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November 2021

To Whom It May Concern:

Please accept the following summary letter as supplemental information to the November 2021 annual report. There were such a variety of factors influencing our stormwater program in the past reporting year, and the annual report isn't set up really to discuss such things, I felt it easier to provide this summary. Where appropriate, comments here may be duplicated in the formal report submittal.

This letter provides an overview to the following important program influences and changes:

- 1) transition of City Administrator position, who has managed this program since its inception.
  - 2) Permit lawsuit settlement and modified MS4 permit issuance with DEQ.
  - 3) 2019 permit warning letter satisfaction with DEQ.
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- 1) During the winter of 2020, City Administrator Sawyer was diagnosed with serious health conditions. By March 2021, those were beginning to limit his work hours. Planning for succession strategy for the position began in May.

Because of this, during the spring the Administrator held a series of monthly meetings with the Public Works Director, and the Development Services Clerk, the two staff members that provide support services for implementing the permit. These meetings were essentially a training in the MS4 permit. (See attachment A.) We reviewed the entire modified permit, tied that in with the best management practices listed in the stormwater management plan and created work schedules for the coming years compliance goals. These discussions help create a regulatory context to what for line staff has often been merely a work assignment, with the permit being a little too abstract. We also spent considerable time discussing permit violation conditions, important reporting issues regarding complaints or violations that are potentially brought to their attention, etc. We then followed up from these meetings, with a meeting with the entire Public Works staff, again with the intent of providing an overview of the permit, so all staff members understood the context in which they were providing this information on the groundwork.

These discussions have really laid a solid groundwork for existing staff to understand the water quality context of the permit, so there's no loss in continuity and moving programs forward. Because Turner is so small, it is highly unlikely that the new administrator will have experience in implementing such a permanent. We thus felt this training was essential.

- 2) The City of Turner was a member in a multiparty lawsuit challenging the legal basis for the issuance by DEQ of the MS4 permit in 2018. Settlement discussions on this lawsuit were ongoing in 2020 and continued until final adoption of the modified permit in March 2021. Much of the settlement discussion surrounded clarification of permit language, and permit definitions in order to ensure that the final permit was clearly consistent with the

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\*\* ADA Accommodations Provided Upon Request \*\*

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understanding of both parties. These discussions were extensive and exhaustive, it made significant practical changes to the final permit. They thus were a benefit to the permit program, and assistance in the implementation of the City's own permit related activities. The City's permit related work thus extended beyond the mere implementation of BMPs but progressed into the conversation of the very language of the permit, assisting both permittees and the agency.

With adoption of the final MS4 permit in March 2021 the City of Turner was granted an extension of deadlines until February 28, 2024, for most conditions set forth in the permit. Therefore, we want to make note that although the City will treat this permit as fully in effect and do our best to meet the deadlines laid out in the permit for other entities, there is in fact no non-compliance issues with the permit terms before February 28, 2024.

- 3) In the late fall of 2019, DEQ issued a warning letter of noncompliance to the city of Turner. Due to extensions on this letter, final satisfaction occurred on March 18, 2021. In this work, the City did significant updating to its permit activity: An entirely new stormwater management plan was developed and approved by the City Council; necessary permit documents were developed and implemented for the construction erosion program; education and information programs were augmented. Comments regarding this work will be melded into the various minimum measure areas in the annual report.

Together, these three areas of change are really establishing almost an entire new program for the City. Best Management Practices have changed in the plan; permit compliance requirements have changed in the permit, and leadership staff will change for the next permit report. For a small city, tasked with every other regulation at every upper level of government that all larger cities face, this is a significant upward transition. In that transition, the City will continue to focus on water quality as its goal, allocating resources to the most critical BMPs where resources and time are tight.

Sincerely,

p.p. Brenda Kuiken  
David Sawyer  
City of Turner City Administrator

Attachments

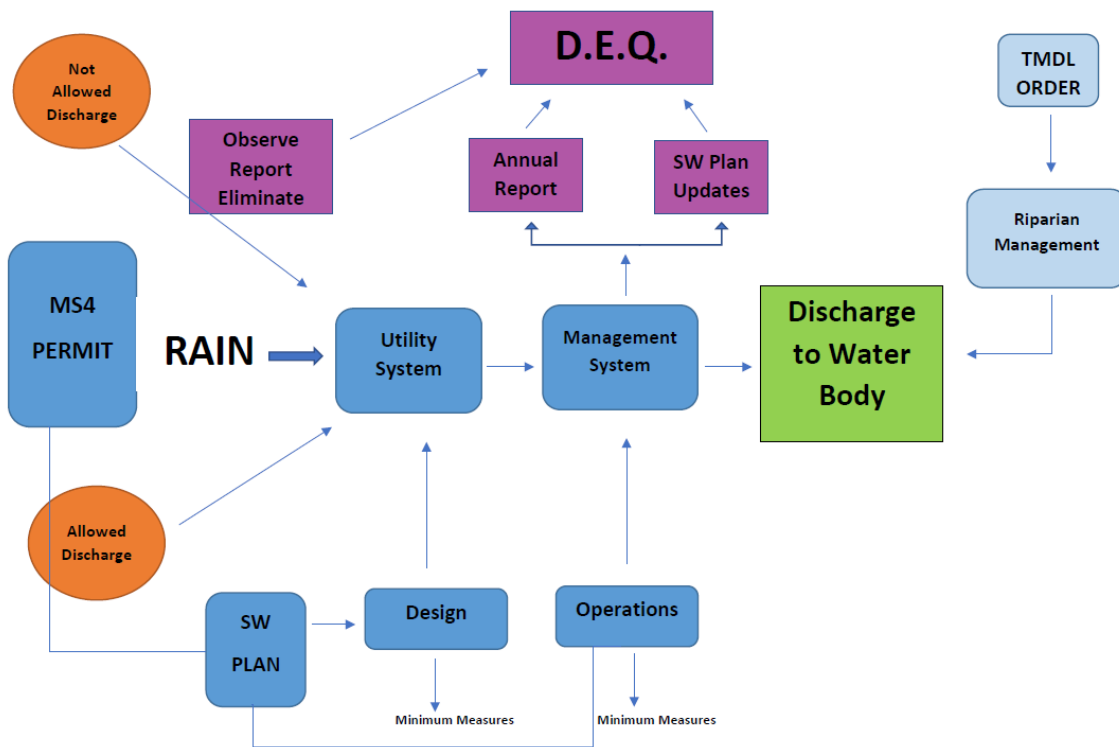
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Attachment A:

## Stormwater Management System



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