



**RE: Fairhaven - Storm Water Utility - 4th Request** 

**Brent L Baldwin** to: Bill Geyer

02/07/2012 01:06 PM

Cc: "Doug Robertson", "Planning Director Jeff Thomas", "Mayor Kelli Linville", "N Oliver", "Ted Carlson, Public Works Director", William M Reilly

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History: This message has been forwarded.

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Bill,

Let me try to clarify the process to date.

Proposed language for a new neighborhood plan was submitted by the Fairhaven group which was then reviewed by City staff. In the stormwater section a project proposal for the Harris Street outfall was listed. If you review the submitted language, the proposal was to reroute stormwater from the outfall across the creek to a new bio swale at Larrabee and 6th. Here is the review comments from our stormwater staff regarding the proposed project. I believe I've already shared this with you.

*The proposal to remove the 27" stormwater outfall under Harris Ave. does not appear to have been reviewed to technical feasibility. I am not sure what they are trying to do when they want the bio-swale to redirect stormwater from the Harris St. outfall to Padden Marsh located at Larrabee and 6th St. Because of the location of the drainage basin for the Harris St. outfall, the bio-swale would have to make some stormwater flow uphill and cross over Padden Creek and its ravine to make it to the Marsh. It is technically impossible. The volume of stormwater discharged from this outfall is very large and to properly size a bio-swale to treat for at least the 6 month storm volume would result in a very , very large bio-swale. Where would such a large bio-swale be placed? There are wetlands, estuaries, creeks, and all of their associated buffers, private property and limited ROW. Another point should be made about the removal efficiency of a bio-swale. Bio-swales provide a relatively low level of stormwater treatment when compared to some other stormwater treatment techniques. By having a requirement of using an above ground bio-swale, it would eliminate the possibility for the sites conditions to actually drive the design as well as limit, if not eliminate, the use of best known and available technologies. In addition, bio-swales are difficult to retrofit when better stormwater treatment technologies are developed. Bio-swales are a good stormwater management BMP if they are what fits and works for the site and that meets the targeted pollutants. I believe that by eliminating all of the stormwater management BMP's, other than bio-swales, you won't get it what's best for the site and its stormwater.*

Next, Mr. Robertson sent me a request regarding the wet weather facility identified in the sewer comprehensive plan. At that time, I provided a response explaining why locating the proposed wet weather facility in Fairhaven did not provide the benefit identified in the plan because of the way our sewer system functions as a whole.

Staff has also reviewed the City's Stormwater Comprehensive Plan for any specific references to Fairhaven.

The proposal that Bill Reilly put together for the funding you are alluding to is not the same as what was proposed in the language above nor did we ever have the \$844,000 in hand. We were still in consideration for a reduced pot of money from the State but this was not a guarantee, we simply submitted a grant application. Since it is a facility proposal that has little effect on the land use, I would question it's inclusion into a neighborhood plan. That is not my decision if you want to propose it. I will send you a copy of that application in a separate email.

If you want to proposed additional facilities in the future, please be clear on your request so we can avoid any future confusion.

Brent

From: "Bill Geyer" <billgeyer@comcast.net>  
To: <BBaldwin@cob.org>  
Cc: "'Ted Carlson, Public Works Director'" <TCarlson@cob.org>, "Mayor Kelli Linville" <KLinville@cob.org>, "Planning Director Jeff Thomas" <JThomas@cob.org>, <NOliver@cob.org>, "Doug Robertson" <dkr@belcherswanson.com>  
Date: 02/03/2012 08:06 AM  
Subject: RE: Fairhaven - Storm Water Utility - 4th Request

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Brent,

Today's Herald reports the Governor cut funding for potential storm water improvements to the Padden Creek estuary. The \$844k project would have treated runoff from Happy Valley and South Hill prior to discharging into Bellingham Bay.

