but any savings, by law, would have to go back to the general rate base.

Commissioner Morin referred to the photos of the lower cell at Pond A. There was discussion about the function of Pond A. It was initially created because of the commercial developments upstream. Dr. Donaldson gave additional background on the history of Pond A.

Mr. Marcum explained that future work will be dependent upon residents forming a LMD consistent with City Council policy. As a property owner on Phantom Lake, the City would contribute funding and be an active participant in the LMD. Phantom Lake Homeowners Association can also use work parties to accomplish some tasks and may also look for additional grant funding opportunities.

Ms. Otal stated that they appreciate the property owners' concerns and are willing to partner with them and assist with forming a funding mechanism; however, their needs are over and above what our rate base can provide. By state law we cannot use rate funding for private benefit. Money collected across the city must be used for equitable benefit.

Commissioner Mach asked about Pond A's flow rate. Mr. Marcum stated that they can do flow monitoring at a cost. The development that occurred upstream was developed per the standards of the day. The control of the outfall is the downstream private culvert. Ms. Otal stated that if it would benefit only Phantom Lake property owners then they would need to pay for it. The City does not do flow monitoring just because a citizen asks for it.

Chair Helland stated that the issue is whether or not the development that flows into the lake was done at the relevant standards for that time. Staff concurred. Chair Helland summarized that in the absence of a LMD, if there is flooding or any other problems it would be the responsibility of whoever controls the outlet. Mr. Jorgenson explained how he could find no records of how that property was subdivided and developed.

Chair Helland asked if the LMD was ever put to a vote. Ms. Otal explained that it was not.

Dr. Davidson commented on "historic conditions" and how this has changed tremendously in a relatively short period of time.

Mr. Jorgenson stated that 70% of the basin has very little detention. The residential area is contributing a significant amount of runoff to the lake.

Commissioner Cowan asked if the basin would be receiving more water in the future. Ms. Otal thought that it might even be less because as redevelopment occurs there is a requirement to mitigate for pre-forested conditions. This should decrease the flows to Phantom Lake.

Commissioner Swenson asked about the size of the residential lots around the lake. Staff thought that they were pretty standard ¼ acre lots, in the basin.

e. NPDES 2011 Annual Compliance Report & Recommendations

Phyllis Varner explained that the action being requested of the ESC is that they make a recommendation to City Council on submittal of the City's 2012 NPDES Stormwater Management Program to the Washington State Department of Ecology. She reviewed background on this and distributed a copy of revised page 7-1.

She explained that the two comments received at the public meeting were not specific to the Stormwater Management Program. The first comment was a request for water quality monitoring in streams to address fisheries concerns. She discussed the challenges of linking water quality to fisheries impacts but noted that anyone can come before the Commission and request funding for certain purposes. The second comment was a request to investigate the source of certain stormwater runoff and determine if it can be diverted to sanitary sewer. Staff investigated and determined it was a result of air conditioning condensation (HVAC systems). This was one of several sources of runoff to Pond A in the 3 weeks after Labor Day. She noted that there were also six days of rain during that period. Air conditioning condensation is a NPDES-permitted stormwater discharge.

Ms. Varner reviewed a summary of the process so far and requested ESC's recommendation for submittal of the 2012 NPDES Stormwater Management Program for the City Council.

**Motion made by Commissioner Wang, seconded by Commissioner Morin, that the Chair Helland be authorized to sign a letter of recommendation to the City Council on submittal of the City's 2012 NPDES Stormwater Management Program to the Washington State Department of Ecology. Motion passed unanimously (7-0).**

f. Introduction of CIP – Review of CIP Policies

Ms. Maloney reviewed the importance of the CIP policies, the CIP update process, and the Tentative CIP Budget Schedule.

Chair Helland asked Ms. Maloney to explain why the ESC would be doing a provisional endorsement. Ms. Maloney explained that it is not a formal motion; it is more like a conceptual design. Until the Commission sees what all the rate impacts are and the final rates, staff does not expect a formal recommendation.

