



# Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region Eugene Office

165 E 7<sup>th</sup> Ave, Suite 100

Eugene, OR 97405

(541) 686-7838

FAX (541) 686-7551

TTY 711

\*Electronic\*

June 18<sup>th</sup>, 2024

Ben Jones  
City of Carlton Assistant Public Works Director  
945 W Grant St  
Carlton, OR 97111

Re: Review and Acceptance of the 2023-2024 TMDL Implementation Plan Annual Report for the City of Carlton

Dear Mr. Jones,

Thank you for submitting the City of Carlton 2023 - 2024 TMDL Implementation Plan Annual Report. The Department has reviewed your report and finds that the report complies with the annual reporting requirement. In your next annual report please address the below comments:

- Thank you for the update on the post-construction design standards. As a reminder the requirements for post-construction stormwater runoff from the 2019 Willamette Mercury TMDL are below. The city should ensure that their updated code and design standards address the italicized portions of the text. Additionally, the city should clarify that 1200-C permits are only required for sites where 1 acre or more is disturbed. This is not clear in the draft update 17.72.030 item D as-written.

"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 of new 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-term operation and maintenance of stormwater controls.

(C) *Long-term operation and 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 evapotranspire 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."*

- In your next annual report please document staff training and/or educational resources available to staff regarding construction site erosion control
- Great work implementing a designated riparian area along Hawn Creek. In your next annual report please detail what protections or requirements the designated riparian corridor provides.

I would like to reaffirm that I am available as a resource to assist you as you move forward with TMDL implementation. Please feel free to contact me at (541) 972-5520 for assistance.

Best regards,

Grace Goldrich-Middaugh  
Basin Coordinator  
Watersheds and Stormwater  
[grace.goldrich-middaugh@deq.oregon.gov](mailto:grace.goldrich-middaugh@deq.oregon.gov)  
541-972-5520

ec: Heather Tugaw - Western Region Watersheds and Stormwater Manager, DEQ  
Bryan Burnham, Public Works Director, City of Carlton

# Mercury TMDL Reporting

## 2022 & 2023

**Require stormwater detention and water quality measures with development based upon modifications to code and design standards.** Require stormwater detention with new development in accordance with development code. Maintain records of detention and water quality facilities.

In 2022, the City did not update the code and design standards.

In 2023, the City did not update the code and design standards. However, a draft of the design standards was submitted to the council and should be updated in June 2024. In addition modifications to the code will be presented to the council in May.

**Solicit public input on TMDL implementation plan.** Present TMDL Plan to City council and public every five years. Document public outreach efforts and public input.

The City put the draft implementation plan on the web site, discussed the plan at the City Council meeting, the plan was discussed in the Community newsletter, and a community input survey was sent out using "Next Door".

The City has also created a specific page that posts the current plan and any future reports.

<https://www.ci.carlton.or.us/publicworks/page/carlton-mercury-tmdl-implementation-plan>

**Require erosion control for construction sites over 1 acre.** Require DEQ 1200C erosion control permit for more than 1 acre of soil disturbance; City enforced erosion control for smaller projects. Maintain records of 1200C permits submitted to DEQ.

In 2022, there was only one 1200-C permit, JR Meadows No.2, 10215 NE Old McMinnville Hwy, Carlton.

In 2023, there was only one 1200-C permit, JR Meadows No.2, 10215 NE Old McMinnville Hwy, Carlton.

The permit is attached.

**Actively maintain Hawn Creek Drainageway on Public land.** Maintain vegetation along drainageway, remove debris as needed on city owned property. Document existing conditions and riparian vegetation retained.

In 2022, the City picked up debris along Hawn Creek Drainageway on an as need basis.

In 2023, the City mowed the vegetation along Hawn Creek Drainageway in July and picked up debris on an as needed basis.

**Require erosion control for construction projects regardless of size.** Educate city staff about erosion control. Document staff training about erosion control.

In 2022, there was a Community Home Builders project on Roosevelt Street. They used silt fencing and straw wattles around catch basins for erosion control.

In 2023, the Community Home Builders project continued with the same erosion control practices. There was also a civic building project on E. Main Street. They also used silt fencing and straw wattles around catch basins.

**Receive and respond to complaints regarding water quality problems (erosion, illicit discharge).** Enforce nuisance control ordinance, Coordinate complaint with code enforcement. Maintain records of number of complaints handled, number of referrals.

In 2022, the City did not receive any complaints regarding water quality problems (erosion; illicit discharge).

In 2023, the City did not receive any complaints regarding water quality problems (erosion; illicit discharge).

**Maintain maps of City stormwater and sanitary sewer systems.** Update existing maps periodically. Document all updates of system maps.

The City has developed and maintained a map of the public storm system. The map is kept in AutoCAD format it was last updated in 2019.

**Encourage annual public cleanup day.** Plan and publicize cleanup day. Document participation in Annual Cleanup Day; Document Public Works cleanup activities.

In 2022, the city did not offer a clean up day.

In 2023, the annual public cleanup day took place on Saturday April 22nd from 9:00-12:00.

In addition to this through the contract solids waste firm property owners can subscribe, if they so choose, to a monthly service for pick up of yard debris. This program started in July, 2022.

**Establish a riparian corridor for Hawn Creek Drainageway.** Designate riparian area and obtain easement. Document existing conditions and riparian vegetation retained.

In 2023, the riparian corridor was developed and the map is attached to the report.

**Establish landscaping guidelines for the parks along Hawn Creek.** Develop guidelines.

Guidelines were developed and are attached to the report.

**Require regular street sweeping and cleaning of catch basins.** Street sweeping. Document when the activities occur.

In 2022, street sweeping took place on 12/7, 11/23, 11/7, 10/5, 10/3,

In 2023, street sweeping took place on 5/2, 6/7, 7/5, 8/1, 8/2, 9/5, 9/6, 10/3, 10/4, 11/2, 11/15, 11/19, 12/6, 12/7

Catch basin cleaning in 2023 was done on 12/18, 12/19, and 12/28

**Post implementation plan, annual reports and 5 year report.** Place on the City website. Check that they are posted.

[2022 carlton mercury tmdl implementation plan.pdf](#)