RESOLUTION No. 565-22

A RESOLUTION ADOPTING THE TOTAL MAXIMUM DAILY LOAD (TMDL) IMPLEMENTATION PLAN FOR THE MOLALLA-PUDDING SUBBASIN AND MIDDLE WILLAMETTE SUBBASIN.

WHEREAS, the Federal Clean Water Act and the Oregon Administrative Rule 340-042-0030 require the creation and implementation of a TMDL Plan; and

WHEREAS, the Donald City Council adopted Resolution No. 321-11 on March 8, 2011 that outlined the requirements for the City's five-year TMDL plan; and

WHEREAS, the Donald City Council adopted Resolution No. 431-17 on January 10, 2017 recognizing the updates to the TMDL matrix for the year; and

WHEREAS, the Department of Environmental Quality requires that municipalities that contribute to a Subbasin where pollution is a concern make a TMDL plan; and

WHEREAS, the City of Donald is within the boundaries of the Molalla-Pudding Subbasin and the Middle Willamette Subbasin; and

WHEREAS, a requirement of the TMDL plan is that the City Council acknowledge the TMDL plan's requirements and the City's assumed responsibility for upholding it; and

WHEREAS, TMDL plans require review every five years and the attached TMDL is the City of Donald's plan for the 2021-2026 period.

NOW, THEREFORE, THE CITY OF DONALD RESOLVES AS FOLLOWS:

that the Donald City Council acknowledges the 2021-2026 TMDL plan.

PASSED and ADOPTED by the City Council of the City of Donald at its regular meeting on the 8th day of November 2022 by the vote of 6 ayes and 0 nays.

DATE: November 8, 2022

Rick Olmsted, Mayor

ATTEST by City Manager this 8th day of November, 2022

Eric Underwood, City Manager

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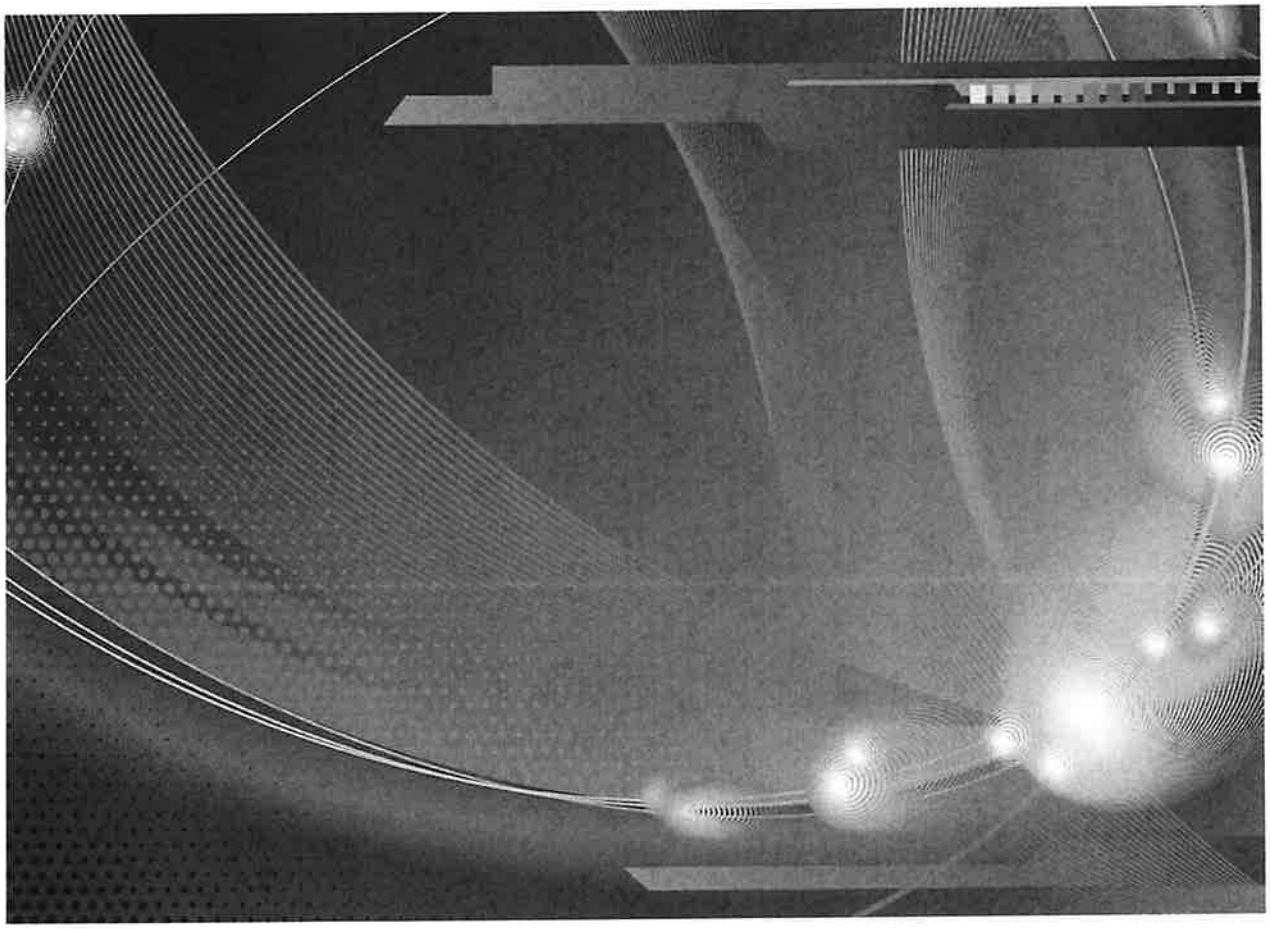
City of Donald, Oregon

TMDL Implementation Plan

Molalla-Pudding Subbasin and Middle Willamette Subbasin

October 2022



TMDL Implementation Plan

October 2022

PREPARED FOR

City of Donald, Oregon

PO Box 388
10710 Main Street
Donald, OR 97020

Tetra Tech Project #200-166682-20001

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GEOGRAPHIC INFORMATION

Date Submitted: December 28, 2015, revision update August 9, 2022

DMA Name: Donald

Subbasins: Middle Willamette and Molalla-Pudding

Receiving Waterbodies: Unnamed tributaries to Senecal Creek into the Molalla-Pudding River, and unnamed tributaries to Ryan Creek for the Middle Willamette Subbasin.

