

12-15-2020

For Public Record- Proposed Update to City of Tualatin Stormwater Management Master Plan

To: The City of Tualatin Department of Engineering

Cc: Members of the Tualatin City Council and City of Tualatin City Council
City of Tualatin Planning Commission

RE: Proposed Update to City of Tualatin Stormwater Management Master Plan

My husband and I appreciate the opportunity to provide Citizen Comments on this first opportunity for Public access and Comment Period on the proposed update to the City of Tualatin's Stormwater Management Master Plan being undertaken by the City. We support the efforts of the City to acknowledge and attempt to respond to the various changes and philosophies regarding Stormwater Management which have occurred since the current Master Plan was adopted several years ago.

We also recognize the City of Tualatin has undergone various changes since the City's Stormwater Master Plan was adopted in 1972. It would be expected the scope of the Land Use Master Plan would include all lands within the City limits- as well as lands identified within the future jurisdiction of the City- and assessment, analysis and stormwater management planning would be applied to all the lands within the scope of the project for both current and future needs.

The need for coordination of Land Use Planning between overlapping governments is necessary and mandated. As the northern portion of the Basalt Creek Area is identified as under the future jurisdiction of the City of Tualatin, and the City has already started the urbanization process, it is important for the City of Tualatin to identify a method for ensuring the effective coordination of Land Use Planning with other local governments- especially those with overlapping jurisdictions or responsibilities. The majority of the Basalt Creek Drainage flows south eventually through the City of Wilsonville and into the Willamette River. Very little of Stormwater drainage from the Basalt Creek Area flows north into the City's existing catchment and conveyance system.

Since Washington County currently has ownership and jurisdiction over the existing stormwater system within the Basalt Creek Area, and the County's stormwater conveyance and treatment systems are within lands under various ownerships, it is important for the City provide a well-crafted Stormwater Management Plan for the Basalt Creek Area.

The City already acknowledged in the Basalt Creek Concept Plan of the potential need to upgrade the existing stormwater system within the Basalt Creek Area to accommodate future development within the Area.

Neither my husband nor I are against development.

As citizens and residents of the Basalt Creek Area the ability to participate in this first solicitation for input/feedback by potentially affected Citizens on this proposed update to a City's Land Use Plan is welcomed. We are particularly interested in the creation of a well written fact-based Update to the City's Stormwater Management Master Plan, as our home and property is within the Basalt Creek Area –in an area which the City has future jurisdiction, and downstream from lands recently annexed into the City and are coming under consideration for development.

As potentially affected Citizens and property owners within unincorporated Washington County, my husband and I have for many years attempted to work with both the City of Tualatin and with Washington County in recognizing and addressing our concerns regarding Stormwater Management within the Basalt Creek Area.

We have presented our concerns as to the need for a fact-based Stormwater Management Plan for the Basalt Creek Area for use as part of Land Use Planning Actions within the area. We have submitted these concerns numerous times, to the staff of the Cities of Tualatin and Wilsonville, to the City of Tualatin Planning Commission, and to the Tualatin City Council including:

- during the development of the Basalt Creek Concept Plan by the Cities of Tualatin and Wilsonville (2012-2018)
- written fact-based testimonies to the City of Tualatin during the City Council 2019 Hearings on the Basalt Creek Comprehensive Plan proposed adoption and integration into the City's governing documents as to the need for further- identification and documentation of Natural Resources, and the need for a Stormwater Plan --to specifically access and address the current and future needs within the scope of the lands to be included within the Comprehensive Plan
- on 3-21-2020 my husband and I submitted written testimony to the Tualatin City Council, again supported by documentation, as to the lack of pertinent facts and information on Land Use Planning for the Public Service of Stormwater Management relating to the application for annexation of 40+acres of lands within the Basalt Creek Area into the City of Tualatin.

My husband and I now present our concerns regarding the proposed Stormwater Management planning within the Basalt Creek Area as presented within the proposed Master Plan Update to the City of Tualatin, the City of Tualatin Planning Commission, and to the City of Tualatin City Council.

This is first opportunity provided by the City for Citizen review and comment on the proposed Update to the City's Stormwater Master Plan.

We note there are inconsistent, conflicting or omitted information between the proposed Update and the City's existing Governing Documents. The lack of relevant, accurate, consistent and necessary information between the proposed Stormwater Master Plan and many of the City's current documents may result in difficulties in the safe effective implementation of Stormwater Management by the City and coordination of Land Use Planning with other governmental units.

Recognizing that my husband and I do not have a professional working knowledge of Stormwater Management or hydraulic dynamics, we have obtained the services of Dave La Liberte, Principal Engineer of Liberte Environmental Associates to review and comment upon the technical aspects of the proposed Update to the City's Master Plan. David M. LaLiberte, P.E., Civil and Environmental Engineer is licensed in the State of Oregon, has compiled these comments under contract with us. Mr. La Liberte' has over 30 years of experience in stormwater, water quality and design solution analysis. His Cumuli Vitae (CV) identifying his education and experience are attached as (Attachment #1 Supplement C). He has personally conducted various hydrodynamic modeling scenarios within the Basalt Creek Area. We believe Mr. La Liberte to be highly qualified to provide relevant comments upon the proposed Update to the City of Tualatin Stormwater Management Master Plan (SWMP).

Mr. La Liberte's comments regarding the City's proposed Update to the SWMP are to be considered a part of our Citizen Comments and are attached.

Also included as an embedded Google Link are additional documents including studies and analysis conducted by Mr. La Liberte' in 2016, ***"Effects of SW Boones Ferry Road Construction (2013-2015) Stormflow Analysis for the Lucini Property Washington County, Oregon"***.

To offer identification of issues and assistance in a Land Use planning action – allowing the City of Tualatin to gain future jurisdiction over the northern portion of the Basalt Creek Area--this Stormflow Analysis was submitted to the Cities of Tualatin and Wilsonville during the Basalt Creek Concept Planning process. This study has also been provided to the City of Tualatin staff on other subsequent occasions.

