

Lake Ballinger/McAleeer Creek Watershed Forum
Lynnwood Council Chambers
Meeting Minutes
January 26, 2010

Members Present

Mayor Jerry Smith, Chair (Mountlake Terrace), Don Fiene, Vice Chair (Lake Forest Park City Council), Dave Gossett (Snohomish County Council, Chair), DJ Wilson (Edmonds City Council, President), Chris Eggen (Shoreline City Council), Jared Bond (Stormwater Program Manager and Alternate Forum Member, City of Lynnwood)

Staff Present

Jerry Shuster (Edmonds Stormwater Engineering Program Manager), Aaron Halverson (Lake Forest Park Stormwater Technician), Noel Miller (Edmonds Public Works Director), John Caulfield (Mountlake Terrace City Manager), Curt Brees (Mountlake Terrace Public Works Director), Mike Shaw (Mountlake Terrace Stormwater Program Manager), David Cline (Lake Forest Park City Administrator), Gene Williams (Snohomish County Stormwater Manager)

Others Present

Pete Mills (Congressman Jay Inslee's office), Joe Simmler (Otak), Mayor Dave Hutchins (Lake Forest Park), Strom Peterson (Edmonds City Council), Bob White, Frank Zenk, Ken Pierce, Kathleen Cody, Janet Morley, Maria Crosse (Fahey Sisters)

Documents Attached

CIP Spreadsheet

I. Welcome and Introductions

Chair, Mayor Jerry Smith called the meeting to order at 2 p.m. at the Lynnwood City Council Chambers. The agenda for the January 26 meeting and minutes from the October 27, 2009 meeting were approved.

II. 2010 Water Resources Development Act (WRDA) Project Request

Mountlake Terrace City Manager John Caulfield reported that he was contacted December 3, 2009 by Jay Inslee's Office to submit a request on behalf of the forum for \$1.2 million from the 2010 Water Resources Development Act (WRDA) in support of the Lake Ballinger Watershed Forum. Pete Mills thanked the forum for the quick response. He explained that WRDA works like any other legislation, and will go to the Corps of Engineers, through committee to be prioritized, then to the House, Senate and on to the President or it could be eliminated in the process. He stated that it was a big benefit as it puts projects on the Corps' radar.

III. Draft Capital Improvement Program (CIP)

Mike Shaw, Mountlake Terrace Stormwater Program Manager presented a memo from the Forum Staff Committee regarding the CIP project list to take action on flooding issues for Hall Creek, Lake Ballinger, and McAleeer Creek. The Staff Committee reported that additional analysis would be needed if the Forum wanted to include a cost/benefit analysis for each of the selected options in the CIP. They also noted that the staff committee chose to focus on projects that are directed at the unique issues within the watershed from a high water and flooding standpoint. Projects affecting water quality and habitat preservation or acquisition were given

secondary consideration. They are not unique to the watershed and are being addressed through other programs including the Endangered Species Act, the WRIA 8 Salmon Recovery Board, Puget Sound Partnership and NPDES Phase II.

Mr. Shaw gave a PowerPoint presentation on the Lake Ballinger/McAleer Creek Watershed Forum CIP. He explained how projects are segregated into the lower and upper watershed. Lake Forest Park and Shoreline are in the lower basin and part of Shoreline, Mountlake Terrace, Lynnwood and Edmonds are in the upper basin. Projects are also divided into Phase I and II components. Phase I items reflect immediate flood relief, while Phase II covers more long-term projects. Phase I items include the highest ranked watershed-wide FEMA flood plain modeling, along with private flood proofing, Lyon Creek Bypass/Lyon Creek Channel modifications, McAleer Creek Weir and McAleer Creek Bypass Intake Retrofit.

Jerry Shuster, Edmonds Stormwater Engineering Program Manager stated the advantages of the FEMA Flood Mapping Project include providing accurate flood risk information; accurate elevations for flood proofing private homes; redevelopment considerations; possible financial aid for homeowners after a flood; help with the weir to lower the lake level and information acceptable to FEMA for cost effective projects. He mentioned that mapping and modifications of the weir might take the pressure off some of the other projects.