County: Marion

Population: 1102

CONTACT INFORMATION:

Name: Alonso Limones, Public Works Director

Telephone: 503-678-1411

Email address: publicworks@donaldoregon.gov

1. INTRODUCTION

When water quality standards are not met, the federal Clean Water Act of 1972 requires a Total Maximum Daily Load (TMDL) to be established. A TMDL determines how much pollution can be added to the body of water without exceeding water quality standards. TMDLs are limits on pollution intended to bring rivers, lakes and streams into compliance with water quality standards, designed to protect human health, aquatic life, and other beneficial uses of water. The Oregon Department of Environmental Quality (DEQ) is the state agency authorized by federal and state law and regulation to develop these pollution limits. This Plan is being provided to meet the requirements of the federal Clean Water Act and Oregon Administrative Rule 340-042-0030, related to TMDL.

On December 23, 2008, the Oregon DEQ issued the Molalla Pudding TMDL as an Order, and submitted the TMDL to the Environmental Protection Agency (EPA) for approval. As part of the Molalla-Pudding TMDL, DEQ developed a Water Quality Management Plan (WQMP) to describe the overall framework for implementing the TMDL. The WQMP includes a description of activities, programs, legal authorities and other measures for which DEQ and other designated management agencies (DMAs) have regulatory responsibility. The Molalla-Pudding Subbasin is one of 12 Willamette River Basin Subbasins. Like that of the mainstream Willamette River, the Molalla-Pudding Rivers and numerous tributaries do not currently meet several water quality standards including for bacteria, iron, mercury, pesticides and temperature. These standards assure that beneficial uses of the river and tributaries, such as swimming, fish consumption and fish rearing are protected. The Oregon Department of Environmental Quality (DEQ) has set Total Maximum Daily Loads (TMDLs) for water bodies located within the Willamette Basin. The TMDL was approved by the Environmental Protection Agency (EPA) and issued as an Order by DEQ in September of 2006. The 2006 TMDL covers mercury and applies to the Molalla-Pudding Subbasin. DEQ revised the 2006 TMDL for mercury and issued *DEQ's Revised Mercury Total Maximum Daily Load Water Quality Management Plan*, November 22, 2019. There are new mercury load allocations specified in EPA's 2021 TMDL which are effective for designated management agencies (DMAs), including the City of Donald.

TMDLs, limit the total amount of specific pollutants that may be discharged into a given waterbody. The City of Donald was notified of this requirement on March 3, 2021. The WQMP was issued as an order on November 22, 2019, as part of the *DEQ Final Revised Willamette Basin Mercury Total Maximum Daily Load and Water Quality Management Plan (2019 DEQ Mercury WQMP)*. Additional information can be accessed at: https://www.oregon.gov/deq/wq/tmdls/Pages/willhgtmdlac2018.aspx.

The TMDL mercury allocations specified in EPA's 2021 TMDL (https://www.epa.gov/sites/default/files/2021-02/documents/tmdl-willamette-mercury-final-02-04-2021.pdf) are effective for designated management agencies and responsible persons named in the 2019 DEQ Mercury WQMP. Summarized above.

The revised Willamette Basin mercury TMDL has basin-wide reduction targets for mercury. Reductions in mercury are needed to eliminate fish consumption advisories. Reductions in bacteria are needed to protect contact recreation (swimming, fishing, boating, etc.). The reductions are listed in Table 1.

Table 1. Mercury Reduction Targets

Non-permitted stormwater	% contribution*	EPA 2019 Allocated Required Reduction
Middle Willamette	10%	**97%**
Molalla-Pudding	na	**75%**

Information below was derived from Appendix C from EPA TMDL:

- U.S. EPA Total Maximum Daily Load (TMDL) for Mercury in the Willamette Basin, Oregon
- https://www.epa.gov/sites/production/files/2021-02/documents/tmdl-willamette-mercury-final-02-04-2021.pdf

TMDLs, the WQMP, and associated implementation plans and activities are intended to restore water quality to comply with standards. When implemented, the TMDL will result in a cleaner, healthier Molalla-Pudding Subbasin and Willamette River Basin for current and future generations

2. BACKGROUND

The City of Donald is a small city with a population of approximately 1102 persons as of 2022. It owns and operates a STEP (Septic Tank Effluent Pumping) wastewater collection system with facultative lagoon treatment. Treated wastewater is land applied for nursery crop irrigation from May to October. The City also receives and treats sanitary wastewater from the neighboring Fargo Interchange Service District (ISD) that is owned and operated by Marion County. Donald was named by DEQ as a designated management agency (DMA) for a TMDL Implementation Plan because it has legal authority over a sector or source contributing pollutants within the city limits; since it operates a municipal wastewater treatment plant with a permit to land-apply effluent. The City's four sewer lagoons are located near the northwest section of Donald, outside the city limits. The lagoons are within the Middle Willamette Subbasin. Two lagoons treat partially processed wastewater from septic tanks within the City, one lagoon treats raw sewage from the Fargo ISD, and one lagoon stores treated wastewater prior to land application and tree crop irrigation. The City's municipal wastewater treatment plant has a Water Pollution Control Facility (WPCF) permit issued by the Oregon DEQ. The City has a Recycled Water Use Plan (RWUP) and a plant Operations Plan, per the WPCF permit requirements. The RWUP includes a list of Best Management Practices (BMPs) that are intended to prevent runoff of treated effluent into surface waters, including Senecal and Ryan creeks.

The City of Donald is situated partially within two Subbasins: the Molalla-Pudding Subbasin, and the Middle Willamette Subbasin. See Figure 1 for the City and Subbasin boundaries. The railroad tracks that run north-south through the City is the primary dividing line between the two Subbasins. East of the tracks contributes to the Molalla-Pudding Subbasin, and west of the tracks contributes to the Middle Willamette Subbasin. A small area northeast of the tracks conveys stormwater north to the Middle Willamette Subbasin.