"PADDEN CREEK ESTUARY

Ecology planned to provide \$844,000 to Bellingham for a project to treat stormwater from much of Fairhaven and South Hill that flows via pipe into the Padden Creek Estuary. Under Gregoire's proposal, state funding would be eliminated. The project would involve buying land in the area and building a large wetland-type pond to treat stormwater, Reilly said. The location is still unknown, and city officials haven't approached landowners yet. The city charges residents a stormwater fee on their utility bills. If state funding isn't available, the project might be a candidate for funding from the fee, he said."

<http://www.bellinghamherald.com/2012/02/03/2377663/gregoires-budget-cuts-would-eliminate.html>

Doug Robertson and I proposed this type of solution in our email chain below, while your January 20 response is dismissive of the solution. Why did you chose to not inform us Public Works had previously certified the feasibility of such a project when it submitted a grant application to the State DOE? To withhold this information while all alternatives are being reviewed for the Fairhaven UVP is inexcusable. To dismiss the idea in your January 20 memo suppresses the professional analysis required to explore storm water alternatives, and shortchanges the property owners and merchants you serve.

This critical error must be corrected. Public Works saw merit to the proposal, otherwise it would not have certified same to the State. The proposal and other storm water

alternatives must be included it in the upcoming review of alternatives to the Fairhaven UVP. The transparency and completeness of your information must increase to properly inform the public or the review of the draft Fairhaven UVP will be at risk.

**Official request:** Please forward a copy of the grant application submitted to the State DOE including the complete project description, budget and projected benefits. Please forward copies of subsequent communications from the State regarding the application. Please provide a narrative as to how this project fits into the overall drainage management of Padden Creek and its direct to property within the Fairhaven UVP boundary.

Although the project has been cut from State funding, alternative revenue sources are available within the current City storm water tax and real estate excise taxes generated Citywide and from properties within the Fairhaven boundary. It is a matter of proper capital facility planning within the Fairhaven UVP and subsequent priorities set by Council to determine the solutions.

Final comment - Public Works remains non-responsive to the 13 questions posed in my December 30 email below. Until adequate information is provided to describe the impacts of the staff draft Fairhaven UVP, the property owners and merchants are at a disadvantage to provide informed comments. It is their investment and livelihood, along with their customers, that make Fairhaven vibrant. It is our obligation as professionals to insure they are fully informed to make choices. Please take the appropriate steps to do so, and they will respond in kind with support for a UVP that benefits all.

Thank you,

Bill Geyer, AICP

Geyer & Associates, Inc.

360.738.2836 office / 360.224.6317 cell

**From:** billgeyer@comcast.net [<mailto:billgeyer@comcast.net>]

**Sent:** Friday, January 20, 2012 11:26 AM

**To:** BBaldwin@cob.org

**Cc:** mayorsoffice@cob.org; NOliver@cob.org; Ted Carlson, Public Works Director; Doug Robertson

**Subject:** Re: Fairhaven Utility Demand and Capacity - 3rd Request

Hi Brent,

Thanks for the staff response, all very helpful information regarding storm water discharge into a swale or into freshwater stream or estuary. However, I think the bigger picture of removing the storm water from discharging into the estuary to a different outfall into the Bay. I am not certain on this point and would appreciate the staff comment, but it was my understanding much of the NPDES regime is to treat storm

water prior to entering fresh water conveyances. If it is a direct discharge to the Bay, the requirements are less, ala Squalicum Harbor and other shore side locations. If in error on this point, please correct my information and direct me to documentation in the City's drainage plan.

Regardless, it would seem to be an important goal to remove the storm water discharge from Padden Estuary as it collects from a large area on South Hill, Fairhaven and other locations. An option for runoff collection, possible treatment then discharging to the Bay comes to mind. Elevation may be an issue, but pumps would provide the technical solution. Costs are unknown presently, but this is the time to consider such an option within a long term plan. The benefits would be spread over large acreage that currently pays into the City storm utility system at a pretty hefty rate. The goal to remove storm water from the estuary has long term support in the neighborhood, so a summary of the alternatives with prospective costs would be beneficial to all at this time.

Thanks for the input, and looking forward to more information from the Public Works staff.