Commissioner Cowan noted that last year they had a recommendation for a rate that went to Council. It was rejected which left a gap in the funding for the R&R Funds. Ms. Maloney explained the R&R under funding does not affect the CIP program. Mr. Jorgenson commented that they would be bringing the R&R issue back to the Commission. Ms. Maloney clarified that what was proposed in the capital budget two years ago was adopted by Council.

Commissioner Wang noted that the Council adopts a 2-year budget, but there is a 7-year CIP. Dr. Donaldson explained that the Council adopts the 2-year budget, but approves the first two years of the 7-year plan.

Ms. Maloney reviewed the ESC CIP Update calendar, reviewed the CIP objectives and project prioritization criteria and briefly reviewed existing funded

projects and programs. She referred to the Adopted CIP 2011-17 Spending Plan which also serves as a summary of categories. Next month they will be discussing what has already happened and what will be changing.

Chair Helland asked about “Miscellaneous Revenue”. Ms. Maloney explained she had not been able to get a clear answer from Finance about that. Chair Helland said if someone wanted to know what comprised “miscellaneous revenue”, there should be a way to find out.

**7. NEW BUSINESS**

Commissioner Swenson asked staff if they knew what had triggered the editorial in the newspaper about green infrastructure. No one did.

**8. DIRECTOR’S OFFICE REPORT**

Mr. Jorgenson reviewed the Conservation Outreach Calendar and noted that the commissioners were always welcome to any of the events.

Mr. Jorgenson solicited ESC interest in a BSC tour. All of the commissioners expressed an interest in the tour. A tentative time was set for 4-5:30 and possibly in the last week of February or the first week of March.

Dr. Davidson announced that he would be leaving as the Environmental Services Liaison but would still be very involved in the regional activity.

**9. CONTINUED ORAL COMMUNICATIONS**

Brian Parks responded to staff’s presentation about Phantom Lake. He stated that the residents were told that the LMD would be a possible funding source. No benefits to forming a LMD were discussed with the residents. Instead they were just told that they would be taxed, they would be made liable, and their time would be required. The old City Council LMD stance was created within the context of the issues back then. It was not necessarily an ongoing stance as it is repeatedly portrayed by staff. He requested that they check to see if this is still Council’s stance. The grant had been to address concerns of algae in Phantom Lake. He asserted that the algae concerns started with the 1980 development. The 1966 case between the Department of Game and residents on the lake was because fishermen were coming on the lake and being inconsiderate and belligerent. He asserted that road runoff and Pond A outfall were point source runoff. Phantom Lake residents had asked for sediment tests in Pond A that were not done. Regarding the restrictions for the public on Phantom Lake, he stated that anyone can come to Phantom Lake; the numbers are not enforced. He did not think that any of the residents cared who was there. Phantom Lake Homeowners Association is not asking for enhanced services. They are asking that there are no new impacts from the development. He asked that Chair Helland and the

Commission recommend an EIS to look at the downstream impacts of the proposed upstream redevelopment. He asserted that it would be appropriate for the ESC to make a motion to ask the City Council to look at the downstream limitations.

Elfi Rahr stated that she and her husband moved to Phantom Lake in the late 50's. Most of the homeowners have been good stewards and kept appropriate buffers. Back then Phantom Lake was a viable fishing lake. She and her husband own the property that has the present inlet. The consultants' report described the inlet as a trickle inlet that only flowed periodically. Eventually with the development of I-90 it was necessary to expand it to carry up to 40 cfs, but the outlet only carries 10 cfs. Within five years, the lake started to show problems with algae and the roads started flooding to north. They submitted samples to Fisheries who said they were dealing with colloids. Ms. Rahr explained that Phantom Lake is a phosphorous-sensitive lake so any additional phosphorous really affects the lake. Within five years the phosphorus input to the lake increased five-fold. Within ten years of the onset of development, Phantom Lake became a detention pond. An aeration system was put into the lake which caused the algae proliferation to get even worse. Ms. Rahr asked for retrofit of all of the "screw-ups". The LMD was created out of desperation because they had to find a solution. Once the aeration was suspended they decided that it was not needed any more.