The primary sources of the pollutants contributing to both of these Subbasins are stormwater and sedimentation from erosion caused by stormwater runoff. Bacteria are carried to waterways in stormwater, overland flow, and pipe systems. Iron is naturally occurring in soil, but high iron concentrations are associated with rain and erosion. Mercury and pesticides can be carried in sediment from runoff and erosion. Although pesticides are a part of the TMDL for the Willamette Basin, Donald is not considered a primary source of this toxin. In addition to operating sewer lagoons, the City also operates its own public water system and pumps water from two groundwater wells located within the city limits. One well is inactive and will be replaced in 2022.

The City adopted a Drinking Water Protection Plan (DWPP) to ensure and improve water quality and to comply with the Safe Water Drinking Act. The DWPP contains strategies and best practices for management to protect its water source from potential contamination. Many of the strategies and practices discussed in the DWPP are also beneficial in improving the overall water quality and helping meet TMDL standards.

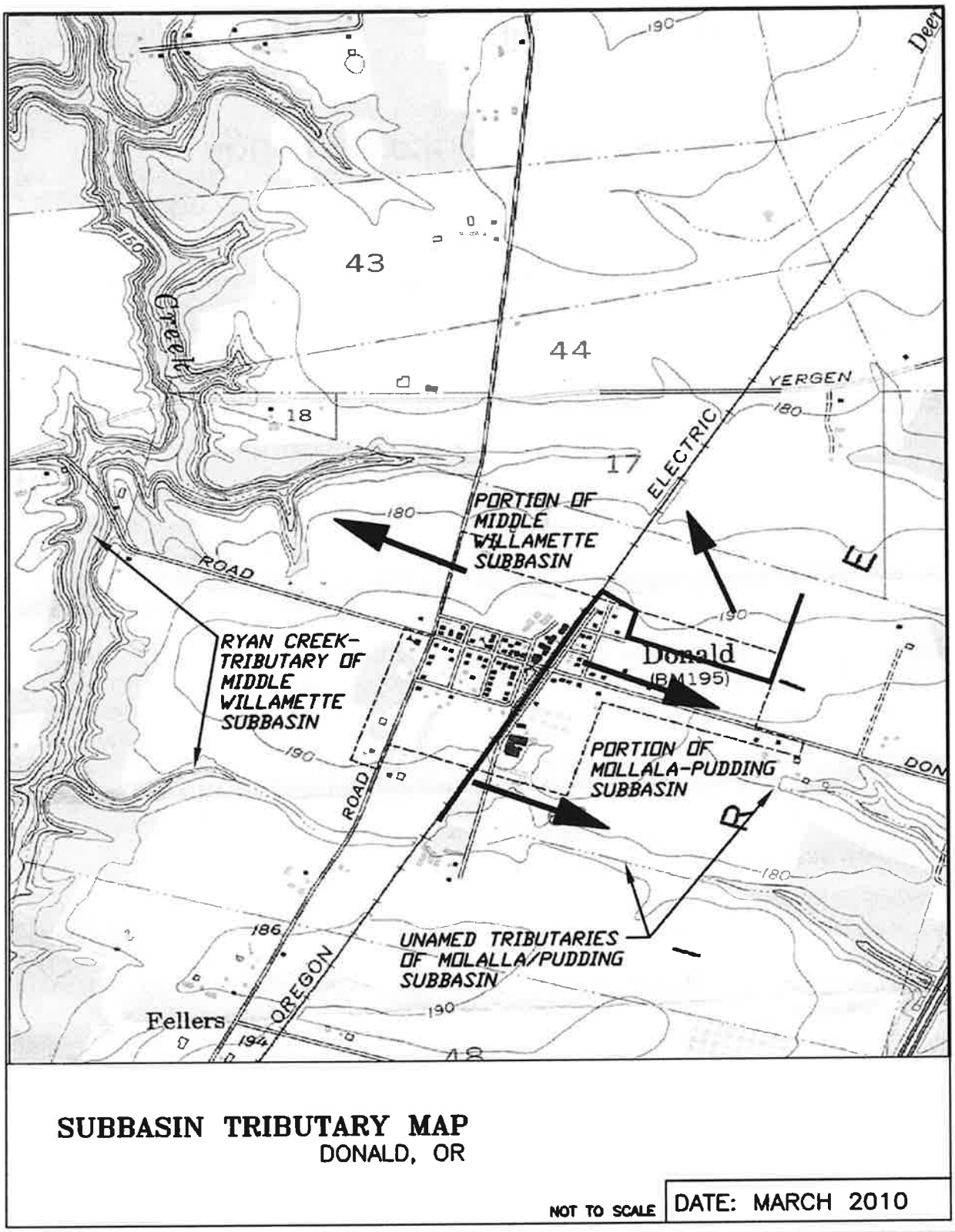

Figure 1. Subbasin Tributary Map

3. EXISTING CONDITIONS AND DOCUMENTATION

Within Donald, stormwater runoff is the primary source for all of these TMDLs. Temperature is a TMDL for the Willamette Basin, but is not a parameter that has an opportunity for restoration within Donald because there are no riparian areas or resources within the city limits.

THE MOLALLA-PUDDING SUBBASIN

The Molalla-Pudding Subbasin contains portions of both Clackamas and Marion counties, and includes several cities, including a portion of Donald.

The primary sources of pollutants contributing to the Molalla-Pudding Subbasin include stormwater runoff from City streets and County roads, and sediment transported from ditches located outside of City limits. The pollutants are conveyed to the "unnamed tributaries of Molalla-Pudding Subbasin" identified on Figure 1 that discharge to Senecal Creek.

Stormwater runoff to the east of the railroad tracks drains from west to east to tributaries within the Senecal Creek Watershed of the Pudding River Subbasin. Senecal Creek is located approximately one mile east of Donald on the east side of the Interstate 5 (I-5) freeway. Most stormwater runoff from the eastern portion of the City is collected and conveyed through stormwater pipes and ditches to a retention pond located in the southeast corner of the City. The pond outlets to the "unnamed tributary" located outside City limits in Marion County's jurisdiction, which in turn discharges to the Senecal Creek Watershed.

THE MIDDLE WILLAMETTE SUBBASIN

In addition to the Molalla-Pudding Subbasin, Donald is also located within the Middle Willamette Subbasin. The same strategies and plans for a TMDL implementation can be applied to both Subbasins.

