

**STORMWATER ORDINANCE UPDATE**  
**STAKEHOLDER ADVISORY COMMITTEE (SAC)**  
**Meeting #5 Tuesday, November 13, 2007**  
**Clark County Public Services Center 1300 Franklin St., Vancouver**  
**6<sup>th</sup> Floor Training Room**  
**6:00 - 8:00 p.m.**

**N O T E S**

The meeting was called to order at 6:05 p.m.

**Introductions**

Members Attending

Bob Blakemore, Dan Bodell, Tim Dean, John DiVittorio, Eric Golemo, Steven Madsen, Don Moe, Joel Rupley, Doug Stienbarger, Art Stubbs

Members Absent

James Howsley

Staff & Consultants

Traci Carick, Tim Kraft, Robin Krause, Earl Rowell, Sue Stepan, Greg Winters, Jim Gladson, Heath Henderson, Ron Wierenga

Audience

Andrew Stoeckinger, Tim Keithley

Facilitator

Francine Raften

**Approvals**

The meeting notes were approved.

The agenda was approved.

**Member Updates**

Mr. Golemo stated the Development Advisory Board had a work session on November 1 to put together a list of recommendations that he will share at the next meeting.

**SAC Charter**

Ms. Raften reviewed the committee charge established in meeting #2. The group was asked if group still agrees with charge. Group agreed.

**Review role of facilitator**

Ms. Raften reviewed the nine steps to the consensus process. The group agreed to the consensus process.

## Quick Updates

### Ag and rural single family exemption

Mr. Krause explained that staff continues to work with the Ag community to get their input on the exemption.

### Basin Studies:

Mr. Krause stated staff has conceptual level cost estimates for the additional effort required beyond the SNAP work.

### Model calibration and rainfall data:

OTAK is putting together a proposal for calibrating the continuous model for soil conditions in Clark County and incorporating the rain fall.

LID manual - Staff is still working on the LID manual. LID will be a separate manual that will be referenced in the code.

Mr. Krause gave a quick recap of the changes agreed upon.

- **Eliminated** 2,000 SF for urban threshold
- **New:** 2,000 or more of new, replaced, or new plus replaced impervious surface - MR 1-5.
- **Change:** Was 1 acre, now 7,000 SF of land-disturbing activity without creation or replacement of impervious surface - MR 1-5.
- **New:** Converts  $\frac{3}{4}$  acre or more of native vegetation to lawn or landscaped area, or converts 2.5 acres of native vegetation to pasture - MR 1-10.

Mr. Krause discussed the outstanding question regarding 1000 SF for specific land uses for water quality and flow control. It's difficult to create a detention or water quality facility for 1,000 SF of surface. Staff is not finding a lot of reason to have this in the code.

Mr. Blakemore and Mr. Krause discussed the policy for frontage improvements verses onsite work and whether those would be added for the purposes of thresholds. Mr. Krause has asked this question of DOE. Currently, the TDA's would have to be looked at and if the water comes together within a  $\frac{1}{4}$  mile, it would be considered together for the purposes of threshold determinations.

Mr. Madsen asked if the detention pond is an impervious surface itself. Mr. Krause replied not for purposes of the threshold calculations, but it is for the purpose of calculating the amount of the water that will end up in that facility.

## Policy Recommendations

Ms. Raften tested for consensus on applicability (thresholds) by polling members individually.

Mr. Moe stated we should not divert from the DOE thresholds.

Mr. Madsen is still concerned about applications relative to the State Supreme Court case, issue of preservation vs. enhancement.

Mr. Rupley and Mr. Krause discussed applicability for discharges.

- Applies equally from all sites
- Any land disturbing applies to these conditions
- Ag would be covered under exemption which is still being worked on.

Mr. Blakemore stated guidelines have to meet the states minimum thresholds. The parameters of basin planning need to be clearly identified.

Mr. Bodell said new rules need to be adopted because a lot of the old ones do not apply anymore. It seems like the 1,000 SF rule isn't as important anymore.

Mr. DiVittorio stated it's easier to redevelop and improve stormwater. The way the minimum requirements are written now, it prohibits redevelopment due to forested conditions. Getting half way there would be a real benefit for water situation and the developer. Recommendations should be made along these lines.

Mr. Golemo believes redevelopment incentives are needed. Less desirable areas won't be redeveloped. There needs to be more flexibility on pavement replacement, currently there is no impact. If  $\frac{3}{4}$  acre of lawn is converted, water quality is triggered because of the pollution generated surfaces. What about a natural park or rain garden? Code needs more flexibility to show what is being created won't generate pollution.

Mr. Madsen: Maybe there needs to be an exception written that allows taking parks or vegetated surfaces out of the requirement if there is no pollution generated.

Mr. Krause suggested adding a definition to the code that states vegetated lawn that is not fertilized, is not considered pollution generated.

Mr. Stubbs wants clarification on the impact of Hwy 99 and how it prohibits redevelopment. Mr. Golemo explained a stormwater facility 1/3 landscape and 1/3 office building, 1/3 will be lost to stormwater.

Mr. Stubbs: Can't something be written into the code where specific areas are combined together for a single treatment or bioswale?

Mr. Krause explained that is what basin planning would do.

Mr. Stubbs discussed a complaint of economic development is the cost with all the regulations, incentives are needed. Need to combine strip of economic development.

Mr. Krause explained that basin planning could do that.

Mr. Stubbs asked if threshold planning could be inserted into the code. There needs to be a label placed on geographic area for redevelopment.