SEE EMAIL ATTACHMENT --LA LIBERTE' ENVORONMENTAL ATTACHMENTS #1, #2 & #3 (INCLUDES SUPPLEMENTS)

**TECHNICAL COMMENTS RELATING PROPOSED UPDATE TO THE CITY'S MASTER PLAN
(Summarization)**

A summarization of Review of Document Comments

by Mr. La Liberte, Principle Engineer La Liberte' Environmental Associates:

Significant problems in the Plan for the BFR south area are:

- lack of identified stormwater facilities
- omission of hydrologic and hydraulic modeling analysis
- potential for misapplication of design alternatives
- absence of stormwater problem acknowledgement and evaluation
- no assessment of stormflows on steep slopes
- topography and soils suggest that infiltration is not a likely future runoff design solution in the Boones Ferry Road area
 - This is an important issue as to the elevation of lands, steep slopes, and drainage into Basalt Creek
 - The elevation of lands above the drinking water wells is of concern with impact upon the well from which the Lucini's obtain their water
- effect of stormflows on the Basalt Creek Concept Plan are neglected
- no existing and future development stormwater flows are compared
- protection of natural resources is unclear
- no designation of Capital Improvement Projects (CIPs9) in the BFR south area
- There is no assessment of peak and average stormflows on the steep slopes, which constitute the west flank of the BFR south area
 - These Tualatin stormflows discharge to the Basalt Creek Concept Plan area and their existence is not established in the SWMP.
 - Stormflows on these steep slopes have excessive peak and average flow velocities, which cause erosion
SEE: Supplement B Part 1 Analysis Report Section 4.
Stormflow Hydraulics and Part 2 Appendices A2 and I
- The Tualatin SWMP makes no provisions for temporary stormwater storage and discharge facilities when phasing-in large developments such as the Autumn Sunrise property in BFR south.
 - The concern is that arbitrary storage and discharge locations could occur in the interim, before the final stormwater facility is operable.
 - It needs to be specified in the Tualatin SWMP that new construction developments must use stormwater facilities and outfalls consistent only with its final specifications and drawings.

ADDITIONAL COMMENTS -MAPS WITHIN PROPOSED UPDATE TO THE CITY'S MASTER PLAN

PROPOSED MAPS:

- CONTAIN DATED INFORMATION
- OMISSION OF RELEVANT AND NECESSARY INFORMATION REQUIRED FOR LAND USE PLANNING

SEE EMAIL ATTACHMENT #4 MAPS or Pages 13-20

CITIZEN COMMENTS- NARRATIVE

PROPOSED UPDATE TO STORMWATER MASTER PLAN – CITY OF TUALATIN

My husband and I are submitting these Citizen Comments regarding the newly posted first draft (December 1, 2020) of the proposed City of Tualatin Stormwater Management Master Plan Update. Utilizing the State's Land Use Planning Goals as a basis for our concerns. We mention there are multiple other related local, State and Federal mandates which exist and provide additional measures to address stormwater management, property rights and protections, safety, conservation and protection of Natural Resources, and coordination and integration of Public Services with other governmental units or agencies.

STATE OF OREGON STATEWIDE LAND USE GOALS- Used as basis and support of concerns being presented

OAR 660-015-0000 Oregon Statewide Land Use Planning Goals

The state of Oregon has established goals and provided mandates for Land Use Plans – including specific requirements which should be included within the Land Use Plans of local city governments- including City Master Plans.

These Land Use Planning Goals not only provide a framework for creating a Land Use Plan, but they also provide a method for evaluation of various Land Use elements to be included within a potential Plan, as well as mandates for compliance.

Included within our comments are references to these Land Use Planning requirements to provide a common understanding of the basis for our comments and as support for request for resolution to concerns provided within this correspondence.

Land Use Planning Goal #2- LAND USE PLANNING OAR 660-015-0000 (2) provides the framework for the development and requirements for the development of a Land Use Plan- such as the City's proposed Stormwater Management Master Plan Update. Included with Goal #2 are the following goals and mandates apropos to these comments: *(emphasis added)*

- To establish a land use planning process and policy framework ***as a basis for all decision and actions related to use of land*** and ***to assure an adequate factual base*** for such decisions and actions.
- City, county, state and federal agency and special district plans, and actions related to land use **shall be consistent with the comprehensive plans of cities and counties and regional plans** adopted under ORS Chapter 268.
- ***All land use plans shall include:***
 - ***identification of issues and problems, inventories and other factual information*** for each applicable statewide planning goal,
 - ***evaluation of alternative courses of action and ultimate policy choices***, taking into consideration social, economic, energy ***and environmental needs***.

- The required information *shall be contained in the plan document or in supporting documents*
- **The plans shall be the basis for specific implementation measures.**
 - **These measures shall be consistent with and adequate to carry out the plans.**
 - All land-use plans, and implementation ordinances shall... be reviewed and as needed, revised on a periodic cycle *to take into account changing public policies and circumstances*

It is important that accurate fact-based information relating to potential Land Use actions are obtained and provided as part of any Land Use action. Both Citizens and those who may ultimately be making Land Use decisions require accurate representative unbiased information so that they may understand and comprehend issues pertaining to proposed Land Use issues. This process assists and promotes the transparency of the governmental process, and informed decision making.

Unfortunately, after review of the City of Tualatin's proposed Update to the Stormwater Management Master Plan, my husband and I have found multiple issues which reduce compliance with the Oregon Land Use Planning Goals, as well as other local, State and Federal mandates-particularly with respect to the Land Use Planning for the Basalt Creek Area under the current or future jurisdiction of the City of Tualatin, and/or under other overlapping governmental units or agencies.

HISORICAL LAND USE PLANNING ACTIONS-BASALT CREEK AREA & STORMWATER MANAGEMENT
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My husband and I strongly support the City's efforts to review and revise the City's dated Stormwater Management Master Plan which according to the City's website was adopted in 1972

https://www.tualatinoregon.gov/sites/default/files/fileattachments/engineering/page/13099/tualatin_drainage_plan_sept_1972.pdf

A request had to be submitted to the City for access to the Appendices for the proposed Plan.

In the decades since the City's Stormwater Management Plan was adopted in 1972, the type and level of assessment, knowledge and implementation of stormwater management has greatly expanded, and the potential impacts more fully understood. The relevance of impact of Land Use Actions upon the environment has also become more greatly understood, expanding the need for a more comprehensive assessment and analysis of potential outcomes as part of the Land Use Planning process.

In 2004 Metro 04-1040B authorized the addition of the "Tualatin Area" (part of which is now known as the Basalt Creek Area) into the UGB. Metro imposed multiple conditions and requirements for the conservation and protection of multiple natural resources as part of Metro 04-1040B as part of the responsibilities of the local governments.

In 2018 the Basalt Creek Concept Plan jointly authored and adopted by the Cities of Wilsonville and Tualatin -taking the initial steps in the Land Use Planning of over 800 acres within the Basalt Creek Area and included various assessments of Natural Resources within the Basalt Creek Area.

Included within the Basalt Creek Concept Plan are various statements relating to Land Use Planning within the Basalt Creek Area including:

"New stormwater infrastructure will be primarily integrated with the local road network"

..."It is assumed that the existing culverts may not have capacity for future urban conditions and will need to be upsized to provide adequate capacity for runoff from new impervious areas, unless onsite detention or

infiltration is required when the location of public drainage or the topography of the site make connection to the system not economically feasible." (emphasis added)

"The Cities and CWS will adopt an Intergovernmental Agreement that will address areas where cooperative stormwater management is needed."