Ryan Creek is the nearest receiving creek within this Subbasin. According to the Subbasin Tributary Map on page 3, there are two main tributaries to Ryan Creek within close proximity to Donald. However, there are no discharge points to these tributaries from the City.

The northern tributary is near the sewage lagoons on Donald Road. As described in the Background Section of this plan, the City of Donald operates a municipal wastewater treatment plant with a permit to land- apply treated effluent to crops that may not be used for human consumption in the northwest section outside of the City. The Water Pollution Control Facilities Permit and Operations Plan for the wastewater lagoons restrict the effluent application to a rate that shall not cause ponding; and only apply what the crops would require. Therefore, no runoff is permitted to occur from the municipal wastewater treatment plant.

EXISTING SOURCES

Bacteria may reach surface waters from a variety of point and nonpoint sources. Urban runoff, especially stormwater discharged through a conveyance system may include bacteria from a variety of sources, both human and non-human in origin. Bacteria originating from pets, fowl, and other wildlife may be present in large numbers in urban stormwater runoff. However, the paths that bacteria from these sources take and the time it takes to reach a nearby stream are often greatly shortened by modern stormwater systems. Urban runoff, rural residential runoff, failing septic systems, pet waste, wildlife and livestock waste are all producers of nonpoint source bacteria.

Erosion is often a source of the toxins iron and mercury, which are present in the soil. By preventing erosion and sedimentation, these toxins can be reduced. However, erosion is not of particularly high concern within the City because it has a relatively flat topography, with an average grade of less than 1%. There are no steep hilly areas for runoff to create excessive erosion due to high runoff velocities. There are also no bodies of water within the City limits, other than the stormwater retention pond described previously.

All new construction is subject to best practices for stormwater management and erosion controls. This means that perimeter drainage will be considered when the construction drawings are reviewed, and Grading and Drainage Plan is required as well. The "Grading and Drainage Plan" shows that there will be controls and BMPs to prevent runoff that are associated with the project sites.

New plans for development and construction are required to adhere to the City of Donald's Development Code, Code of Ordinances, Engineering Standards that include design and construction standards for storm water management systems and erosion controls. Projects in City streets that are designated County Roads must also meet Marion County Standards. All of these standards are to be followed to mitigate the increase in stormwater runoff rates and volumes that often occurs with development due to increased impervious surfaces. All stormwater runoff is to be conveyed to a public storm drain system or natural drainage channel, or infiltrated on-site. Detention is required to be provided to control the increase of runoff that commonly occurs with development and the construction of impervious areas. Water quality facilities to treat runoff must be installed where required by the City Engineer. Catch basins are to have approved "turndowns" and sumps for oil/water separation and sedimentation control. Stormwater quality manholes must be installed in all proposed storm drains that outlet into existing drainage facilities.

4. IMPLEMENTATION PLAN TRACKING MATRIX

For the TMDL Implementation Plan to be effective, it has to be useful and understandable to the residents of Donald. A matrix is used to address and summarize this TMDL Implementation Plan. The matrix displays the pollutants of this Plan, what strategies are proposed, how to implement the strategies, and track the progress of each strategy. The implementations of these strategies are required to be reported each year by the City to DEQ. Listed below are the parameters and goals of this Plan. The matrix tables for each pollutant—bacteria, temperature, and mercury/pesticides/iron—are presented in Table 2, Table 3, and Table 4, respectively.

PARAMETERS

Bacteria

The primary source of bacteria for the City of Donald is from stormwater. Urban runoff, rural residential runoff, failing septic systems, pet waste, wildlife and livestock wastes are all producers of nonpoint source bacteria for both basins.

Temperature

There are no streams or creeks located within the City of Donald; therefore, temperature is not a parameter of their jurisdiction for either basin. In March 2010, DEQ issued the report: *Cost Estimate to Restore Riparian Forest Buffers and Improve Stream Habitat in the Willamette Basin, Oregon.* Table 19 of this report, which can be viewed at http://www.deq.state.or.us/wq/tmdls/docs/WillametteRipCost030310.pdf, lists the City of Donald as having zero acres for restoration.

Toxins (Mercury, Pesticides, Iron)

The Willamette Subbasin as a whole has a TMDL for mercury. Within the Molalla-Pudding Subbasin, there is excess iron that is present in the soil and would occur from stormwater runoff through erosion. Pesticides are another TMDL present within the basin. Although Donald is located within a tributary where this TMDL is present, the town itself is not believed to be a source.

Table 2. TMDL Implementation Matrix (2021 to 2026): Pollutant = Bacteria

Strategy	How	Fiscal Analysis	Timeline	Performance Measure	Milestone	Status
Source: Bacteria carried into waterways in stormwater runoff and erosion control: Pollution Prevention						
Ensure catch basins are cleaned up and garbage disposed of properly	Annual cleaning of the catch basins in city limits	Labor and equipment costs	Annual	Before and after tracking of garbage in catch basins	Less pollutants entering the system. Less garbage and debris in the basins every year	The City cleaned the catch basins last year and this year will be able to do a "before and after" analysis. Continue to encourage residents, including kids to pick up litter
Ensure street litter is disposed of properly	Monthly Cleaning of Streets	Outside service	Monthly	Track number of complaints about street garbage	Less complaints received	The City hires outside service to sweep city-owned streets monthly.
Ensure street litter and park litter is disposed of properly	Manually picking up garbage on streets and in parks. Provide street side garbage cans maintained by City	Labor – garbage bags/pickers (supplies). Pay for City garbage cans	Daily/on- going	Less garbage throughout the streets and more garbage in the cans	Cleaner City. Garbage cans being used more often	Public Works Staff picks up garbage in parks and on the streets daily. Also works with volunteers to pick up trash, during warm months. Staff empties the street garbage cans daily too
Minimize Animal Waste on streets and in parks	Encourage residents to clean up after their pets, with notice in Newsletter and public notification boards	Costs of labor + waste bags, replacement of stations (when vandalized).	Ongoing for the 2021 to 2026 plan period	Track/Record any Complaints	Fewer complaints and staff picks up less waste off streets/parks	The City is currently encouraging residents about cleaning up after their pets in our newsletter. City manages two dog waste stations. Regular postings on public notice boards about importance of picking up pet waste
Encourage the public to use bathroom facilities	Provide portable bathroom facilities year round in parks	Portable bathrooms- outside service	Year round/ on-going	Visual inspection that bathrooms are being used	No complaints of public not having bathroom access	The City has an ADA portable bathroom at both City parks – available year round
Ensure proper functioning of septic tanks and prevent tanks from failing	Visual inspection of interior of tanks after they are pumped	Outside service paid for pumping and city labor for interior inspection	Once for each tank every 5 years or more frequently if required. Managed under the sewer permit program.	Less emergency calls where septic tanks are leaking out	Less sewage run off onto the ground	The City divided the city maintained septic tanks into 5 zones and records inspection results. Also, the City completes any needed septic tank repairs quickly
Reduce Runoff from New Construction	Builders must follow Stormwater Standards and Erosion Control BMPs	Building Permits Fees Marion County review	Ongoing for the 2021 to 2026 plan period	Track/Record any Complaints	No Violations Recorded	The City in conjunction with Marion County oversees all new building projects. The City of Donald Building permits process goes through Marion County Building Inspection Department.

