

Lake Ballinger/McAleeer Creek Watershed Forum
Edmonds City Hall
3rd Floor Brackett Room
Meeting Minutes
April 26, 2011

Members Present

Mayor Jerry Smith, Chair (Mountlake Terrace), Councilmember Don Fiene, Vice Chair (Lake Forest Park), Councilmember D.J. Wilson (Edmonds), Councilmember Dave Gossett (Snohomish County)

Staff Present

Curt Brees (Mountlake Terrace Public Works Director), Phil Williams (Edmonds Public Works Director), Frank Zenk (Lake Forest Park Public Works Director), Aaron Halverson (Lake Forest Park Environmental Programs Manager), Mike Shaw (Mountlake Terrace Stormwater Program Manager), Jerry Shuster (Edmonds Stormwater Engineering Program Manager), David Cline (City of Lake Forest Park City Manager)

Others Present

Mayor Dave Hutchinson (Lake Forest Park), Mark McIntyre, Press Assistant/Legislative Correspondent (Jay Inslee's Office), Tricia Shoblom (DOE), Lauren Broudy, Jerry Thorsen (LBCA), Joe Simmler (Otak)

I. Welcome and Introductions

Chair Jerry Smith called the meeting to order at 2:08 p.m. at Edmonds City Hall. The agenda for the April 26 meeting and minutes for the February 22, 2011 meeting were approved.

II. Legislative Agenda

a. Update on Washington D.C Trip

Curt Brees reported that representatives of the Forum and Johnston Group attended meetings in Washington D.C. with the Washington State congressional delegation. He stated that the primary objectives of the meetings were to brief the delegation offices about the Forum and its goals, secure support for federal funding, and ask for assistance engaging the Army Corps of Engineers. Mr. Brees stated the Forum was well received and the meetings were successful in achieving the goals. Senator Cantwell offered to assist the Forum in working with the Army Corps of Engineers, citing possible opportunities to fit into some of the Corps' funding. The Forum's next project will be to facilitate a meeting with the Army Corps of Engineers.

b. Update on bill limiting use of phosphorus in lawn fertilizers

Mike Shaw reported that Governor Gregoire signed HB 1489, which prohibits the use of phosphorus in lawn fertilizers in Washington, with a few exceptions for starting new lawns, repairing lawns, and applying to pasture and gardens. Mr. Shaw stated that they also amended RCW Chapter 1459 Definitions. He added that the Governor made an exemption for organic materials that contain phosphorus in order to try to keep that material out of the landfills. Mr. Shaw said the law goes into effect January 1, 2013. He added that stores could continue to sell inventory in stock on location as of January 1, 2012. Jerry Shuster stated that Lake Ballinger has a limit on the amount of phosphorus going into it that was supposed to help with algae blooms.

He added that this new law is a step in the right direction. Mr. Shuster said that the intent was to reduce phosphorus going into the lake from lawns. He added that the bill includes a provision that allows local governments to be more stringent.

Vice Chair Don Fiene asked if the Forum should send a letter to the big box stores that are in our combined area to let them know about our problems in the lake and ask them to comply with the new law. **It was moved and seconded that the Forum draft a letter to send to all big box stores, outlining the phosphorus problem in Lake Ballinger and encouraging them to comply with the ban. Motion Passed.**

It was also recommended that the same letter could be emailed to notify lake residents. Jerry Thorsen (Lake Ballinger Community Association) said that they could forward the letter to their members.

III. Update Edmonds/Mountlake Terrace Interlocal Agreement

Mike Shaw reported that he and Jerry Shuster have been working on an Interlocal Agreement (ILA) to implement the projects listed in the capital improvement plan for joint responsibility between Edmonds and Mountlake Terrace. The two higher priority projects include remapping and management of the level of Lake Ballinger and deciding what, if any improvements, they are going to make to the bed of McAleer Creek. Jerry Shuster reported that Edmonds just received comments back from their City Attorney and the ILA is scheduled to go to Edmonds City Council May 10. Mr. Shaw reported that there were changes to review but the ILA might be ready by May.

IV. Update from Lake Forest Park

Aaron Halverson reported that Lake Forest Park is still working on the McAleer Creek Bypass, using a \$250,000 state grant received last year to retrofit an existing facility that will reduce high flow into the Sheridan Beach neighborhood and increase capacity. He added that they expect construction to be completed this summer by the end of the fish window. Mr. Halverson stated that they are working on a FEMA grant application, with letters of intent due in May. He added that last year's application was determined to be ineligible, so they are requesting reconsideration from FEMA. Mr. Halverson stated that this is for a \$3.4 million Bypass project on Lyon Creek. David Cline said the King County Flood Control District provides competitive grants and opportunity funds. He added the District has recommended Lake Forest Park for full funding for matching 25% of the FEMA grant in 2014.

Vice Chair Don Fiene reported finding a product online called "aqua dam" that helps protect against flooding. He added that they are temporary water-filled tubes that act like a dam to keep water out.

V. Public Comments

The Forum reviewed letters from John Greenway requesting that work on 230th Street be stopped or delayed. Since the work involves a City of Mountlake Terrace project, the Forum decided to send a letter to Mr. Greenway to let him know that his letter should be submitted to the City of Mountlake Terrace rather than the Forum.

Mark Markham, Press Assistant/Legislative Correspondent with Jay Inslee's Office said that the Congressman is very interested in this project and to let him know if there is anything they can do to help.

Vice Chair Fiene mentioned that he heard that the volume of water the Forum is dealing with was not up to the minimum level for Army Corps of Engineers funding.

David Cline reported that Lake Forest Park had met with the Army Corps of Engineers and their minimum for funding was over 800 cubic feet of water but eligibility could be possible under section 206, Habitat Restoration, which is for any riparian habitat restoration. Vice Chair Fiene reported that one suggestion they got in Washington D.C. was that if the Corps had unspent funds from Lake Washington the Forum might be able to obtain funding.

Mr. Brees stated that Mountlake Terrace met with a fisheries biologist on McAleer Creek in March to get more information on options and scope of work as to what type of maintenance projects the city could do under its current permits that were less invasive before next winter season. Chair Smith asked if we were doing any summer maintenance. Curt Brees added that they discussed cutting emergent vegetation between Lake Ballinger and the I-5 culvert on the Nile Property. Mr. Shaw stated that emergent vegetation within the ordinary high water mark (green stuff coming up out of the water) could be cut as long as maintenance follows the requirements in the Fisheries Biology pamphlet. He added that he was hopeful that some improvements could be completed that would make a difference in flow levels this year. Mr. Shaw reported that the City of Mountlake Terrace was purchasing two flow monitors for Lake Ballinger, one on the first downstream culvert on McAleer Creek and one in a box culvert on Hall Creek, so the city can measure how flows are running through the lake, how much water is coming in and how much is going out. He added that this is one of the items in the strategic action plan. Jerry Shuster reported that Edmonds would be surveying for elevation of houses on the lake to determine the exact elevation for lake management. He also reported that Interurban Trail is going out to bid in next few weeks. Mr. Shuster said due to its location along part of the west side of the lake and because they are putting in a paved trail, part of the trail will be pervious asphalt. Mr. Shuster reported that in those areas where the soils cannot take more water, the City of Edmonds is installing an underground detention vault to collect the water.

VI. Adjournment

Chair Smith adjourned the meeting at 2:47 p.m.

Next meeting is scheduled for Tuesday, May 24, 2011 at Lake Forest Park City Hall.