Commissioner Wang responded to Mr. Parks that the benefit of the LMD is that it is a mechanism to raise money to do what the residents want to do with the lake.

**10. Executive Session**

None

**11. Adjournment**

**Motion made by Commissioner Weller, seconded by Commissioner Cowan, to adjourn the meeting at 9:20 p.m. Motion carried unanimously (7-0).**

# 2012

## Tentative Environmental Services Calendar

February 12						
S	M	T	W	T	F	S
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### March

- CIP Proposed changes to existing projects (Pam)  
Storm & Surface Water System Plan - Open House (Brian)  
Stream Team - Annual Report (Laurie)  
Year-End Budget Monitoring Report on EFB's (Bob)

### October

- Budget - Public Hearing on proposed budget & finalize rate recommendation (Bob)  
Budget - Review budget Notebooks & Preliminary Budget (Bob)  
Deliver Wastewater System Draft Plan (Randy)

August 12						
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March 12						
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### April

- Budget - Proposals (Bob)  
CIP - Proposed Investments/Proposed Changes (Pam)  
Storm System Plan (Brian)

### November

- Budget Public Hearing (Bob)  
Wastewater System Plan - Open House Priort to ESC - Public Comments - Discuss Draft Plan (Randy)

September 12						
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April 12						
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### May

- CIP - Public Comments (Open House) (Pam)  
Early Outlook Forecast (Bob)  
Storm System Plan (Brian)

### December

- CIP Accomplishments (Scott/Regan)  
Solid Waste Contract - Annual Performance Review (Tom)  
Wastewater System Plan - Recommendation for Adoption 30 Minutes (Randy)

October 12						
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May 12						
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### June

- Solid Waste Contract Review #1 (Susan/Tom)

### July

- Budget (Bob)  
Solid Waste Contract Rev #2 (Susan/Tom) OR  
Wastewater System Plan Recap Policies & Evaluation Criteria (Randy)

November 12						
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June 12						
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### 12

- Budget (Bob)  
Solid Waste Contract Rev #2 (Susan/Tom)  
Wastewater System Plan Recap Policies & Evaluation Criteria (Randy)

December 12						
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July 12						
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### August

- CIP Tour

### September

- Asset Management (Bill O&M)  
Wastewater System Plan Findings & Recommendations (Randy)

January 13						
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**2012 Pending – ESC:**

Status Reports on the following issue will be made when there are significant development:

IDDE Overview – Mike G.

**Katie/2012 Calendars/Pending ESC Calendar**

**Updated 12/13/11**

# 2012

## Tentative Council Calendar

### February 12

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### March 12

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### April 12

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### June 12

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### July 12

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### March

**5** Consent: Motion to award 164th Ave NE Water Service Saddle Replacement (Wes)

Consent: Motion to Award AC Watermain Replacement 2012 Phase I (Wes)

Consent: Motion to Award PRV/Commercial Meter Lids (Wes)

Re-Accreditation Award Presentation

Regular Session: CMO Report - NPDES Annual Report (Phyllis)

**19** Consent: Resolution - NPDES Annual Reports (Phyllis)

Consent: Motion to Award 152nd Ave. SE Roadway Subgrade Spot Repairs (Wes)

### April

**2** Consent: Motion to Award Exposed Sanitary Sewer Lakelines 2012 (Wes)

### May

**7** Consent: Motion to Award CBD Sanitary Sewer Capacity Improvement (Wes)

Consent: Motion to Award Coal Creek Culvert Replacement 2012 (Wes)

Consent: Motion to Award Stormwater Trenchless Repair (Wes)

### June

**4** Consent: Motion to Award Consent Kirkland/Bellevue Intertie @ 132nd Avenue NE (Wes)

Consent: Motion to Award Kelsey Creek Fish Passage/Stream Improvement Glendale CC (Wes)

Consent: Motion to Award Sanitary Sewer Repairs Phase I (Wes)

Consent: Motion to Award Yarrow Creek West Trib Culvert Removal (Wes)