Strategy	How	Fiscal Analysis	Timeline	Performance Measure	Milestone	Status
Prevent Illegal Dumping	Educate Public	Existing Newsletter / No Additional Cost	Ongoing for the 2021 to 2026 plan period	Educate Public	No Violations Reported	The City is currently posting educational material about preventing illegal dumping in newsletter and on community boards as well as on City's website.
Document all storm drain outfalls	Update Stormwater Master Plan with outfalls installed since 1990	Outside consultant and staff labor	2023	Budget for consultant work in 2022	City Council adopts updated plan in 2023	The City is in the process of updating the Stormwater Master Plan
Public Involvement to remove litter	Create a local Adopt a Road Program	Work with other cities to see samples. Pay city attorney and city insurance agent. Supplies	People and companies sign up to be involved	Next year get people to join program	People volunteer and less garbage in streets – also less labor costs	The City recently established an Adopt a Road Program but needs volunteers to sign up
Youth learning to pick up garbage to protect environment for future	City staff encouraging youth to pick up garbage after the summertime lunch in the city park	City labor and garbage supplies	Tracking complaints	Summers	Less garbage left behind after lunch program	The City staff will show up at the end of the lunches and encourage kids to pick up their litter and provide education about litter and the environment
Remove excess garbage/ debris from private properties	Code Enforcement and City-Wide Garage Sale Event- Offer Free Garbage Dump Day	City labor + advertising for event	Less junk/ pollutants on private properties	Code Enforcement: Ongoing and Dumpster/ Event: Annually	Less complaints and junk on properties and visually better	City staff currently responds to complaints from residents about junk piles at private properties through code enforcement. City does a yearly City Wide Garage Sale Event. But in future will have a dump truck available after event and a secondhand store truck for donations
Create a System Development Charge (SDC) for Stormwater	Outside consultant driven process makes a capital improvement plan and gets Council approval	Pay outside agency to do work. In future there will be funding to pay for increased demand on system	SDC adopted by City Council in 2021	Track money received by developers	Money accruing in the SDC- Storm Water Fund. Being able to fund additions to the system in the future	Stormwater SDC adopted by City Council in 2021
Source: Wastewater Treatment Lagoons						
Dispose of Effluent by Irrigation	Follow Conditions of Water Pollution Control Facilities Permit	Sanitary Sewer Billings	Ongoing	Sampling	Meet Sampling and Reporting Requirement	The City is currently complying with all DEQ Sampling requirements and special conditions such as Inflow and Infiltration Plan. City also complies and follows the Sewer Lagoon Operations Plan, 2010

Table 3. TMDL Implementation Matrix (2021 to 2026): Pollutant= Temperature

Strategy	How	Fiscal Analysis	Timeline	Performance Measure	Milestone	Status
Source: Sun (Solar Inputs)						
Provide Shading	Plant trees and vegetation	Landscape Requirements per Development Ordinance	Ongoing	More greenery in town via new developments	Monitor planting to ensure growth and durability	Development code regulates landscaping through planning process.
Provide continual shading for many years	A list of trees approved for public planting so they do not disrupt sidewalks/streets and have to be removed	Working with Arborist and changes to the development code	Ongoing	Utilization of the street tree list	Less trees damaging public property in future	City working with Planning Commission and nearby cities to create and maintain a street tree list

In March 2010, DEQ issued the report: Cost Estimate to Restore Riparian Forest Buffers and Improve Stream Habitat in the Willamette Basin, Oregon. Table 19 of that report, which can be viewed at http://www.deq.state.or.us/wq/tmdls/docs/WillametteRipCost030310.pdf, lists the City of Donald as having 0 opportunities for restoration.

Table 4. TMDL Implementation Matrix (2021 to 2026): Pollutant= Mercury, Pesticides, Iron

Strategy	How	Fiscal Analysis	Timeline	Performance Measure	Milestone	Status
Source: Stormwater Runoff and Erosion						
Reduce Runoff Volume and Flow Rate from New Construction	Developers must follow Stormwater Quantity Standards codified in the City Design Standards	Building Permits Fees County review	Ongoing	Track/Record any Complaints Document Plan Review Comments Maintain Database of Approved Construction Plans	No Violations Recorded	All new Construction goes through Marion County Building Inspection Department. Civil site plan and SWMP review conducted by City Public Works Director and City Engineer
Reduce Pollutant Runoff from New Construction	Developers must follow Stormwater Quality Standards codified in the City Design Standards	Building Permits Fees County review	Ongoing	Track/Record any Complaints Document Plan Review Comments Maintain Database of Approved Construction Plans Observe sediment quantity retained in water quality facilities	No Violations Recorded Number of new water quality facilities installed	All new Construction goes through Marion County Building Inspection Department. Civil site plan and SWMP review conducted by City Public Works Director and City Engineer
Erosion Control from Construction	Require Erosion Control BMPs for all new construction and 1200-C permits for projects with >1-acre ground disturbance	Building Permits Fees County review	Ongoing	Enforce Requirements	No Violations Recorded	All new Construction goes through Marion County Building Inspection Department. Erosion control plans reviewed by City Public Works Director and City Engineer
Update Stormwater Master Plan	Update 1990 Stormwater Master Plan	Stormwater SDC and sewer rates	2023	Hire Consultant in 2022 to update Plan	City Adopts Master Plan in 2023	Consultant selected and plan update underway
Prevent Illegal Dumping	Educate Public	Existing Newsletter. No Additional Cost	Ongoing	Educate Public	No Violations Reported	The City is currently posting educational material about preventing illegal dumping on community board as well as City's website.