Bill Geyer, AICP

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**From:** BBaldwin@cob.org  
**To:** "Doug Robertson" <doug@belcherswanson.com>  
**Cc:** "Bill Geyer" <billgeyer@comcast.net>, mayorsoffice@cob.org, NOliver@cob.org, "Ted Carlson, Public Works Director" <TCarlson@cob.org>  
**Sent:** Friday, January 20, 2012 10:50:08 AM  
**Subject:** RE: Fairhaven Utility Demand and Capacity - 3rd Request

Hi Doug,

I wrote you earlier in the week and told you I'd get back to you on the other stormwater comments. I had my staff review the proposed document for the Fairhaven Plan and provided input to Planning for the public review. Here's the general comments staff is providing:

*Here are a few suggestions/ideas I have about the below language.*

*When they say "natural treatment systems" I would strongly suggest adding a qualifier such as where feasible, where appropriate, or where site conditions are conducive.*

*The proposal to remove the 27" stormwater outfall under Harris Ave. does not appear to have been reviewed to technical feasibility. I am not sure what they are trying to do when they want the bio-swale to redirect stormwater from the Harris St. outfall to Padden Marsh located at Larrabee and 6th St. Because of the location of the drainage basin for the Harris St. outfall, the bio-swale would have to make some stormwater flow uphill and cross over Padden Creek and its ravine to make it to the Marsh. It is technically impossible. The volume of stormwater discharged from this outfall is very large and to properly size a bio-swale to treat for at least the 6 month storm volume would result in a very , very large bio-swale. Where would such a large bio-swale be placed? There are wetlands, estuaries, creeks, and all of their associated buffers, private property and limited ROW. Another point should be made about*

*the removal efficiency of a bio-swale. Bio-swales provide a relatively low level of stormwater treatment when compared to some other stormwater treatment techniques. By having a requirement of using an above ground bio-swale, it would eliminate the possibility for the sites conditions to actually drive the design as well as limit, if not eliminate, the use of best known and available technologies. In addition, bio-swales are difficult to retrofit when better stormwater treatment technologies are developed. Bio-swales are a good stormwater management BMP if they are what fits and works for the site and that meets the targeted pollutants. I believe that by eliminating all of the stormwater management BMP's, other than bio-swales, you won't get it what's best for the site and its stormwater.*

We are also compiling information from the City's comprehensive stormwater plan to be included in the review of the plan.

Thanks for your input on this. Hope you have a good (and hopefully warm!) weekend.

Brent

From: Doug Robertson <doug@belcherswanson.com>  
To: "BBaldwin@cob.org" <BBaldwin@cob.org>, Bill Geyer <billgeyer@comcast.net>  
Cc: "Ted Carlson, Public Works Director" <TCarlson@cob.org>, "NOliver@cob.org" <NOliver@cob.org>, "mayorsoffice@cob.org" <mayorsoffice@cob.org>  
Date: 01/17/2012 09:55 AM  
Subject: RE: Fairhaven Utility Demand and Capacity - 3rd Request

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Brent

Thanks for the update. We do appreciate your work on this.

What about storm water? We have presented this plan as a good process to plan for a regional storm water treatment facility. Take all of the existing untreated storm water and direct to a new facility that would treat, but not detain (given proximity to Padden Creek). To evaluate this, has there been an inventory of existing storm facilities, what is/is not treated, what capacity is for additional flows, and possible treatment of all storm via a regional treatment facility?

If you look at Chap. 7 of the 2009 Comp. Sewer Plan, it is clear that the storm system cannot handle existing flows and not the flows in 2026. In fact, the maps shows that the lines in Fairhaven are under capacity. Then the plan notes a possible wet weather remote storage site along Roeder. That is not happening, yet no other sites are mentioned.

Now I am no expert on this. But a couple opportunities appear to present themselves in the current Fairhaven planning process:

1. Plan to make sure all of Fairhaven's storm water is handled outside the sewer system and treated in one regional facility in Fairhaven. This will assist in avoiding overflow events and decrease the need for expensive infrastructure improvements.
2. Evaluate possible location of a wet weather remote storage facility in Fairhaven.

