
Memorialization

TO: Commissioner Steve Stuart, Chair
Commissioner Betty Sue Morris
Commissioner Marc Boldt
Bill Barron, County Administrator
Louise Richards, Clerk of the Board

COPY: Pete Capell, Public Works Director/County Engineer
Kevin Gray, Public Works Deputy Director
Earl Rowell, Clean Water Program Manager
Troy Rayburn, Land Use Policy Analyst
Bronson Potter, Senior Prosecuting Attorney
Sue Stepan, Engineering Services Division Manager

FROM: Robin Krause, Public Works, Project Manager

SUBJECT: Stormwater Ordinance Update Project

DATE: December 5, 2007

Staff presented the status of the stormwater ordinance update in work session with the Board of County Commissioners December 5, 2007 at 9:00 in the Training Room, 6th Floor of the Public Service Center.

Kevin Gray provided background on why an ordinance update is required. The recently issued National Pollutant Discharge Elimination System Permit from the Department of Ecology mandates adoption of an ordinance that is substantially compliant with the Department of Ecology's 2005 Stormwater Management Manual for Western Washington. One of the fundamental differences in the Western Washington Manual requires mimicking historic hydrologic site conditions, rather than looking back 30 years as required by current code. The Ecology Manual will likely result in the use of multiple technologies and treatment alternatives to manage storm water. As a result, Kevin advocated the need for flexibility in County Code to facilitate new methods to address stormwater

Commissioners asked about the outcome and what the ordinance was intended to achieve. Mr. Gray referenced the goals of the comprehensive plan and sustainability policy to provide clean water for recreational uses and to support fish habitat. .

Commissioner Boldt referred to the Salmon Recovery Plan and what part that plays in the standards.

Commissioner Morris expressed concern that only Public Works was at the table and felt that the ordinance perhaps was being developed in isolation. She also asked about measurable results and how much better our streams would be in 10 years if we adopt the ordinance revisions. She would like to see a graphic showing how all the different departments are playing a role in stormwater. She also offered that the Basin Plans should be integrated with the Salmon Recovery plan.

Mr. Gray noted that Public Works is working very closely with Development Engineering, the ESA Program, and many affected members of the community to develop the code revisions. Staff and stakeholders will try to establish measurable goals and targets to ascertain the effectiveness of the new ordinance and related policies.

Robin Krause described the process being used to develop the code revisions. He referenced the Technical Advisory Committee, the Stakeholder Advisory Committee, the Clean Water Commission, web site, newsletter, and the recent public open house.

Mr. Krause introduced the policy issues that staff needed direction from the Board on including low impact development, incentives, pond sizes, redevelopment, agriculture, and rural single family lots.

Low Impact Development (LID)

Commissioner Stuart asked about the impact of LID on pond sizes and asked to see a graphic representation. Mr. Krause referred to the work done by staff indicating that for sites where LID is feasible, the pond size can be reduced to the sizes expected from the current ordinance.

Commissioner Stuart asked if LID was marketable. Mr. Gray referred to the recent announcement by Newland Communities that they will follow LEED standards on all future developments.

Incentives

Mr. Krause introduced several potential incentives that the Stakeholder Advisory Committee provided. Commissioner Stuart added partnerships with open space and conservation areas within the county. He also offered using wetland buffers for treatment and to ensure that our code would not prevent such options.

Commissioner Morris suggested reviewing current code requiring pavement to see if it is really needed.

Bigger Ponds

Commissioner Stuart and Commissioner Boldt stated that they would not adopt a code that included the pre-European (forested) condition for the flow control standard. Commissioner Stuart feels that the level of protection goes beyond preventing degradation and will stop infill and redevelopment thereby forcing development to the fringes of the urban growth boundary and causing additional impacts.

Commissioner Boldt indicated he had reservations about a “payment in-lieu” program.

Redevelopment

Commissioners would like to see examples regarding infill or redevelopment comparing the codes and low impact development.

Agriculture

Commissioners would like to see examples of how agriculture would be addressed.

Commissioner Stuart was not supportive of additional requirements for water quality or flow control for agriculture uses.

Follow-up

Staff will prepare for further discussion in two weeks. Specifically, the December 19 work session will focus on the following topics:

- Vision for stormwater treatment.
- Information on the pre-European flow control standard and alternatives for consideration
- Example Infill project with current code, LID, and Ecology standard applied.
- Example agriculture project.
- Variance Process.