CITY OF DONALD GOALS

Goal 1

Implement cost-effective best management practices to reduce and eliminating toxins to the Molalla-Pudding Subbasin and Willamette Subbasin.

Goal 2

Educate the public about the TMDLs and how everyone is instrumental in reducing the loads of the basins.

Goal 3

Community members work to reduce pollution by utilizing stormwater management control measures.

5. PLAN REVIEW, REVISION, PERFORMANCE MONITORING, AND REPORTING

Once the TMDL Implementation Plan is approved by the DEQ, it will be adopted as a resolution at the following City Council Meeting, which are held on the second Tuesday of each month.

The City's leadership will evaluate the Implementation Plan at least every 5 years following submittal, in accordance with the DEQ requirements, and may elect to evaluate every year in consultation with the DEQ. The TMDL Plan Implementation Matrix is the tool that will be used to monitor implementation of management strategies by filling in the "status" column. If the evaluation indicates that the Plan is not likely to be adequate to meet the pollution reduction goals, we will describe how we will modify the Plan or undertake other efforts to achieve these goals, and the timeline for accomplishing this.

The City will prepare an evaluation report at least once every 5 years that will describe the effectiveness of the strategies implemented during the preceding four year period. The evaluation reports will acknowledge any delays or challenges encountered when implementing plan elements and will describe the effectiveness of strategies implemented during the preceding evaluation period, along with proposed revisions and adaptations to the plan to correct any strategies that do not meet their goals. The evaluation report will also acknowledge the general expectations and intentions for the TMDL and WQMP for using an adaptive management approach. The evaluation report will include the TMDL Plan Implementation Matrix (Table 2, Table 3, and Table 4) and evaluate each individual management strategy listed in the matrix.

6. COST ANALYSIS/FUNDING

WQMP 13.7 pages 128-221 to 131-221 Costs and Funding – The plan matrix (see Chapter 4) provides an estimate of the technical and financial resources needed, associated costs, and the sources and authorities that will be relied upon to implement the plan.

Additional costs for mercury TMDL compliance are minimal and will be funded through building permit fees, system development charge (SDC) fees, and water and sewer rates. Table 4 lists the funding sources for each strategy intended to comply with toxin TMDLs, including mercury.

7. EVIDENCE OF COMPLIANCE WITH LAND USE REQUIREMENTS

All of the strategies outlined here and listed in the matrix (see Chapter 4) are consistent with Donald's land use ordinance. The City will evaluate and maintain consistency with local and statewide land use laws in any future actions related to TMDL implementation. Any revisions for the Plan will include a review for land use compatibility.

CITATIONS OF LEGAL AUTHORITY

The City of Donald Code of Ordinances includes chapters on the use of public sewers, citing what is and is not allowed in the stormwater drainage systems. Chapter 51 *Sewers*, cites permitted and prohibited uses of the sewers, both sanitary and stormwater. Also included within Chapter 51 is *Administration and Enforcement*, *Termination of Service, Liability for Equipment Damage*, and *Violations*.

8. PUBLIC EDUCATION, OUTREACH, INVOLVEMENT, AND PARTICIPATION

The City shall continue public outreach and education through regular reminders in the monthly newsletter (received in the utility bills) about the importance of keeping the stormwater runoff from being polluted and what individual households in the City of Donald can do to participate in that effort.

The City operates its own public water system and pumps water from two municipal wells. The City prepared a Drinking Water Protection Plan (DWPP) in 2008. At the time, the DWPP was implemented the Oregon Association of Water Utilities (OAWU) conducted community outreach/education and provided informative materials. Much of the information that OAWU provided was also helpful for informing the public about their responsibilities to protect the stormwater free from pollutants.

9. STORMWATER CONTROL MEASURES

The Willamette Subbasin TMDL states that cities with a population less than 10,000 should consider the following six stormwater control measures for the Molalla-Pudding TMDLs and Willamette 2006 mercury TMDLs:

1. Pollution Prevention in Municipal Operations
2. Public Education and Outreach on Stormwater Impacts
3. Public Involvement/Participation
4. Illicit Discharge Detection and Elimination (IDDE)
5. Construction Site Stormwater Runoff Control
6. Post-Construction Stormwater Management in New Development and Redevelopment

The 2019 DEQ Mercury WQMP added specific requirements to the above stormwater control measures relating to mercury. These requirements are described in Table 13-11 of the 2019 DEQ Mercury WQMP and are presented in Table 5.

Table 5. 2019 DEQ Mercury WQMP Stormwater Control Measures

Stormwater	Requirements	Implementation Deadline (for communities < 5K population)
1. Pollution Prevention Municipal Operations	DMAs must properly operate and maintain its facilities, using prudent pollution prevention and good housekeeping to reduce the discharge of mercury-related pollutants, such as sediment, through the stormwater conveyance system to waters of the state. DMAs must ensure that DMA-owned or operated facilities with industrial activity identified in DEQ's 1200-Z Industrial Stormwater General Permit have coverage under this permit. The DMA must also conduct its municipal operation and maintenance activities in a manner that reduces the discharge of pollutants to protect water quality. DMAs must maintain records for activities to meet the requirements of the Pollution Prevention and Good Housekeeping for Municipal Operations program requirements and include a descriptive summary of their activities in theTMDL Annual Report.	As determined by DEQ based on information provided by DMA