### June

**18** Consent: Motion to Award E Crk/Richards Crk Fish Passage/Strm Channel Mods & Sunset/Richards Crk Fld Cntrl/Habt (Wes)

Consent: Motion to Award Kelsey Creek 450 Zone Waterline Crossing REM/STRM Bank Restoration (Wes)

### July

**2** Consent: Motion to Award Wet Pond Retrofit at Lakemont Blvd 2012 (Wes)

### September

**17** Consent: Motion to Award AC Main Replacement 2012 Phase II (Wes)

### October

**15** Consent: Motion to Award AC Main Replacement 2012 Phase III (Wes)

### August 12

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### September 12

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### October 12

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### November 12

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### December 12

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### January 13

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Key:

Agenda item description – **Consent:** Waste Reduction & Recycling Grant  
**Assistant Director's Name or designated staff** that will  
be available to attend Mayor's meeting  
**Staff Name** – material content expert

**2012 Pending Council**

Dissolution of Southwest Lk Samm. Flood Control Zone District (Joyce)  
Sewer Comp Plan – (Wes)  
South Cove Water/Sewer Annexation ...e-mail council (Nav)

Katie/2012 Calendars/Pending Council Calendar

Updated 12/22/11



# MEMORANDUM

Action  
 Direction  
 Information

**DATE:** March 1, 2012  
**TO:** Environmental Services Commission  
**FROM:** Brian Ward, Watershed Planning Team  
**SUBJECT:** 2012 Review Draft Storm and Surface Water System Plan—Commissioner Comments and Questions

At the February 2012 ESC meeting, staff provided you a draft copy of the 2012 Storm and Surface Water Plan (Storm Plan) for your review. The purpose of tonight's meeting is to give you the opportunity to ask questions and for staff to receive your initial thoughts and comments about the draft Storm Plan. This is the first meeting in a series where you will have the opportunity to ask questions, hear public comments, discuss options and provide direction to staff for responding to comments. No action is required of you at this time.

### Public Review Process

City Council established the Environmental Services Commission as the review body for the project and to provide opportunities for public input during the process. The draft Storm Plan reflects the comments and direction we received from prior Commission meetings when, the core elements of the plan—policies, basin evaluation criteria, and plan recommendations—were presented. The ESC meetings where these elements were discussed also received additional public notice, so interested stakeholders could provide comments during the development of these core components of the Storm Plan.

On March 1, prior to your meeting, Utilities staff will host an Open House from 5:30pm to 6:30pm, in Room 1E-113, where members of the general public are invited to have their questions about the Storm Plan answered by staff and have an opportunity to provide comments. Your attendance is not required, but certainly welcomed.

### State Environmental Policy Act (SEPA) Process

The State Environmental Policy Act (SEPA) provides a way to identify possible environmental impacts that may result from governmental decisions. In coordination with the March Open House is the SEPA review period of the Storm Plan. By law, a 14-day formal SEPA public comment period began on February 23, 2012 when the SEPA determination of "Non Significance" was issued. That comment period will end on March 7, 2012. When the formal written comment period closes, staff will compile both SEPA and general Storm Plan comments. Staff will develop recommendations for responding to the issues raised for your consideration at the April 5 ESC meeting. Depending on the number and scope of comments received, staff may

need to return in May to finish reviewing recommendations. As with all ESC meetings, the public can provide input on the Storm Plan during the oral comment periods.

### Timeline

The upcoming ESC schedule for the Storm and Surface Water System Plan is:

**March 2012:** Staff to host an open house just prior to the ESC meeting. Staff will be available to answer questions. The ESC meeting will be another opportunity for the Commissioners to ask questions about the Storm Plan.

**April 2012:** Staff will summarize the comments received and depending on the number and scope of the comments, staff could bring responses to the April ESC meeting and possibly seek a recommendation for City Council adoption of the Storm Plan.

**SEPA Review:** SEPA review is coordinated with the March open house. The March open house is scheduled during the 14-day formal public comment period on the SEPA determination

**May 2012:** Staff response to comments and/or direction from the ESC and possibly seek a recommendation for City Council adoption.