Mr. Krause stated focused public investment areas might be a start.

Mr. Golemo: What is the baseline for basin planning? Mr. Krause replied the target is not to erode the creeks and streams (refer to the Ecology manual Minimum Requirement 9, Volume 1, page 2-37 and appendix 1-A, specifically page A-2 last paragraph under "Basin Planning Applied to Flow Control").

Mr. Stubbs would like to see a specific plan for Hwy 99 written into the code.

Mr. Krause: Stop loss provision is another option. Once stormwater has met a percentage of dollars, that's enough and you're done.

### **Exemptions:**

Mr. Krause explained the only change for exemptions being proposed is AG and rural single family.

Mr. Madsen indicated that redefinition of pollution generating vegetated surfaces is needed. He would like to see something dealing with infiltration.

Mr. Rupley is concerned with road maintenance. Mr. Krause stated Scott Wilson has looked at the exemptions in regard to road maintenance. Activities will be added.

Mr. Krause explained that SAC consensus recommendations as well as input around issues where consensus cannot be reached, will be reflected in a staff report for the BOCC. The group will get the draft first of the SAC Executive Summary for review before it goes to the Board.

### **The Minimum Requirements**

Group is conceptually in favor of the minimum requirements.

### **Historic Prairie**

Mr. Krause presented three maps for historic prairie identification. These maps were produced independently by The University of Washington, The Habitat Institute and The Heritage Program at The Department of Natural Resources. The thoughts are that prairie is either going to be very dry (high infiltration areas) or wetlands. The proposal would be to use these maps to indicate if a project falls within the mapped areas.

- U of W researched cadastral map information and looked at 1850 survey drawings.
- The Habitat Institute produced a map with no truth checking or site visits. This map shows the majority of the county being prairie. The goal of this map was to show habitat loss.
- The Heritage Program produced a detailed map. This program was specifically looking for areas where endangered prairie plants may still exist. Site visits and truth checking were performed for this map.

Maps would have to be submitted to the DOE for review and the proposal would be for county to have these maps available through G.I.S. The requirement is forested unless proven otherwise. These maps would hopefully be the proof. Historically, prairie is found where it is too dry or too wet to support trees.

Mr. Madsen would like to see objective criteria.

Mr. Blakemore wants boundaries or lines. Mr. Krause explained scientific data would be needed to clearly define lines.

Mr. Stubbs expressed that delineation is needed.

Mr. Bodell asked if a Geotech said an area is prairie and it is somewhere where someone else suspects it isn't, is that good enough for plan review.

Mr. Rupley stated financial incentive is created to develop prairie land rather than forested. Do we now have to look at preserving some prairie land for habitat issues?

Mr. Madsen believes applicant needs to show substantial evidence to support the assumption of prairie when using the map. Mr. Stubbs stated the map could be the final authority.

After discussion, the proposal was to use the DNR map as an indicator. Staff would do further work to determine how specific site work could support the map on a site by site basis.

### **Forested Condition**

There has been a lot of discussion about the bigger ponds. The forested condition increased the pond size from 2 to 4 times bigger than current standards. Applying LID methods can reduce the size of the pond even to being smaller than current standards depending on site conditions.

Given all the previous discussions Mr. Krause asked if forested conditions are appropriate or not and Ms. Raften proceeded to poll SAC members.

Mr. Golemo stated basin study should address flow.

Mr. Madsen is concerned with stabilized banks upstream degraded from unchanging areas. Natural occurrences have tendencies to degrade stream flows. Will there be a dramatic line that shows where the development impacts start?

Mr. Wierenga replied there is good information in the science panel review of the 2001 manual. It shows the intent of the flow control standards and whether improvements in the streams are anticipated and channels are looked at for stabilization. The reversible trend is not possible with the current stormwater manual.

Mr. Blakemore believes basin studies are needed to see what condition the streams are in. The ordinance needs to get the streams back to workable condition.

Mr. Krause asked for consensus if forested condition is appropriate until basin planning is done to demonstrate a different standard or should it be appealed. Would it be practical on every site?

Mr. Rowell discussed the county is working on identifying areas to do basin studies but there is a cost.

Mr. Madsen asked if a payment in lieu could be adopted; comply or pay n' play. Mr. Krause stated this option is in the Ecology manual but it puts a big risk on the county. It would also have to be approved by DOE.

Mr. Blakemore asked for a development fee for basin studies.

Mr. Golemo has a concern about significant environmental impacts created by the sprawl. DOE said basin studies won't get around forested areas. Should we look at streams that are urbanized? He believes this issue needs to be looked at more.

Mr. Stienbarger has monitoring and funding concerns.

Mr. Madsen is concerned with the public bearing the cost of restoration. There needs to be additional funding.

## **Next Steps**

### Upcoming Technical Advisory Committee Meetings:

November 14, 2007, WDFW  
November 28, 2007, 78<sup>th</sup> St. B1  
December 12, 2007, 78<sup>th</sup> St. B1  
January 9, 2008, WDFW  
January 23, 2008, WDFW  
February 6, 2008, WDFW

### Additional Stakeholder Advisory Committee Meetings:

December 4, 2007, 78<sup>th</sup> St. B1  
December 18, 2007, PSC 6<sup>th</sup> Floor

## **Adjourn**

The meeting was adjourned at 8:40 p.m.

The next meeting will be held on December 4, 2007 in the 78<sup>th</sup> Street Conference Room B-1 at 4700 NE 78th Street, Vancouver from 6:00 - 8:00 p.m.

Respectfully Submitted,

Traci Carick