

**CLARK COUNTY  
CLEAN WATER COMMISSION**

**Revised Meeting Notes**

Wednesday, September 2, 2009

6:30 – 8:30 P.M.

Public Service Center, 6<sup>th</sup> Floor Hearing Room  
1300 Franklin Street, Vancouver

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Clark County Clean Water Commission Members Present

David Morgan, Don Moe, Patty Page, Nancy Olmsted, Robert Nichols, Art Stubbs

Clark County Clean Water Commission Members Absent

David Darby, Susan Rasmussen, Virginia van Breemen

Clark County Staff

Kevin Gray, Earl Rowell, Bobbi Trusty

Public

Thom McConathy; Kelly O'Tilleny; Dvija Bertish, Rosemere Neighborhood Association and Columbia RiverKeeper; Greg Winters, Department of Ecology

Quorum.

**Call to Order**

The meeting was called to order at 6:35 p.m.

*Agenda and material review*

1. Agenda
2. August 5, 2009 meeting notes
3. Clark County Clean Water Commission 2009 members
4. Letter to Mr. Darby regarding 2007-2008 expenditures
5. 2009 Schedule of Activities
6. Articles from *The Columbian*

*Approval*

August 5 notes approved as submitted

*Communications with the Public*

None

**Public Comments**

Mr. McConathy urges the Clean Water Commissioners (Commission) to put together a letter to advise the Board of County Commissioners (BOCC) supporting the forested condition concept. He feels that the BOCC is in the midst of approving the draft of the Agreed Order with Ecology and the Commission is not involved in the process.



Mr. McConathy wanted to let the Commission know that Vancouver Lake is still in bad condition. Approximately 70% of the lower Burnt Bridge Creek has algae scum. Burnt Bridge Creek is a major tributary that flows into the lake and affects the condition of the lake. He would like to see a better joint effort between the City, County and the Clean Water Commissioners to do a better job on getting Burnt Bridge Creek cleaned up before it flows in the lake.

Mr. Bertish is concerned that Clark Public Utilities sank two wells into Vancouver Lake and that they could drain local streams and wetlands. Mr. McConathy commented that a study is posted at the Port. The findings of the study conducted indicated the drain would be de minimus due to the heavy connectivity to the Columbia River. Mr. Bertish urges the Commission to monitor this, as he believes that there could still be issues.

Mr. Bertish also brought up his concerns with the public comment period for the Agreed Order and permit modifications with Ecology. Ecology and the County both have a public component and he is concerned about the timing of these. Mr. Gray believes that a work session should occur near the end of September on the Agreed Order followed by a public hearing around the end of October to solicit public input. Mr. Winters explained that Ecology has sent Clark County a draft of the Agreed Order for review and has requested additional technical information. Normally, Ecology would not have to have a public process for an Agreed Order. However, the environmental community has contended that the Agreed Order is a modification of the Phase I Municipal Stormwater Permit issued by Ecology. The Pollution Control Hearings Board (PCHB) has ruled that permit modifications are subject to a public review process that includes notification in the state register, a public hearing and an open comment period for the public to submit written and/or e-mail comments. Ecology is not clear if this Agreed Order is in fact a permit modification or not. Ecology is trying to get clarification on this issue.

### **Action Items**

#### *Commission Training*

Ms. Olmsted provided an overview of the meeting with the facilitator on Monday, August 31. The firm will assist the Commission to be more effective, understand the priorities and come up with a process for a focused work plan. Mr. Rowell indicated that the county is asking the facilitator to develop a scope of work. The facilitator is proposing to complete a telephone interview with each commission member, complete a one-day retreat and two follow-up meetings.

### **New Business**

#### **Motion 2009-09-02**

Ms. Page moves that during the next meeting, October 7, to have Mr. Wierenga, the Clean Water Program Manager, explain what the County's intentions are with the Agreed Order and what does getting "there" mean. Ms. Olmsted strongly encouraged that the CWC board members attend the BOCC's work session if it happens prior to the next meeting. It was seconded by all.

### **Clean Water Program Updates**

There were no program updates at this time

### **Public Comments**

Mr. Nichols questioned something he had read regarding Clean Water Fees purchasing lands for a Legacy Lands project. Mr. Gray clarified that sometimes the Clean Water Program will jointly purchase lands if it fits the program's capital needs. The particular deal Mr. Nichols read about did not meet the program's requirements and did not happen.

**Adjourn**

The meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Bobbi Trusty

**Action Items**

- Mr. Wierenga to explain the County's intentions with the Agreed Order and what getting "there" means

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