**City Council adoption:** 2012 (not scheduled)

Your questions and comments can be directed to my attention at any time via email: [bward@bellevuewa.gov](mailto:bward@bellevuewa.gov) or by phone: 425-452-5206.



# MEMORANDUM

- Action
- Discussion
- Information

February 16, 2012

**SUBJECT:** Stream Team Update

**TO:** Environmental Services Commission

**FROM:** Laurie Devereaux, Stream Team Program Administrator

Action Required at this Time

No action by the Commission is required. This is an informational briefing.

Fiscal Impact

No impact

Policy Issues

No policy issues

Purpose

Stream Team will provide a short presentation outlining projects and activities from 2011 at the March 2<sup>nd</sup> meeting. Presentation materials will be provided at the meeting.

Background

While Bellevue Citizens have been working with the city to protect habitat since the 1970's, The Stream Team Volunteer Program officially started in 1988 with one of the first Pie Grants given from the Puget Sound Water Quality Authority. Since then, Stream Team programs have been "spawned" in other areas and are now well known in Washington and internationally.

Program elements evolve over time but the mission has remained the same: to provide information, increase community involvement and awareness, and initiate changes that will protect the quality of our water systems and fish and wildlife habitat.

Stream Team provides educational opportunities for schools and other groups in the community. In addition, Stream Team volunteers are involved in habitat restoration and a variety of monitoring projects throughout the year.

Stream Team is administered by the Program Administrator, Laurie Devereaux, with support from the Watershed Planning Manager and 4-500 hours of an assistant shared with Resource Conservation Outreach staff.



# MEMORANDUM

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Action

February 21, 2012

Discussion

Information

**SUBJECT:** Utility CIP Update 2013-2019  
**TO:** Environmental Services Commission  
**FROM:** Pamela Maloney, Utilities Water Resources Planning Manager

## Action Required at this Time

No action by the Commission is required at this time. The ESC's budget recommendation for the Capital Investment Program (CIP) will be included in the overall Utility budget recommendation to the City Council later this year. Staff will request ESC endorsement of specific CIP recommendations following a public meeting tentatively scheduled for May 3rd.

## Background

On February 9<sup>th</sup>, staff reviewed CIP Objectives and prioritization criteria, as well as the adopted Utilities' CIP program with the Commission. If you have any questions about what was presented, those can be discussed on March 1.

On March 1<sup>st</sup> staff will review proposed changes to the existing CIP plan. If time permits, we will also introduce potential new capital investments, which are driven by asset management needs, and for improved flood protection.

## Looking Ahead

In April, staff will present a summary of the proposed changes, incorporating comments to date, including the fiscal impacts of those, for the 7-year period.

Then in May, staff will host an Open House prior to the regularly scheduled ESC meeting, to explain to interested parties the proposed changes to the CIP that have been presented to you. Following the Open House, the ESC will invite public comment at a Public Meeting during the regular ESC meeting.

After due consideration of staff presentations and of any public comments received, staff will request ESC's preliminary endorsement of proposed changes and additions to the CIP. Your endorsement is important to us as we develop 'budget proposals' that will be part of the Budget One process.



Action  
 Discussion  
 Information

**DATE:** February 22, 2012  
**TO:** Environmental Services Commission  
**FROM:** Bob Brooks  
Fiscal Manager  
**SUBJECT:** 2011 Year-End Financial Report

Action Required at this Time

No action by the Commission is required. This will be an informal briefing.

Policy Issues

State law requires that the City provide a report to Council comparing expenditures against budget appropriations and showing receipts from all sources at least quarterly. Utilities staff customarily present a year-end financial report to the Environmental Services Commission.

Background

All City departments, including Utilities, perform budget monitoring on a monthly basis. These reviews identify and explain significant variances from budget, report on program and project progress, and provide estimates of year-end totals.

Staff will provide a brief presentation of the 2011 year-end financial results to the Environmental Services Commission at the meeting on March 1.

If you have questions, please do not hesitate to call me at 425.452.7199.