Stormwater	Requirements	Implementation Deadline (for communities < 5K population)
2. Public Education and Outreach	DMAs must conduct an ongoing education and outreach program to inform the public about the impacts of stormwater discharges on waterbodies and the steps that they can take to reduce mercury-related pollutants in stormwater runoff. The education and outreach program must address stormwater issues of significance within the DMA's community. DMAs must track implementation of the public education and outreach requirements. In each corresponding TMDL Annual Report, the DMA must assess their progress toward implementation of the program, including a qualitative evaluation of at least one education and outreach activity corresponding to the reporting timeframe for the associated TMDL Annual Report. The evaluation should be used to inform future stormwater education and outreach efforts to most effectively convey the educational material to the target audiences.	As determined by DEQ based on information provided by DMA
3. Public Involvementand Participation	DMAs must implement a public involvement and participation program that provides opportunities for the public to effectively participate in the development of stormwater control measures. The DMA must comply with their public notice requirements when implementing a public involvement participation process, including maintaining and promoting at least one publicly accessible website with information on the city's stormwater controlimplementation, contact information and educational materials.	As determined by DEQ based on information provided by DMA
4. Illicit Discharge Detection and Elimination	DMAs must implement and enforce a program to detect and eliminate illicit discharges into the stormwater conveyance system. An illicit discharge is any discharge to a stormwater conveyance system that is not composed entirely of stormwater. The DMA must develop and maintain a current map of their stormwater conveyance system. The stormwater conveyance system map and digital inventory must include the location of outfalls and an outfall inventory, conveyance system and stormwater control locations. The DMA must make maps and inventories available to DEQ upon request. When in digital format, the DMA must fully describe mapping standards in the TMDL implementation plan or other city planning document. The Illicit Discharge Detection and Elimination (IDDE) program must prohibit non-stormwater discharges into the stormwater conveyance system through enforcement of an ordinance or other legal mechanism,including appropriate enforcement procedures and actions to ensure compliance. The ordinance or other regulatory mechanism must also define the range of illicit discharges it covers, including those dischargesthat are conditionally allowed, such as groundwater and lawn watering discharges.The IDDE program must also maintain a procedure or system to document all complaints or reports of illicit discharges into and from the stormwater conveyancesystem. The DMA must track implementation of the IDDE program requirements. In each TMDL Annual Report, the DMA must assess their progress towards implementationof the program.	As determined by DEQ based on information provided by DMA

Stormwater	Requirements	Implementation Deadline (for communities < 5K population)
5. Construction SiteRunoff Control	DMAs must refer project sites to DEQ, or the appropriate DEQ agent, to obtain NPDES 1200-C Construction Stormwater Permit coverage for construction projectsthat disturb one or more acres (or that disturb less than one acre if it is part of a "common plan of development or sale" disturbing one or more acres). In addition, DMAs must require construction site operators to complete and implement an Erosion and Sediment Control Plan for construction project sites in itsjurisdictional area that result in a minimum land disturbance of 21,780 square feet (one half of an acre) or more, and are not already covered by a 1200-C permit. Through ordinance or other regulatory mechanism, to the extent allowable under state law, the DMA must require erosion controls, sediment controls, and waste materials management controls to be used and maintained at all qualifying construction projects (as described above) from initial clearing through final stabilization to reduce pollutants in stormwater discharges to the stormwater conveyance system from construction sites. The DMA must develop, implement and maintain a written escalating enforcementand response procedure for all qualifying construction sites. The procedure must address repeat violations through progressively stricter response, as needed, to achieve compliance. The DMA must track implementation of its construction site runoff program required activities. In each TMDL annual report, the DMA must assess their progress toward implementing its construction site runoff program's control measures.	As determined by DEQ based on information provided by DMA
6. Post-Construction Site Runoff for New Development and Redevelopment	DMAs must develop, implement, and enforce a program to reduce discharges of pollutants and control post-construction stormwater runoff from new development and redevelopment project sites in its jurisdictional area. Through ordinance or other regulatory mechanism, the DMA must require the following for project sites discharging stormwater to the storm water conveyance system that create or replace 10,890 square feet (one quarter of an acre) or more ofnew impervious surface area: • (A) The use of stormwater controls at all qualifying sites. • (B) A site-specific stormwater management approach that targets natural surface or predevelopment hydrological function through the installation and long-termoperation and maintenance of stormwater controls. • (C) Long-term operationand maintenance of stormwater controls at project sites that are under the ownership of a private entity. The DMA must target natural surface or predevelopment hydrologic function to retain rainfall on-site and minimize the offsite discharge of precipitation utilizing stormwater controls that infiltrate and evapotranspirate stormwater. For projects that are unable to fully retain rainfall/runoff from impervious surfaces on-site, the remainder of the rainfall/runoff from impervious surfaces must be treated prior to discharge with structural stormwater controls. These stormwater structural controls should be designed to remove, at a minimum, 80 percent of the total suspended solids.	As determined by DEQ based on information provided by DMA

The matrix (see Chapter 4) includes the management strategies, timeline and schedule and performance initiatives that will be implemented by the City of Donald under this plan to mitigate the potential nonpoint sources of mercury, primarily storm runoff and associated sediment transport. The City of Donald participated in the

Molalla-Pudding TMDL Five-Year Review Survey Monkeys. This information was used to determine activities that support mercury reduction strategies included in the 2021-2026 matrix (see Chapter 4).

The City of Donald has a current (2022) population of 1,102 persons and falls into the population category of "Less than 5,000" for the DEQ mandated implementation timelines listed in Table 13-14 of the 2019 DEQ WQMP. These timelines are summarized in Table 6.

Table 6. 2019 DEQ Mercury WQMP Implementation Deadlines

Stormwater Control Measures	Implementation Deadlines from TMDL Issuance Date		
	City Population Less than 5,000	City Population 5,000 to 10,000	City Population Greater than 10,000
1. Pollution Prevention and Good Housekeeping for Municipal Operations	As determined by DEQ based on information provided by DMA	3 years	18 months
2. Public Education and Outreach	As determined by DEQ based on information provided by DMA	3 years	18 months
3. Public Involvement and Participation	As determined by DEQ based on information provided by DMA	3 years	18 months
4. Illicit Discharge Detection and Elimination	As determined by DEQ based on information provided by DMA	4.5 years	3 years
5. Construction Site Runoff Control	As determined by DEQ based on information provided by DMA	9.5 years	4.5 years
6. Post- Construction Site Runoff for New Development and Redevelopment	As determined by DEQ based on information provided by DMA	9.5 years	4.5 years

City staff compared the current TMDL Implementation Plan and Matrix 2021-2026 to the DEQ required stormwater control measures for mercury listed in Table 5. The 2021-2026 matrix captures the details for measures and timelines.