It is unclear if and when such Stormwater Management Planning for the Basalt Creek Area between these three entities was conducted.

Both Cities also stated within the Concept Plan- they would have "Joint Management" of the "Natural Area" within the Basalt Creek Canyon.

It is unknown what further action has been taken to implement the "Joint Management" of the lands in the center portion of the Basalt Creek Area- where a high percentage of the Natural Resources are located within the Basalt Creek Canyon.

It is not known what Land Use elements of "management" were intended to be the focus of this joint statement, but the potential involvement of the City of Wilsonville within the Land Use Planning of the Basalt Creek Area may result in additional complexities in the determination and implementation of Land Use planning within the Basalt Creek Area.

As the Basalt Creek Canyon receives a majority of the stormwater drainage from the area, the potential involvement and coordination of the City of Wilsonville should be included within any Stormwater Management plan within the Basalt Creek area. The identification of this information was not included within the City's proposed Update to the Stormwater Master Plan.

Included within the Basalt Creek Concept Plan are numerous maps identifying the location of multiple Natural Resources existing within the Basalt Creek Area mainly generated from Metro 2001 data. This type of information regarding Natural Resources within the Basalt Creek Area was not included within the maps the City elected to adopt within the City of Tualatin Basalt Creek Comprehensive Plan and the subsequent adoption and integration into the City's Governing Documents.

A few examples of the maps from the Basalt Creek Concept Plan are included as attachments to this correspondence to help substantiate:

- the existence of these Resources,
- the need for the City of Tualatin to conduct a more current assessment and analysis of multiple Natural Resources known to exist within the Basalt Creek Area for fact-based decision making,
- the need for the City to memorialize the information into the City's Governing Documents to:
 - establish fact-based documents which have evaluated significant factors which exist within lands the City sought to gain future jurisdiction -which are equal to or exceeding the level provided to the majority of the lands within the City.
 - Provide consistency of fact-based documents within the City which various departments can utilize as part of a decision-making process
 - Provide an accurate fact-based reference for use by the Public to gain understanding of the basis for future decisions

These actions will provide greater consistency within all proposed Land Use Plans -including the Stormwater Management Master Plan and may provide greater compliance and positive outcomes in subsequent implementation actions.

Attachment #4 Maps

In 2019, the City of Tualatin Basalt Creek Comprehensive Plan, did not provide stormwater management plans specific for the Basalt Creek Area or a stormwater system map specific to the Basalt Creek Area.

The City has left developers to be responsible for on-site Stormwater Management.

But the City did not identify what actions will be taken if financial costs become too high, if stormwater management requirements exceed onsite management and/or treatment capabilities or should other factors which might preclude full onsite stormwater management and/or treatment develop.

The City did not provide specific guidance as to:

- feasibility of integration into the County's existing stormwater management system (which is already known to be at capacity)
- mechanisms for cooperative planning and integration into the County's existing stormwater management system
- the process and funding to collect, convey, treat and dispose of excess stormwater runoff off site, or
- the role for Citizen Involvement by downstream property owners or other stakeholders.

The proposed Update to the City of Tualatin's Stormwater Management Master Plan does not acknowledge these issues nor provide information as to this issue.

There are questions as to the consistency of the City's Land Use Plans for Stormwater Management planning and implementation for development.

Contrary to the efforts taken to meet compliance requirements within the Basalt Creek Concept Plan, the City of Tualatin elected as part of the Basalt Creek Comprehensive Planning process, to omit maps within the Basalt Creek Area which denoted the existence of multiple Natural Resources within the Basalt Creek Area- which had been included in the Concept Plan.

The lack of information as to the assessment and location of multiple Natural Resources which have requirements for their conservation and protection, causes significant issues as to the ability to comply and implement various Metro, State and Federal requirements to conserve and protect Natural Resources based upon facts.

Consequently, lacking the inclusion of the assessment of the Natural Resources within the City's Governing Documents, inhibits the ability to effectively identify and mitigate negative impacts from Stormwater Drainage as part of the Master Plan for Stormwater Management and in the planning and implementation of any Land Use Action.

Within the City's Basalt Creek Comprehensive Plan -included as a supporting document- is a letter dated 12-5-2006, titled "[City of Tualatin Title 13 and Tualatin Basin Plan Compliance Review.](#)" (Exhibit 6 to Ordinance No. 1418-19

There are several concerns presented by the inclusion of this letter with issues relating to the Basalt Creek Area:

- Although the City has posted this letter on the City's Planning Department's Basalt Creek website, it is unclear as to the relevance of this letter to issues related to the Basalt Creek Area
- The letter is date specific and does not provide information as to changes which may have occurred within the 14 year since it was authored.
- The letter is dated 12-5-2006, prior to the City of Tualatin's right to conduct Land Use Planning for lands within the Basalt Creek area-outside its jurisdiction at the time. It is not known if the scope of subject matter within the review included lands within the Basalt Creek Area.
- It appears the intent of the letter was to evaluate a program, and not an evaluation of Title 13 resources- the letter clearly makes that statement.
- The letter included several statements as to additional actions required for compliance- including issues relating to the need for documentation of identification of various Natural Resources.
- The City did not attach documentation of successful implementation of actions required within the letter, nor application of results of the Tualatin Basin Program and application to the Basalt Creek Area.
- Of most importance the letter states: "*The compliance review by Metro is a review only of whether the amendments Tualatin is proposing are consistent with the UGMFP and is not a review of whether Tualatin has complied, or will comply with the other requirements of Option 5 and the Tualatin Basin Program.*" (emphasis added)

In relevance to the proposed Stormwater Management Master Plan Update, the 2006 Metro letter included the following information:

Stream crossings and detention ponds: We also note that for a number of HFDPs - such as minimizing stream crossings, encouraging perpendicular crossings, using habitat sensitive bridge and culvert designs, use of detention ponds, and allowance of narrow road widths through stream corridors - the City does not propose any code changes. Instead, the City states that its code is silent on such practices, but does not prohibit them, and mostly relies on its adoption of Metro's Title 3 and CWS requirements to meet Title 13's "encourage and facilitate" requirement.

Recommendation: We recommend that the City amend its code to affirmatively support these HFDPs. Doing so would leave no doubt that the City is encouraging and facilitating these HFDPs.

It is not known if the City implemented this recommendation- or if the recommendation is still relevant.

If the use of this letter is intended to indicate compliance to mandates for the conservation and protection of Natural Resources within the Basalt Creek Area, it would seem prudent for the City to establish documentation of an assessment of the Natural Resources within the Basalt Creek Area, and documentation of actions taken by the City to comply with such mandates- based upon current facts and standards to meet compliance needs.