**We would like to see the updated Fairhaven Neighborhood Plan address all of the issues and**

Douglas K. Robertson

Belcher Swanson Law Firm, PLLC

900 Dupont Street

Bellingham, WA 98225

Tel: 360-734-6390

Fax: 360-671-0753

Email: [dkr@belcherswanson.com](mailto:dkr@belcherswanson.com)

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**From:** BBaldwin@cob.org [<mailto:BBaldwin@cob.org>]

**Sent:** Tuesday, January 17, 2012 9:08 AM

**To:** Bill Geyer

**Cc:** Doug Robertson; Ted Carlson, Public Works Director; NOliver@cob.org

**Subject:** RE: Fairhaven Utility Demand and Capacity - 3rd Request

Good morning Bill,

Sorry for the delayed response on this, I was out of the office most of last week.

In answer to your questions, Public Works staff was asked to review various iterations of the plans that have been developed as part of this planning process. Utility systems within the City are guided by the Comprehensive Sewer Plan and Water System Plan which include analysis, modeling, recommendations for improvements and financing plans. The draft Fairhaven Neighborhood and Urban Village Plan is consistent with the City's Comprehensive Sewer Plan and Water System Plan. Overall capacity of the water and sewer systems within Fairhaven are adequate to accommodate full build out as proposed in the draft plan.

Brent

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From: "Bill Geyer" <[billgeyer@comcast.net](mailto:billgeyer@comcast.net)>

To: "Brent Baldwin" <[bbaldwin@cob.org](mailto:bbaldwin@cob.org)>

Cc: "Ted Carlson, Public Works Director" <[TCarlson@cob.org](mailto:TCarlson@cob.org)>, "Doug Robertson" <[dkr@belcherswanson.com](mailto:dkr@belcherswanson.com)>

Date: 01/12/2012 08:32 AM

Subject: RE: Fairhaven Utility Demand and Capacity - 3rd Request

Good morning Brent,

Below is my email chain with Martin Kjelstad, PE, regarding utility capacity and demand in Fairhaven. Martin informs me the questions below have been forwarded to you. As the authorized Public Works staff person responsible for this information, please respond at your earliest opportunity.

We seek the information from the credentialed staff person within the operating department that can provide an accurate response. As a fellow credentialed AICP, you bring our common understanding that accurate utility capacity / demand data is critical to assessing proposed land use scenarios, or developing alternatives. This is basic planning, and is a required GMA standard to insure concurrency and that the final plan is internally consistent. Our goal is for a professionally defensible, internally consistent Fairhaven plan that complies with the City Comprehensive Plan to last for the next 30+ years. Your support to reach this professional standard is appreciated.

I look forward to receiving your response.

**Bill Geyer, AICP**

Geyer & Associates, Inc.

360.738.2836 office / 360.224.6317 cell

**From:** [mkjelstad@cob.org](mailto:mkjelstad@cob.org) [<mailto:mkjelstad@cob.org>]

**Sent:** Thursday, January 12, 2012 7:42 AM

**To:** Bill Geyer

**Cc:** [BBaldwin@cob.org](mailto:BBaldwin@cob.org)

**Subject:** RE: Fairhaven Utility Demand and Capacity - 2nd Request

Bill

I have not been directed or done any work on this planning process. I have passed this request onto Brent Baldwin, Development Manager for Public Works Engineering. I believe he has passed this request for information onto Nicole Oliver. I haven't heard any thing back on how this is being processed.

Hope this helps explain why I haven't been able to give you an answer to your questions.

***MARTIN KJELSTAD, P.E.***

Utilities Project Engineer

City of Bellingham

Public Works Engineering

210 Lottie St.

Bellingham WA 98225

Phone 360-778-7900

Desk 360-778-7941  
Fax 360-778-7901  
email: [mkjelstad@cob.org](mailto:mkjelstad@cob.org)

From: "Bill Geyer" <[billgeyer@comcast.net](mailto:billgeyer@comcast.net)>  
To: "Martin Kjelstad" <[mkjelstad@cob.org](mailto:mkjelstad@cob.org)>  
Cc: "Ted Carlson, Public Works Director" <[TCarlson@cob.org](mailto:TCarlson@cob.org)>, "Doug Robertson" <[dkr@belcherswanson.com](mailto:dkr@belcherswanson.com)>  
Date: 01/12/2012 07:33 AM  
Subject: RE: Fairhaven Utility Demand and Capacity - 2nd Request

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Martin,

As of this writing, I have not received a response to the questions below, and hereby renew my request.

