

**Lake Ballinger/McAleer Creek Forum  
Lake Forest Park City Hall  
Meeting Minutes  
February 24, 2009**

**Members Present**

Janet Way (Shoreline), D.J. Wilson (Edmonds), Don Fiene (Lake Forest Park), Jerry Smith (Mountlake Terrace)

**Staff Present**

Jerry Shuster (Edmonds Stormwater Engineering Program Manager), Aaron Halverson (Lake Forest Park Stormwater Technician), Noel Miller (Edmonds Public Works Director), David Cline (Lake Forest Park City Administrator), Curt Brees (Mountlake Terrace Public Works Director), Doug Wood (Washington State Department of Ecology), Neil Jensen (Lake Forest Park City Engineer), Rika Cecil (Shoreline)

**Others Present**

David Hutchinson (Lake Forest Park Mayor), Chris Eggan (Shoreline City Council), Ken Pierce (Lake Ballinger Home Owners Association), Gary Thorsen (Lake Ballinger Home Owners Association), Barbara Sharkey (Sheridan Beach Homeowners Association), Amy Daybert (Enterprise Editor), Mike Grerate (Snohomish County Council representative), Jim Halliday (Lake Forest Park Stewardship Foundation), Joe Simmler (Otak, Inc.), Julian Andersen (Lake Forest Park Stewardship Foundation), Chris Probst (Enviro-Drain)

**I. Welcome and Introduction**

**A. Approval of Agenda**

Chair Wilson called the meeting to order at 2:05PM in the Lake Forest Park City Council Chambers. Handouts included a meeting agenda, minutes from the January 27, 2009 meeting, pages 37 and 38 of Technical Memorandum #2, Tour map and pictures, Ballinger Op-Ed prepared by D.J. Wilson. **The agenda was approved unanimously.**

**B. Approval of Minutes**

**Approval of the January 27, 2009 minutes was unanimous without revision.**

**II. Technical Memorandum 2 Update and Public Comments**

The final draft of Technical Memorandum 2 (TM 2) is available on the Lake Ballinger/McAleer Creek webpage hosted by the City of Lake Forest Park ([www.cityofflp.com](http://www.cityofflp.com)). TM 2 reports on the planning and pre-engineering strategies and costs. It has been reviewed extensively by the staff committee and is now ready for review and comment by the Forum members and public. The Forum will be taking comments via email through March 23, 2009 and at the next Forum meeting on March 24<sup>th</sup>, 2009. Copies of TM 2 are available at each member jurisdiction and are to be prepared by staff.

**III. State and Federal Capital Requests**

Joe Simmler summarized the costs and priorities of implementation sections of TM 2. He noted that the priorities of implementation section includes alternatives to address the overflow from Lyon Creek into McAleer Creek. Chair Wilson asked how we know flooded homes are in the Lyon Creek or McAleer Creek basin, could the amount of flooding by each basin be quantified? Chair Wilson explained that the concept of sharing funding for projects on Lyon Creek was not acceptable because the Forum does not

include Lyon Creek. Janet Way stated that she agrees with Chair Wilson but is sympathetic to the problems on Lyon Creek.

Mayor Hutchinson stated that the idea to disconnect the streams does not make sense. He explained that the state legislature and Congress do not separate them like this and neither should the Forum. He also stated that the Forum needs to be one voice, this cohesiveness is very important when seeking funding.

Doug Wood, Washington State Department of Ecology, stated that he is working with the consultants to take a second look at an infiltration alternative in the upper basin as parts of this area are very porous near Highway 99.

Chair Wilson stated that the state ask was late and the federal ask may be late also. A federal ask needs to be prepared by the end of the week. He stated that this ask has to be made in the interest of Edmond's citizens.

Vice-Chair Fiene discussed the fact that two watersheds come within feet of each other in Lake Forest Park. This is significant because once the Lyon Creek Forum gets started it will be able to combine asks with the Forum. He stated that the priorities pertaining to Lyon Creek area good reference and that Culvert M585 is capable of a 50-year event so it is an important part of the solution. He also noted that McAleer Creek receives water from more than Lake Ballinger, there are significant contributions from areas downstream of I-5.