In 2020, the City of Tualatin started actions to annex large acres of land within the NE portion of the Basalt Creek Area. A large portion of these lands currently act as the stormwater catchment, retention, and reabsorption basin for the greater area. The City is currently taking Land Use Planning actions which will allow the development of over 60 acres of this current stormwater catchment area.

Along with the removal of several acres which contain many characteristic factors of a natural stormwater catchment area (which have decreased the flow and velocity of stormwater and increase its reabsorption), future development may remove these factors while significantly increasing impervious surfaces with the creation of buildings, streets, and parking lots.

CURRENT CONCERNS REGARDING THE PROPOSED STORMWATER MASTER PLAN UPDATE

TECHNICAL ISSUES

A summary of the Technical Issues presented within the Stormwater Master Plan Update are summarized at the beginning of this correspondence, with the full review included as a Google Link attachment #1, #2 #3.

It is readily apparent when reading the proposed Master Plan Update, that much of the information contained with the draft is dated, and not reflective of current issues, or needs.

Page 5-2 includes the following information:

*"Basalt Creek runs north-south in the southern portion of the City. Much of the contributing land use is low-density and rural residential, **but with pending adoption of the Basalt Creek Concept Plan concept plan [sic], future development is anticipated to impact the contributing land use and stream condition. Ownership is currently private and public (City).**" (emphasis added)*

The Basalt Creek Concept Plan was adopted by the Cities of Wilsonville and Tualatin in 2018, indicating the proposed plan may not have been revised as to changes within the Basalt Creek Area for over two years. Since that time, the City of Tualatin generated and adopted the Basalt Creek Comprehensive Plan.

Although the proposed Stormwater Management Plan readily identified and anticipated the negative impact future development within the Basalt Creek Area would have upon the stream condition- the proposed Plan did not identify actions to be taken to provide further assessment and/or alternative solutions to attempt to address and mitigate stormwater impact upon the "stream condition".

IMPACT NATURAL RESOURCES

A review of the City's newly proposed draft to Update the City of Tualatin Stormwater Management Master Plan, does not currently identify the evaluation of Natural Resources within the Basalt Creek Area, nor the methods to be utilized to ensure compliance with the various mandates for the conservation and protection of numerous Resources. The State Land Use Goal requires documentation of compliance with State Goal #5 NATURAL RESOURCES AND OPEN SPACES, and State Goal #6 AIR, WATER AND LAND RESOURCES QUALITY which are the basis upon many of our concerns regarding the proposed Update to the City's Stormwater Master Plan.

NEED FOR COORDINATION OF LAND USE PLANNING WITH OVERLAPPING GOVERNMENTS- STATE GOAL #2

While both Cities had knowledge of, and participated within the decision making Land Use Planning process in planning the location of Washington County's proposed Basalt Creek Parkway Extension regional transportation 5+ lane expressway through the middle of the Basalt Creek Area--- neither the Basalt Creek Concept Plan nor the City of Tualatin

Basalt Creek Comprehensive Land Use Plans acknowledged, addressed or provided guidance as to coordination of stormwater management planning within the Basalt Creek Area for Washington County's proposed major transportation project within overlapping jurisdictions.

It is unclear as to the amount of land Washington County will require for their proposed project which will be needed not only for road construction, but also a proportionally large amount of land for stormwater management and treatment within wetlands and other lands within the future jurisdiction of the City of Tualatin. Nor did either plan address or provide guidance (and intended compliance) as to how all local governments would ensure conservation and protection of various Natural Resources within the Basalt Creek Area from direct or indirect effects of stormwater or stormwater management which might be caused by the proposed project and potential impact upon Natural Resources within the future jurisdiction of the City of Tualatin.

Compounding the lack of a clear plan for a coordinated Stormwater Management plan to address the permanent installation of this major transportation project through multiple Natural Resources, the Basalt Creek Concept Plan states, "joint management" management of the "Natural Area" within the Basalt Creek Area by the Cities of Wilsonville and Tualatin and introduces a possible intergovernmental agreement between the two Cities for stormwater management within the Basalt Creek Area.

Due to the proximity of the eastern terminus of the proposed Washington County Basalt Creek Parkway Extension on SW Boones Ferry Road, and the anticipated City of Tualatin major residential development of 400+ units and Commercial Neighborhood development within approximately 1/4 mile, of each other on SW Boones Ferry Road, there will be significantly increased need and demand for Stormwater Management and treatment with a limited geographic area and in lands with overlapping governmental jurisdictions.

As my husband and I are potentially affected property owners, we have on multiple occasions reached out to the staff of both the City of Tualatin and of Washington County to gain a better understanding how the Land Use planning actions by both governments are coordinating Land Use planning within the area. We have expressed our desire to be able to have potentially affected property owners participate in the coordinated planning of major Land Use Projects on lands near overlapping jurisdictions due to various direct and indirect impacts upon our property. We have not gained much success in these actions.

Unfortunately, there appears to be a continued lack of coordination and communication between these two entities as to the conception, planning and design of major Land Use Projects within the Basalt Creek Area.

Recognizing the lack of effective coordination in Land Use Planning by these two local governments, and to promote better compliance with mandates for the coordination of planning for Public Services by local governments, a well authored Stormwater Management plan would include clear requisites to:

- identify major Land Use Projects under consideration by another government (as a potential constraint or added factor in Land Use Planning)
 - provide guidance as to how to coordinate the provision of Public Services within overlapping jurisdictions.
- The proposed Stormwater Management Plan does not address this issue or provide clear guidance for implementation.

CURRENT STORMWATER MANAGEMENT SYSTEM WITHIN BASALT CREEK AREA

- HAS PREVIOUSLY FAILED AND IS A LIMITATION AND CONSTRAINT FOR FUTURE DEVELOPMENT

- IS UNDER THE JURISDICTION OF --OR IMPACTED BY--

LAND USE PLANNING ACTIONS OF OTHER LOCAL GOVERNMENT

The current Stormwater Management System along SW Boones Ferry Road within the Basalt Creek Area was designed and constructed as part of Washington County's SW Boones Ferry Road Improvement Project (2012-2015). During the design phase of this Land Use transportation project, my husband and I contacted the County on multiple occasions regarding our concerns of potential negative downstream stormwater impacts we identified within the proposed design. We were assured the outflow from the County's design would be equal or 10 % less than stormwater outflow which we previously experienced from a more primitive/less sophisticated stormwater system.

