
Memorialization

TO: Commissioner Betty Sue Morris, Chair
Commissioner Marc Boldt
Commissioner Steve Stuart
Bill Barron, County Administrator
Louise Richards, Clerk of the Board
Michael Andersen, Reporter for *The Columbian*
(Michael.Andersen@columbian.com)

COPY: Pete Capell, Public Works Director/County Engineer
Kevin Gray, Deputy Public Works Director
Bronson Potter, Prosecuting Attorney
Earl Rowell, Clean Water Program Manager
Anita Johnson, Public Works
Sue Stepan, Engineering Services Division Manager
Joel Rupley, Endangered Species Act Program

FROM: Robin Krause, Public Works, Project Manager

SUBJECT: Stormwater Ordinance Update Project

DATE: June 25, 2008

Staff presented three issue papers on the stormwater ordinance update to the Board of County Commissioners in work session on June 25, 2008. The papers included a status update on the appeal, an example redevelopment project, and the status of the draft ordinance. Discussion also touched on incentives, a stormwater utility outline, and building demonstration projects at the Public Service Center campus. The work session concluded with a summary the Board's direction to staff.

Mr. Gray provided a brief background on the appeal process and status. Mr. Potter added that the Phase II flow control appeal hearing may be in mid to late July and clarified that the remaining Phase II hearings will be in October. Commissioner Boldt asked what the next step was if the appeal was not successful. Mr. Potter said that the Pollution Control Hearings Board decision can be appealed to the state supreme court.

Mr. Gray provided an overview of the Highway 99 redevelopment example, noting that the analysis provides estimates based on preliminary design. Discussion ensued regarding the design details, rain gardens, and available storage areas. Commissioner Boldt requested that staff look at altering the code to allow some flexibility in the requirement that crawl spaces have positive drainage to facilitate front yard rain gardens and reverse slope sidewalks.

Mr. Gray provided a summary of the outreach work that staff completed in April and the subsequent changes made to the code along with revisions based on comments from the Technical and Stakeholder Advisory Committees. Staff continues to refine the code language and has drafted a stormwater manual for Clark County which now contains the technical detail removed from the code.

Commissioner Stuart asked if staff had prepared a map indicating what area of the County would meet the 1955 predevelopment land cover requirement. The County has analyzed 2002 satellite imagery to determine percentage of forest cover in the watersheds and reviewed 1955 aerial photography. The vast majority of the urban growth boundary will meet the 1955 standard. Staff will work to formalize this information.

Commissioner Boldt asked about fencing requirements. Mr. Krause clarified that the code references the fencing requirements in the Ecology stormwater manual. For school sites, parks, and playgrounds, the Ecology manual references safety standards developed by the Department of Health (DOH) and the Superintendent for Public Instruction (SPI). Those standards require “non-climbable fence” where fence is required, but don’t necessarily require a facility be fenced.

Commissioner Boldt asked if the code allowed for partnering with neighbors to provide stormwater management. Mr. Gray replied that the code encourages regional facilities but does not include specific incentives for such arrangements.

Commissioner Stuart asked about wetlands impacted by storm facilities and how the code addresses those situations. The code does require consideration for wetland impacts and staff will outline those requirements for the Board.

A discussion ensued regarding regional facilities and the potential to create a stormwater utility.

Mr. Gray summarized the Board’s direction to submit the draft code and SEPA determination to Ecology and CTED, along with a fiscal note, by July 15. The board also directed staff to:

- Outline a stormwater utility
- Develop incentives for partnering and other innovative approaches to stormwater
- Develop a rain garden or similar project on the PSC campus
- Outline how the code prevents wetlands from being dried up by stormwater ponds
- Continue to work with the Technical and Stakeholder Advisory Committees to refine the code and complete the supporting Clark County Stormwater Manual.

Thank you for your consideration. Please call me at extension 4911 with any questions or concerns regarding this summary of the work session.