My clients include most of the commercial property owners and merchants in the Fairhaven business district. The information requested directly relates to their analysis of a staff proposed plan that impacts their property and businesses. Accurate engineering data is needed so they may draft an informed response to the current staff efforts. General statements from staff members outside of Public Works that current City comprehensive utility plans (water, sewer, storm water) were reviewed is non-responsive to our request. We are requesting the information from the credentialed PE and duly authorized administrators responsible for these utility system, in short, the Public Works Department.

Please respond to our request for the information below at your earliest opportunity. Otherwise, please detail why these questions cannot be answered and forward my request to Director Carlson.

Thank you for your assistance in this request.

Bill Geyer, AICP  
Geyer & Associates, Inc.  
360.738.2836 office / 360.224.6317 cell

(Note – minor grammatical change made to second paragraph below from initial email.  
–BG)

**From:** Bill Geyer [<mailto:billgeyer@comcast.net>]  
**Sent:** Friday, December 30, 2011 9:57 AM  
**To:** Martin Kjelstad ([mkjelstad@cob.org](mailto:mkjelstad@cob.org))  
**Subject:** Fairhaven Utility Demand and Capacity

Good morning Martin,

You may be aware of the ongoing planning study for Fairhaven to create a the Fairhaven Urban Village Plan (UVP) and revised neighborhood plan. The Planning Department recently released a staff draft report on the COB website.

<http://www.cob.org/documents/planning/neighborhoods/2010-docket-materials/fairhaven-np/2011-12-11-fairhaven-uv-plan-hi-res.pdf>

I represent the Old Fairhaven Association, the Fairhaven Village Association and several commercial property owners on this issue. My clients comprise most of the Fairhaven businesses and commercial property owners, and they have a very key interest in the quality and outcome of this planning effort. We are focused on completing a new UVP that is compliant with the City Comprehensive Plan, internally consistent with its goals and recommendations, is developed with the highest level of professional competence, meets the GMA, and a new UVP with a shelf life greater than 30 years.

Our questions today focus on the City utility systems (water, sanitary sewer and storm water system) serving the Fairhaven neighborhood. For all three utility systems (water, sewer or storm water system), as part of the Fairhaven planning program, has the Public Works staff been asked to:

1. Quantify the current system demand for the existing land uses?
2. List current system deficiencies?
3. Project potential demand for full build out under the current Fairhaven Neighborhood Plan (1980)?
4. Document the capital projects currently listed in the City Comprehensive Plan and the related Water, Sewer and Drainage Comprehensive Plans?
5. Review the land use model in the Planning staff document listed above?
6. Estimate the demand on all three utility systems if the staff proposed land use is built out?
7. Comment on other land use models and the resulting impact on utility system demand?
8. Document how current system deficiencies are resolved, or if these current deficiencies increase due to the Planning staff proposed land use model?
9. Project system demand for alternative land use models and resulting deficiencies?
10. Consider alternative regional storm water management systems for the Fairhaven commercial core and the Port waterfront?
11. Consider increased fire flow and pressure for prospective multi-story buildings in the commercial core or the Port waterfront?

12. Coordinate discussion with the Port engineers regarding possible utility system changes to serve the waterfront?

13. Comment on the long term operational needs of the Post Point treatment facility as it relates to the Fairhaven commercial core?

If discussion and analysis has occurred on any of the points above, please provide a summary of the nature and the outcome of the discussion. We can follow up on a later date for copies of the various emails and reports.

Thank you for your assistance in this effort. We look forward to additional discussion with the Public Works staff on these important points.

**Bill Geyer, AICP**

Geyer & Associates, Inc.

360.738.2836 office / 360.224.6317 cell