The 2016 Stormwater Analysis within the Basalt Creek Area by Mr. La Liberte' which was the basis of the report, *"Effects of SW Boones Ferry Road Construction (2013-2015) Stormflow Analysis for the Lucini Property Washington County, Oregon"*, was generated due to my husband's and my desire to understand the cause of flooding into our property from stormwater emitting from a Washington County Stormwater Outflow an apparent failure of the stormwater management system in 2015. There have been no significant changes made to the County's Stormwater system since 2015 upstream from our property.

Currently a large percentage of the stormwater drainage from the NE portion of the Basalt Creek Area flows south- eventually through the City of Wilsonville and into the Willamette River. Much of the stormwater within the NE portion of the Basalt Creek Area is captured within a stormwater catchment basin on undeveloped lands east of SW Boones Ferry Road, and collected within Washington County's stormwater collection, conveyance and treatment system. A majority of the stormwater catchment basin on the east side of SW Boones Ferry Road and north of Greenhill Lane is on lands recently annexed into the City of Tualatin.

The stormwater drainage from this area flows away from the majority of lands within the City of Tualatin and outside of the City of Tualatin's existing stormwater collection, conveyance and/or treatment facilities.

Mr. La Liberte's study identified multiple factors which lead to the flooding of our property from the stormwater system which currently exists within Basalt Creek Area in the area around SW Boones Ferry Road.

From this investigation we gained knowledge that the **County's design and planning for the stormwater management system installed along SW Boones Ferry Road as part of the SW Boones Ferry Road Improvement Project, was:**

- **based upon drainage needs of undeveloped land, and**
- **not designed to meet anticipated drainage needs of developed lands with higher nonporous surfaces (buildings, streets, and sidewalks etc.) which cause higher stormwater runoff and less reabsorption into the land which has previously acted as a major stormwater catchment area.**

Both the City of Tualatin, and Washington County are undertaking Land Use planning actions within the Basalt Creek Area affecting properties under overlapping jurisdictions. My husband and I have on multiple occasions attempted to gain insight as to the coordination of Stormwater Management Planning within the Basalt Creek Area from these two local governments.

As downstream property owners within Washington County, we have specifically expressed concerns and requested Land Use Planning information from the City of Tualatin as to the City's Stormwater Management Plan within the Basalt Creek Area and of potential impacts upon the current existing system under the jurisdiction of Washington County - during the Basalt Creek Concept Planning, during the City of Tualatin Basalt Creek Comprehensive Planning and as part of the City's annexation process for ANN 19-2002- without fact based information which would provide us understanding of the City's proposed Land Use actions and potential impacts caused by increased needs or changes to this Public Service. The Basalt Creek Concept Plan adopted by the City in 2018 acknowledged limitations within the existing Stormwater Management system within the Basalt Creek Area and identified the need for system upgrades with development of the Basalt Creek Area.

We have specifically asked the City of Tualatin and Washington County on multiple occasions how both of these two local governments have coordinated the Land Use Planning Goals for Washington County's proposed Basalt Creek Parkway Extension Project. Our questions have included how Stormwater Management will be integrated into the County's existing Stormwater System, how or where additional conveyance and/or treatment facilities will be located within lands with overlapping jurisdictions and of potential impacts to the City of Tualatin's Land Use Planning for the urbanization of the Basalt Creek Area and associated increased stormwater management needs on private or public lands. Again, my husband and I have received little fact-based information as to how these two local governments with overlapping jurisdictions have conducted Land Use Planning for a key Public Service of Stormwater Management within an area containing multiple known constraints and limitations.

My husband and I have reasonable concerns as to potential negative impacts from stormwater due to poorly planned and executed Land Use actions. The need for a well-developed integrated Stormwater Management plan for the Basalt Creek Area is necessary for the safety and protection of Citizens, property and surrounding Natural Resources.

Thank you for the opportunity for participating in this first Citizen Involvement Public event for the City's Proposed Update for the Stormwater Master Plan.

My husband and I look forward to hearing what steps the City will be taking the City's adoption process for this proposed Land Use Plan Action

As Citizens and potentially affected property owners, we request Actual Notice of any future Public Meetings-where this proposed Land Use Action may be an agenda topic--- including but not limited to the City of Tualatin Planning Commission, and/or the Tualatin City Council.

Respectfully submitted,
Grace Lucini
John Lucini
23677 SW Boones Ferry Road
Tualatin, OR 97062

ATTACHMENTS #1, #2, & #3 Documents La Liberte' Environmental Associates (Google Link)
#4 MAPS (Google Link) & (Hard Copy Pages 13-20)

ATTACHMENT #4

MAPS WITHIN PROPOSED UPDATE TO THE CITY'S MASTER PLAN

PROPOSED MAPS:

-CONTAIN DATED INFORMATION

-OMISSION OF RELEVANT AND NECESSARY INFORMATION REQUIRED FOR LAND USE PLANNING

An example of questionable information provided within many maps within the proposed Stormwater Management Plan for the City, is **Figure 2-2 Project Area Overview**.

The Legend within Figure 2-2 provides keys as to the location of

- **Open Space-Parks/Greenways/Natural Areas/Private***
- **Open Space- WPA/Setbacks/NRPO/Wetlands**

However, there is no indication of the wetlands, and multiple Natural Resources known to exist within the Basalt Creek Area and within the Basalt Creek Canyon.

Many of these types of Natural Resources may be negatively affected by stormwater drainage, and an accurate assessment as to the quantity, quality and location of Natural Resources which are to be conserved and protected should be assessed, evaluated and memorialized within a Stormwater Management Plan and integrated into the City's Governing Documents for to provide and assure consistency within the City's various Land Use Plans.

Another factor not denoted within the maps within proposed Stormwater Management Plan, is the identification of the "Natural Area" within the Basalt Creek Canyon.

This area which contains wetlands and various Natural Resources requiring conservation and protection was identified within the Basalt Creek Concept Plan in which both Cities agreed to have "joint management" of the "Natural Area". It would seem reasonable this information which might impact Land Use Planning within the Basalt Creek Area and is downstream from the Basalt Creek lands already annexed into the City, would be identified on the Figure 2-2 map, and include additional information within the narrative of the proposed Stormwater Management Plan as a potential constraint or limitation in the planning of Stormwater Management in the area or upstream from the "Natural Area".

This map also includes the notation of "Brown and Caldwell City of Tualatin Stormwater Master Plan Date: April 2019 Project 149233" in the lower left corner of the map. An assumption would be that the information provided within this map would be current and accurate as of April 2019- the date indicated on the lower left corner of the map. It is unknown how current the information contained within this map may be but lacking the inclusion of information Basalt Creek Area lands already within the City's boundaries, makes one question when the data for this map was last collected.

