Attachment E.

Development and Redevelopment Flow Restoration Program - Annual Report for 2010

Introduction

Agreed Order No. 7273 requires Clark County to submit an annual report describing the status of its Development and Redevelopment Flow Control Mitigation Program (referred to by the county as the Development and Redevelopment Flow Restoration Program).

The Agreed Order was appealed to the Washington Pollution Control Hearings Board and was subject of a hearing, with a decision rendered in January 2011. Clark County continues to implement the program while the decision is under appeal.

The NPDES annual report for 2010 is the first annual reporting year under the Agreed Order. After the Agreed Order became effective in January 2010, Clark County submitted quarterly reports for each quarter in 2010.

This report includes a short description of the program status and tabular data describing Flow Control Obligation, Flow Control Restoration Capital Project Credits, an annual summary of Obligation and Credits, and a financial summary.

Flow Restoration Obligation

Only two projects incurred an Obligation for Clark County by beginning construction in 2010. No projects incurred an obligation in 2009, when the program began. Table 1 shows that an obligation of 0.6 acres of impervious area and 1.4 acres of lawn accrued in 2010.

Table 1. Tracking Flow Restoration Obligation Areas by Development Project

Project ID	Project Development Inspection Number	Project Name	Vesting Date	Project Start Year	Project Completed Year	Historical Land Cover	EIA* Restoration Obligation (acres)	Lawn/ Landscape Restoration Obligation (acres)	Pasture Restoration Obligation (acres)
17		PAC PRECISION REBAR & ACCESSORIES	10/30/2009						
20		PAC FELIDA TERRACE SHORT PLAT	11/18/2009						
36		PAC HAZEL DELL SPORTS FIELDS	4/28/2010						
37	DIN 2010-00005	PAC AUTOZONE #4016	9/24/2009	2010	2010	FOREST	0.6		
56		PAC NE 72ND AVE OFFICE BLDG	10/21/2009						
65		PAC KWRL SCHOOL BUS FACILITY	5/28/2010						
74		PAC 28TH STREET SHORT PLAT	12/31/2009						
75	DIN2010-00007	PAC CHASE ANDRESEN AND 63RD	1/28/2010	2010	2010	FOREST		1.4	
82		PAC KOL AMI SYNAGOGUE	3/11/2010						
85		PAC U Haull Hazel Dell	9/15/2010						
97		PAC Vancouver East LDS Church	6/15/2010						

Flow Restoration Projects

Clark County refers to capital projects intended to make up the difference between flow control put in place by development projects under county code (controlled to predevelopment site runoff) and additional flow control required by the permit development requirements (to historic forest in most cases) as Flow Restoration Projects. Table 2 lists all projects completed since the program began.

Table 2. Flow Restoration Projects

Project ID	Project Name	Project Status	Estimated Project Cost	Actual Project Cost	Historical Land Cover	HG Soil Group	Flow Control Restoration Credits (Acres)		
							EIA	Lawn	Pasture
400830	NE 152nd St/NE 20th Ave Stormwater Retrofit Project	Completed	$1,047,000	$971,676	Forest	C	15	25.5	0
401632	Teal Pointe SWF* Retrofit	Completed	$700,000	$424,121	Forest	B	1.3	3.7	0
401886	Lakeshore & NW 99th St SWF Retrofit	Completed	$75,000	$136,269	Forest	B	1.9	5	0
401948	NW 4th Avenue/NW 90th Street SWF	Completed	$215,000	$362,013	Forest	B	2.9	5.3	0
401884	Hawks Pointe SWF Retrofit	Completed	$153,000	$240,738	Forest	B	1.2	3.8	0
401877	NE Hazel Dell Ave & 115th Cir SWF Retrofit	Completed	$317,000	$545,853	Forest	B	2.3	5.5	0
Total			**$2,507,000**	**$2,680,670**			**24.1**	**48.8**	**0**

*SWF = stormwater facility

Flow Restoration Program Summary

Flow Restoration Obligation must be met within two years of its accrual. Note that a negative net Obligation balance represents Flow Restoration Project Credits in excess of Obligation, or a surplus of credits. The summary will continue to show a negative balance when Clark County meets its Obligation.

Almost no Flow Restoration Obligation has accrued during the first two years of the program. The first year that an accrued Obligation must be met is 2011, and the current balance from completed Flow Restoration Projects provides a cushion as new development projects begin construction in 2011.

Table 3. Annual Flow Restoration Program Summary in Acres

Effective Impervious Area Flow Restoration Summary in Acres					
Year	Beginning Obligation Balance	Obligation Accrued 2-Yr Prior	Net Obligation (Beginning Obligation Balance – Obligation Accrued)	Area Restored by County Projects	Year-End Obligation Balance (Net Obligation - Area Restored by County Projects)
2009	0	0	0	0	0
2010	0	0	0	24.1	-24.1
2011	-24.1	0	-24.1	TBD	TBD
2012	TBD	0.6	TBD	TBD	TBD
Lawn/Landscaped Area Flow Restoration Summary in Acres					
Year	Beginning Obligation Balance	Obligation Accrued 2-Yr Prior	Net Obligation	Area Restored by County Projects	Year-End Obligation Balance (Net Obligation - Area Restored by County Projects)
2009	0	0	0	0	0
2010	0	0	0	48.8	-48.8
2011	-48.8	0	-48.1	TBD	TBD
2012	TBD	1.4	TBD	TBD	TBD
Pasture Flow Restoration Summary in Acres					
Year	Beginning Obligation Balance	Obligation Accrued 2-Yr Prior	Net Obligation	Area Restored by County Projects	Year-End Obligation Balance (Net Obligation - Area Restored by County Projects)
2009	0	0	0	0	0
2010	0	0	0	0	0
2011	0	0	0	TBD	TBD
2012	TBD	0	TBD	TBD	TBD

Note that negative Flow Restoration Obligation occurs when Flow Restoration Credits exceed Flow Restoration Obligation.

Financial Summary

Table 4 summarizes expenditures for all Flow Restoration Capital Projects and the end of the year Clean Water Fund balance. Project expenses include those completed in 2010 and being designed for possible construction in 2011 to 2013. Therefore, the annual project expenses in Table 4 differ from the Table 2 total cost for projects completed in 2010.

The fund balance is the amount remaining after the year's expenses are accounted for. After 2010, the fund balance available for capital projects is sufficient to complete projects currently under construction and several additional projects in design.

Table 4. Financial Summary

Reporting Year	Annual Flow Restoration Capital Expenses	Year-End Clean Water Fund Balance
2009	$763,271	$6,544,817
2010	$2,505,670	$4,732,908
2011		
2012		