CURRENT CITY STRATEGIES

The sections below describe strategies the City is currently undertaking to achieve the stormwater control measures.

1. Pollution Prevention in Municipal Operations

The City is currently pursuing the following strategies related to this control measure:

1.1 Annual inspection and cleaning of City-owned catch basins to remove settled sediment

1.2 Monthly cleaning of City-owned streets and parking lots to remove debris and sediment

1.3 Daily pick up of garbage in City parks and streets to remove debris that would otherwise find its way into the storm system and surface waters

1.4 Providing street-side and park public garbage cans to prevent garbage build-up on City streets

1.5 Providing and maintaining two pet waste stations to prevent pest waste entering the storm system

1.6 Providing and maintaining year-round portable bathrooms

1.7 Inspecting and pumping all septic tanks in the City at least once every five years.

1.8 Adhering to the 2010 Sewer Lagoon Operation Plan

1.9 Adhering to the 1990 Stormwater Master Plan

1.10 Implementing a stormwater system development charge in 2021 to provide for future improvements in system

1.11 Completed a sewer and water system rate study in 2021 that increased sewer rates to provide funding for sanitary and stormwater system improvements and maintenance

1.12 Updated the Design Standards for public works including additional requirements for stormwater treatment, pollution control, and construction site erosion and sediment control

1.13 The City does not currently own or operate any facilities that require a DEQ 1200-Z Industrial Stormwater General Permit.

The City is not currently pursuing the following strategies but will implement them in the 2021 to 2026 period:

1.14 Update the City's sewer ordinances to include pre-treatment permits for industrial sewer connections

1.15 Update the Stormwater Master Plan. The Stormwater Master Plan is currently being updated and is expected to be completed in 2023.

1.16 The City does not currently have a formal process for maintaining records of activities 1.1 through 1.15. A formal record keeping process will be implemented within the 2021 to 2026 period.

2. Public Education and Outreach on Stormwater Impacts

The City is currently pursuing the following strategies related to this control measure:

2.1 Quarterly article in the City newsletter that highlights stormwater related pollution concerns

2.2 Publishing articles, plans and construction requirements for stormwater and pollution controls on the City website (paper copies at City Hall) – notification on website

2.3 Bi-annual newsletter articles about tree maintenance and care – published on website

2.4 Publishing a list of allowable trees for planting on public property (street trees) in accordance with Tree City status

2.5 Holding annual discussions about tree maintenance and preservation at Planning Commission meetings

The City is not currently pursuing the following strategies but will implement them in the 2021 to 2026 period:

2.6 The City does not currently have a formal process for tracking implementation of activities 2.1 through 2.5. A formal tracking process will be implemented within the 2021 to 2026 period.

3. Public Involvement and Participation

The City is currently pursuing the following strategies related to this control measure:

3.1 Holding an "Adopt-a-Road" Program for community members to volunteer for maintenance and cleanup of a designated City roadway and park

3.2 Holding a youth volunteer program to clean up parks and City streets in summertime

3.3 Tabling discussions at City Council and Planning Commission meetings to address stormwater and pollution control related concerns and issues

3.4 Planning Commission performs "walk-abouts" to identify tree and greenery maintenance issues on private property and outreach to the affected property owner to address these issues

3.5 Holding annual City-Wide Garage Sale Event with dumpster and secondhand store truck to collect donations

The City is not currently pursuing the following strategies but will implement them in the 2021 to 2026 period:

3.6 Posting this TMDL Implementation Plan on the City's website at the time it is submitted to DEQ and when it is updated (starting August 2022)

3.7 Posting annual TMDL Implementation Plan reports on the City's website (starting 2023)

4. Illicit Discharge Detection and Elimination (IDDE)

The City is currently pursuing the following strategies related to this control measure:

4.1 City Councilors, Planning Commissioners and staff work collaboratively to identify illicit discharges from private properties.

4.2 Staff enforces City codes and ordinances, including fines, when an illicit discharge and code violation is identified.

4.3 Providing feedback forms, available at City Hall and on City webpage for public to report illegal discharge or pollution concerns

4.4 Public works staff regularly monitor private properties for evidence of illegal connections to the municipal storm and sewer systems (for example: RVs)

5. Construction Site Stormwater Runoff Control

The City is currently pursuing the following strategies related to this control measure:

5.1 The City requires all construction projects that disturb more than 1 acre to obtain a 1200-C construction stormwater permit. This requirement is codified in the City's Design Standards that were updated and adopted by City Council in 2021.

5.2 The City requires all new development and construction site operators to prepare an Erosion and Sediment Control Plan (ESCP). The ESCP must be submitted to the City and reviewed and approved by the City Engineer and Public Works Director before construction can commence. This requirement is codified in the City's Design Standards.

5.3 The City requires developers and construction contractors to maintain erosion controls, sediment controls, and waste materials management controls throughout the duration of construction—from initial clearing through final soil stabilization. The City inspects project sites at least weekly, and following rain events, to ensure that ESCP and erosion controls are being maintained and are functioning. If they are not, the City has the authority to order work to stop until the controls have been repaired and are functioning in accordance with the approved ESCP and 1200-C permit requirements. This requirement is codified in the City's Design Standards.

5.4 The Public Works Director and City Engineer conduct an initial review of all construction plan submittals to ensure compliance with City design standards, codes, and ordinances. Per the City requirements, construction plan submittals must include a Stormwater Management Plan (SWMP) and detailed temporary erosion and sediment control plans that clearly show how the development will prevent runoff of sediment laden water during construction.

6. Post-Construction Stormwater Management in New Development and Redevelopment

The City is currently pursuing the following strategies related to this control measure:

6.1 The City's design standards require new development, and redevelopment, to limit storm water runoff volumes and flow rates so they are equal or less than the pre-developed condition. The City's design standards also require water quality controls (treatment) for all new development that constructs, or reconstructs, more than 1,000 square feet of pollution generating impervious surface such as driveways, parking lots, and streets. The City Public Works Director and the City Engineer's review of construction plan submittals ensure these standards are met. These requirements are codified in the City's Design Standards.