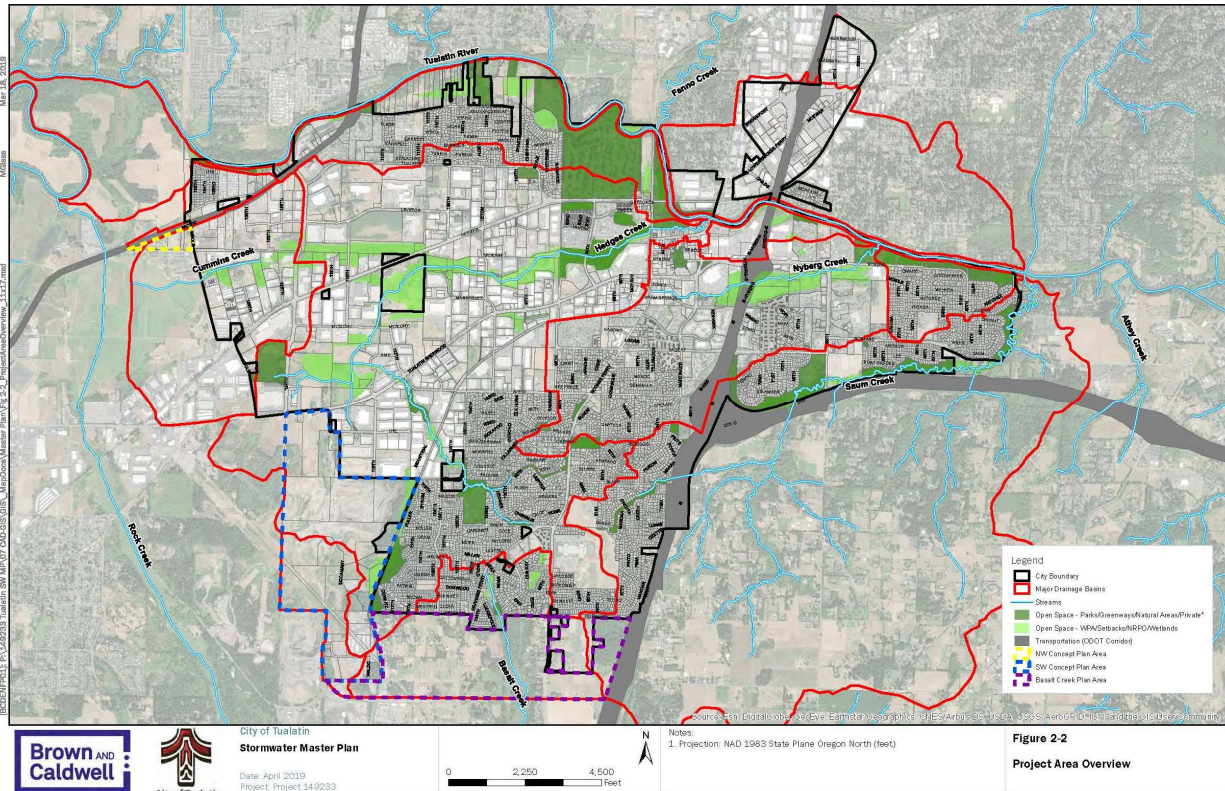


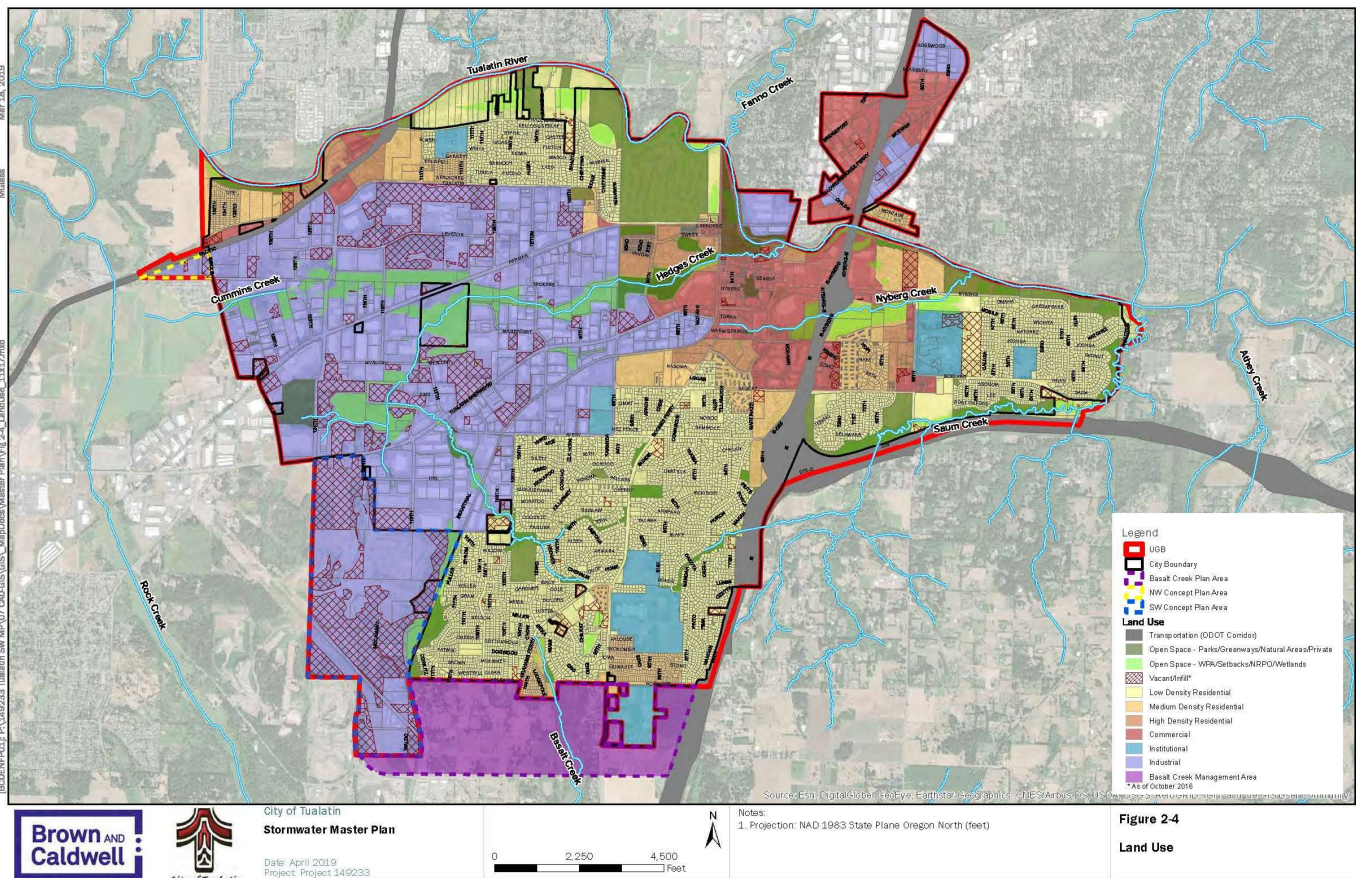
Figure 2-4 "Land Use" Map Not Consistent with City's Current Land Use Zoning

also provides the notation of "Brown and Caldwell City of Tualatin Stormwater Master Plan Date: April 2019 Project 149233 in the lower left corner of the map.