Chair Wilson asked David Cline, Lake Forest Park City Administrator, what the requirements are for funding recommendation by the Forum. Cline, reading from the Interlocal Agreement, stated that decisions shall be made using a consensus model as much as possible. Consensus may be reached by unanimous agreement of the member jurisdiction designees at the meeting or by a majority recommendation agreed upon by the member jurisdiction designees. Each member jurisdiction's Council must approve funding decisions.

Way stated that the Shoreline City Council is not current on the issues of the forum but a bypass pipeline may not be a good alternative for this project and may not be permitted by Ecology. Doug Wood, Department of Ecology, stated that Lyon Creek tops its banks and McAleer Creek becomes the de facto overflow channel. Since it is already overflowing, it is likely that Ecology would permit an overflow bypass on Lyon Creek.

A motion to postpone the tour until the end of the meeting passed unanimously.

Chair Wilson suggested that a new ask be created that include \$205,000 for the replacement of culvert M585 in Lake Forest Park and lake outlet modification to manage the lake level for \$1 million, with a total ask of \$1.205 million.

Fiene stated that \$1 million will keep the project moving and Chair Wilson stated that the outlet will be a long process and the money will be used to begin the process. **A motion to approve a federal ask for \$205,000 for the replacement of M585 and lake outlet modification to manage the lake level for \$1 million, with a total ask of \$1.205 million was approved unanimously.**

Chair Wilson stated that he objected to Lyon Creek being included in TM 2 and suggested that it be removed from the memorandum. Janet moved to remove Lyon Creek from TM 2, Jerry Smith seconded. Discussion ensued. Fiene suggested that the Lyon Creek alternatives be retained as footnotes, but not as alternatives in TM 2. Joe Simmler stated that TM 2 is not the final plan and that this type of input is needed to draft the Strategic Action Plan document but it may not be appropriate to revise TM 2 in this way.

Chair Wilson stated that he does not want to see anything regarding Lyon Creek because it complicates the issues. Vice-Chair Fiene stated that ignoring Lyon Creek would not help resolve the problem.

**Vice-Chair Fiene motioned to include Lyon Creek alternatives as footnotes in TM 2, the motion passed unanimously.**

Mayor Hutchinson stated that he was disappointed and that the Lake Forest Park City Council may take a different position than that of Vice-Chair Fiene and the Forum. He explained that he would recommend that Lake Forest Park pursue Lyon Creek issues at the federal level. Although, he stated that he believes the reason the Forum was created was to resolve flooding in the McAleer/Lake Ballinger basin and it appears that the Forum is not going to accomplish this. He stated that he will discuss his formal support for the Forum with the Lake Forest Park City Council.

#### **IV. Public Comment**

Jim Halliday stated that pipelines will benefit private property and that it should not be in the interest of the Forum to benefit private property. He stated that it would be more appropriate to purchase properties in the floodplain and provide public access to Lake Washington. He also explained that in the January meeting minutes one of the members asked Chair Wilson not to send a letter to the state without the consent of the forum but it appears a letter was sent.

Ken Pierce provided some history of Lake Ballinger management. He explained that in the past no one was taking care of the lake, now the hypolimnetic system has been shut down and he feels that his organization started the Forum. The lake is the only lake west of the Mississippi River that is studied for specific pollutants and that it seems the solutions to the problems could be to fix the weir, lower the lake before a storm to mitigate the flows downstream.

Chair Wilson stated that he would be stepping down as Chair of the forum because of his expanding responsibilities with the Edmonds City Council. He also stated that Edmond's interests may not align as well as when the forum came together and that he can serve Edmonds best by considering their interests only. Elections will be held in the March meeting. He recommends that Vice-Chair Fiene be elected as Chair and the Jerry Smith be elected as Co-Chair. At the end of the meeting Chair Wilson passed around copies of an opinion article he submitted to the Enterprise newspaper regarding the forum's recent activities.

The meeting adjourned at 3:30 pm. A tour of the Lower McAleer Creek basin followed.

**Next Meeting: Tuesday, March 24, 2009**

**Shoreline Historical Museum**

**749 N. 175th St.**

**Shoreline, WA 98133**

**2-4:00 PM**