The staff committee recommended that the Forum accept the CIP.

Discussion: Snohomish County Council Chair Dave Gossett asked about re-adjudication. Mike Shaw explained that the level of Lake Ballinger is set by Court order and listed all of the agencies that would be involved in a re-adjudication process. Vice Chair Don Fiene asked about the flood mapping process. He also asked how long it might take. Joe Simmler of OTAK commented that it could take 6 to 18 months to complete, with additional time for FEMA review. Councilmember DJ Wilson was concerned that rather than taking more time on a study, that the Forum move forward to fix the flooding problems as quickly as possible. John Caulfield stated that the Forum could accept the CIP contingent on a review of funding opportunities, add to the motion "pending review on how to allocate finances". County Council Chair Dave Gossett commented that many items on the CIP need the FEMA study, but the Lower McAleer Creek items B, C, D and E may go forward prior to flood analysis. The rest of the priorities need the mapping study and re-adjudication. John Caulfield stated that the Forum could leverage the \$1.2 million to obtain additional funding. He stressed the staff position on the importance of the flood mapping analysis because it results in other opportunities for which we currently cannot apply or qualify. It was also the top priority because it deals with so many other issues.

Councilmember DJ Wilson moved and Vice Chair Don Fiene seconded a motion to accept the staff recommendation and the CIP with the caveat that staff look at resources available and how priorities might be phased in and return to Forum for direction. Councilmember Wilson asked if individual Councils should adopt the CIP at this point. Jerry Shuster stated that the staff recommends that the Forum adopt the CIP and incorporate it into the next interlocal agreement and everything could be sent for approval to the different Councils at one time.
Motion passed.

IV. Request for Letter Supporting Lake Forest Park's Funding Request to reduce flooding and for the McAleer Creek High Flow Bypass Retrofit

Vice Chair Don Fiene presented two letters from the Forum in support of Lake Forest Park's funding requests. Forum members discussed the idea that the Lyon Creek Bypass or Channel Modifications and McAleer Bypass Retrofit were not the top priorities in the CIP. **A motion was made and seconded to change the Lyon Creek Bypass or Channel Modifications letter to replace "as top priority" to "among the priorities". The letter on the McAleer Creek Bypass Retrofit would be changed by deleting the word "top" from the last sentence in the second paragraph. Motion passed.**

V. Future Governance Options

This topic was moved to the next meeting due to inadequate time left to fully discuss the options.

VI. Next Steps for the Forum

It was recommended that the next four meetings be scheduled and posted on the websites.

Mr. Caulfield recommended that he and Mr. Wilson meet with Hugh Spitzer and return to the next meeting with a proposal on a scope of work to develop future governance options.

Vice Chair Don Fiene asked that the Forum send out copies WRIA 9 study that included some financing options. It was decided that a pdf be posted online and link sent to Forum members. Vice Chair Fiene added that pages 15-36 were the key section to review.

Councilmember DJ Wilson stated that the draft letter to the State Legislature requesting funding for the Forum was not sent because it needed more direction and there was a lack of opportunity in this session. He recommended that the Forum start preparing a letter this summer and make a request next year.

VII. Public Comments

Ken Pierce asked the Forum to consider adding one or two primary stakeholders to serve on the Forum in the next Interlocal Agreement. He suggested maybe someone from the Lake Ballinger Community Association and Lake Forest Park as non-voting members. He asked the Forum to stay proactive on water quality issues, cleaning catch basins and installing pervious surfaces.

The Fahey Sisters are concerned about flooding and money available to help them find a solution. They are interested in what other options may be available for their situation.

VIII. Adjournment

Chair Jerry Smith adjourned the meeting at 3:45 pm.

Next meeting is scheduled for Tuesday, February 23, 2010 at the City of Lake Forest Park Council Chambers.