Yet, an asterisk notation within the Legend box states, "* As of October 2016".

Major changes have occurred as to Land Use within the City of Tualatin in the four years since this map was apparently generated.

The information provided as to the Land Use zoning or designations do not accurately reflect the Land Use Planning Actions of the Basalt Creek Concept Plan adopted in 2018, nor the City of Tualatin Basalt Creek Comprehensive Plan. Land Use Zoning within the Basalt Creek Area does not provide accurate information of current Land Use Zoning and Planning within the Basalt Creek Area and may hinder the planning for Stormwater Management in the assessment of current and future needs based upon type of land use. Approximately 60 acres within the Basalt Creek Area have already been annexed into the City of Tualatin, and into the responsibilities and regulations of the City for Land Use planning- including Stormwater Management.



72-1 Natural Resources Protection Overlay district (NRPO) and Greenway Locations

72-3 Significant Natural Resources

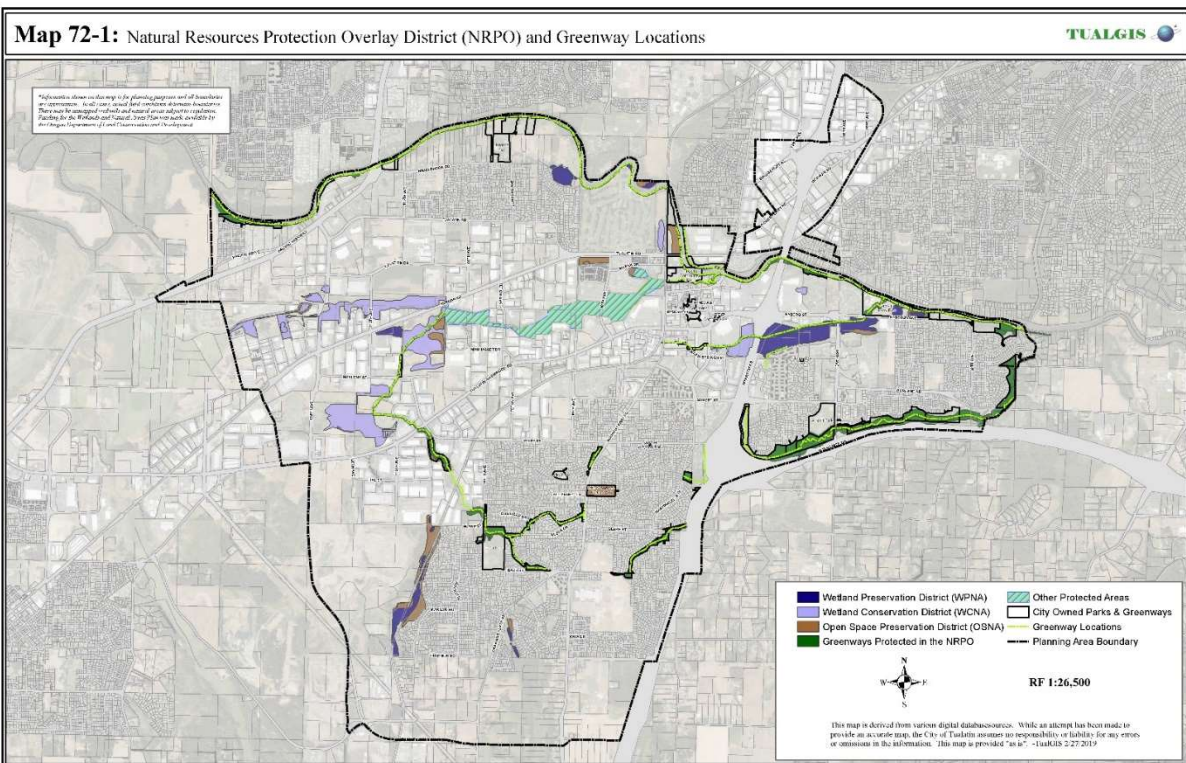
There is an absence of necessary information provided for the Basalt Creek Area for Natural Resources

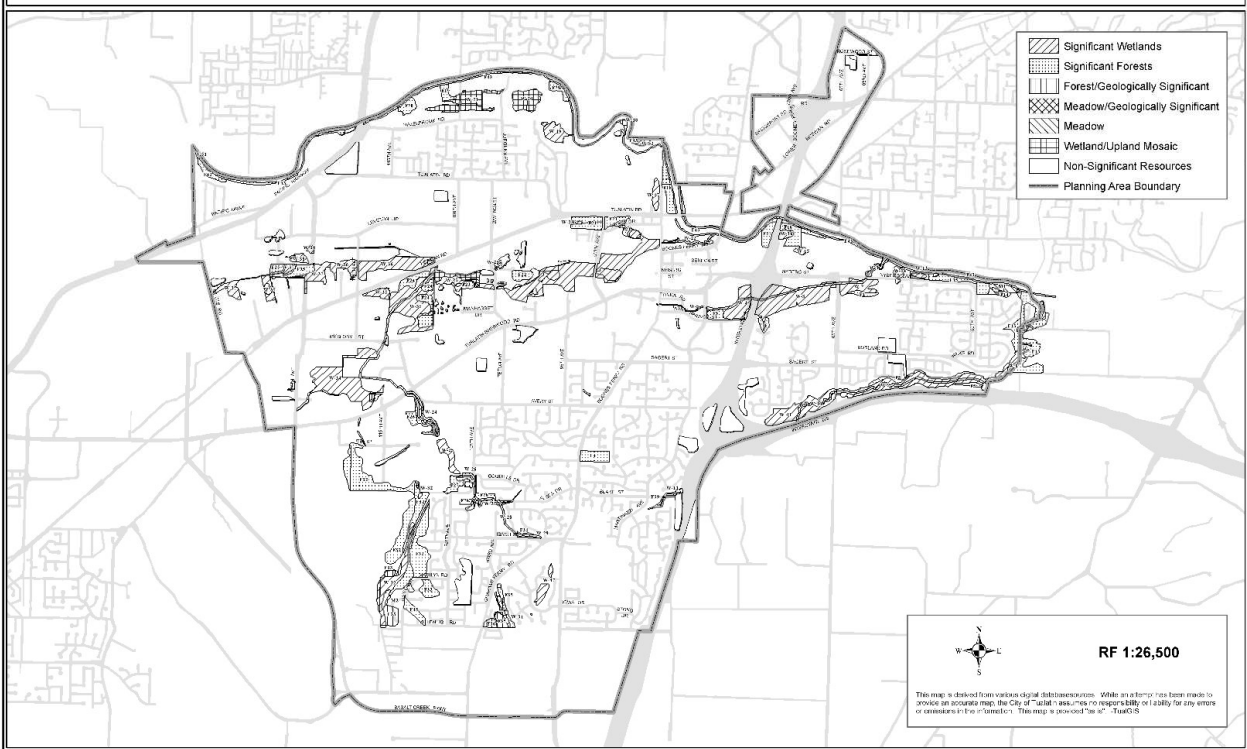
Lacking necessary evaluations as to the level, location and quality of Natural Resources within the Basalt Creek Area within the proposed Stormwater Management Master Plan Update, it would be difficult for the City of Tualatin to utilize the maps adopted into the City's Governing Documents (as part of the adoption of the Basalt Creek Comprehensive (Ord. [1427-19](#), § 47, 11-25-19)), as supportive or back up documents to the proposed Update, as these maps obtained from the City's website do not identify or provide substantive information as to the multiple Natural Resources which are known to exist within the Basalt Creek Area.

City of Tualatin Maps downloaded from the City's municipal Code website

https://library.municode.com/or/tualatin/codes/development_code?nodeId=THDECOTUOR_APXAMA

also lack essential information necessary for the development of a Land Use Plan, or effective implementation of a Land Use Action within the Basalt Creek Area and are not suitable support documents for the proposed Update to the City's proposed Stormwater Management Master Plan Update.





There are significant inconsistencies in the level of acknowledgement and identification of various Natural Resource which are required to be evaluated for potential impact within all Land Use Plans, and Planning Actions. The omission of pertinent information regarding the existence of multiple Natural Resources within the northern portion of the Basalt Creek Area as presented within the City's Governing Documents, and within the City's proposed Stormwater Master Plan update are notable.

However, the City included the Basalt Creek Concept Plan document adopted by the City in 2018, and utilized as a supporting document to the Basalt Creek Comprehensive Plan in 2019 did provide needed information as to Land Use evaluative factors such as the Natural Resources and constraints which exist within the Basalt Creek Area.

Examples of pertinent documentation from the Basalt Creek Concept Plan as to the quantity and quality of these Natural Resources is provided including a summary of a rationale for inclusion of this information into the Basalt Creek Land Use Concept Plan.

Metro Title 13: Nature in Neighborhoods

Title 13 requires local jurisdictions to protect and encourage restoration of a continuous ecologically viable streamside corridor system integrated with upland wildlife habitat and the urban landscape. Metro's regional habitat inventory in 2001 identified the location and health of fish and wildlife habitat based on waterside, riparian and upland habitat criteria. These areas were named Habitat Conservation Areas.

Table 7 Title 13 HCA Categories with Acreage

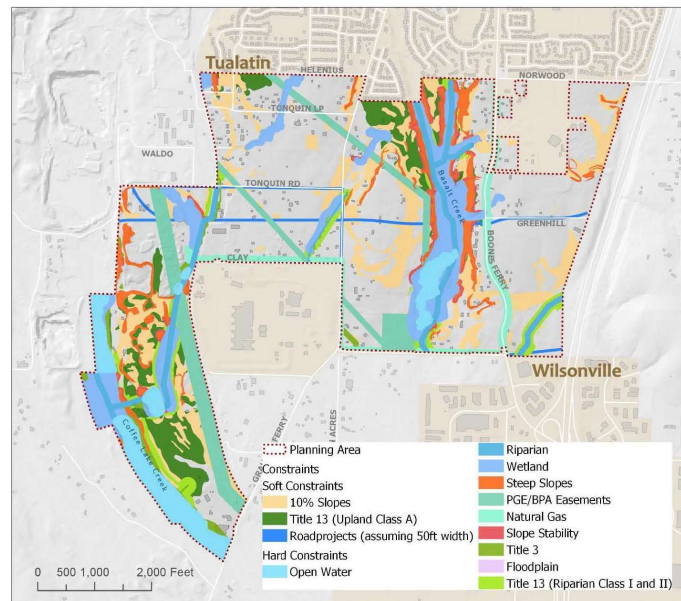
HCA Categories	Acres	Description
Riparian Wildlife Habitat Class I	130	Area supports 3 or more riparian functions
Riparian Wildlife Habitat Class II	31	Area supports 1 or 2 primary riparian functions
Riparian Wildlife Habitat Class III	7	Area supports only secondary riparian functions outside of wildlife areas
Upland Wildlife Habitat Class A	103	Areas with secondary riparian value that have high value for wildlife habitat
Upland Wildlife Habitat Class B	72	Area with secondary riparian value that have medium value for wildlife habitat
Upland Wildlife Habitat Class C	37	Areas with secondary riparian value that have low value for wildlife habitat
Designated Aquatic Impact	52	Area within 150 ft. of streams, river, lakes, or wetlands

Exhibit 2 to Ordinance No. 1418-19

Environmental constraints are summarized below and unless otherwise noted were fully excluded from the developable land input in the scenario testing for the Basalt Creek Concept Plan:

- Open Water
- Streams
- Wetlands
- Floodplains (50% reduction of developable area)
- Title 3 Water Quality and Flood Management protections
- Title 13 Nature in Neighborhoods (20% reduction of developable area in areas designated Riparian Habitat Classes I and II)
- Steep Slopes (25% slopes and greater)

Figure 13 Natural Resources Map



It is unclear as to the rationale for the omission of pertinent information required to be an evaluated component in the development of all Land Use Plans and implementation of Planning Actions have not been included within the proposed Stormwater Master Plan Update, nor in the City's Governing Documents as provided via the City's

Exhibit 2 to
Ordinance No. 1418-19

The goal is to classify every parcel within the Planning Area into one of the categories described below:

Table 2 Land Supply within the Basalt Creek Planning Area by Type and with Acres.

Land Supply by Type and Acreage		
Land Type	Acres	Description
Vacant Land	331	Unconstrained land that is ready to build with no major structures located on the site
Developed Land	123	Land already built upon which includes acreage covered by roadways
Constrained Land	153	Land that cannot be built upon due to environmental or other hard constraints
West Railroad Area	238	Excluded from development plan due to large amount of constraints and limited access
Total Land Supply	847	

Figure 6 Land Supply by Type.

