

**STORMWATER ORDINANCE UPDATE
STAKEHOLDER ADVISORY COMMITTEE (SAC)
Meeting #4 Tuesday, October 16, 2007
Clark County Public Services Center 1300 Franklin St., Vancouver
6th Floor Training Room
6:00 – 8:00 p.m.**

R E V I S E D N O T E S

The meeting was called to order at 6:00 p.m.

Introductions

Members Attending

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

Members Absent

Reg Martinson

Staff & Consultants

Traci Carick, Scott Ferre, Kevin Gray, Tim Kraft, Robin Krause, Earl Rowell, Sue Stepan, Ali Safayi

Audience

Chad McMurry (TAC Member), Greg Winters (Ecology), Andrew Warner

Facilitator

Francine Raften

Approvals

The October 2, 2007 meeting notes were approved as submitted.

The agenda was approved.

Member Updates

Mr. Madsen brought up concerns regarding the comprehensive plan process and the infrastructure deduction assumption; in relation to the apparently much larger storm facilities. As the new ordinance is developed those assumptions need to be kept in mind.

Mr. Golemo and Mr. Krause discussed the roll of SAC and the adoption of the new stormwater ordinance. Mr. Krause explained SAC was put together to make recommendations to the Clark County staff on the changes needed. The goal is for the

committee to provide information so the County can develop a code that is in compliance with the NPDES Permit.

Mr. Krause stated code revision language is being developed at this time through TAC. The concept codes show the existing code, revisions, and background for the changes. This draft will be sent out to the committee very soon.

Review items covered at 10/02/07 meeting

Reference the power point presentation

Mr. Krause reviewed Minimum Requirements 6 & 7 and the thresholds for each.

Policy Implication

Detention Pond Size

Existing conditions dictate sizes (not always 2X).

Mr. Kraft explained the continuous model. The new standard controls peak and duration. The current requirement controls only the peak discharge rate.

Mr. Madsen asked whether there are studies that show how the new detention standards improve stream condition, i.e. do they save more fish?

Mr. Rupley talked about an EDT (**Ecosystem Diagnosis and Treatment**) which is a professional judgment based model that measures 40 different criteria in a system. It shows within a reach, what the responses to particular species would be to restoration or additional degradation. There are also consumer reports that show the sensitivity to the fish to various actions.

Mr. Rupley urged the group to make sure the basin studies met the requirements DOE would accept.

Mr. Stubbs and Mr. Krause discussed vesting. Mr. Krause explained if the application is in before August 2008, you are vested under existing ordinance.

Mr. Madsen raised concerns over county asking developers, builders and landowners to spend a lot of money in new processes. The County needs to show degrees of improvement and should demonstrate benefits. Mr. Kraft stated the County is under mandate.

Impacts are far-reaching environmental development and urban growth expansion.

Mr. Krause and Mr. Rupley discussed the reason for SAC was to come up with recommendations for the new ordinance, which is mandated by the County. These recommendations will drive the idea of alternative approaches to Ecology and the BOCC towards accepting LID's and basin planning.

Mr. Krause stated staff is looking into GLO Cadastral Maps to determine presettlement

historic prairies. Some information is in GIS now and some is being worked on still.

Private vs. Public Facilities

Mr. Krause: Staff has brought up the discussion whether facilities should be private or public.

Mr. Madsen believes there should be one standard that applies to everyone; one size fits all.

Mr. Howsley explained from a legal standpoint, private facilities are riskier. The preference would be towards public facilities.

Mr. Dean recalled Clackamas County took over after private facilities weren't being maintained. A maintenance and operation manual could be drafted for the private facilities, but people have to remember to use them and not to wait until there's a flood.

Mr. Madsen thinks the policy should be public for residential property.

Mr. Krause and Mr. Wilson explained the County currently monitors facilities once a year. If a facility is not in compliance, a warning is given. After a couple of warnings are handed out, it would become a Code Enforcement issue.

Mr. Golemo stated the current code does not allow certain BMP's. The location of the facility is not flexible for private. The County wants facility in a tract, not in the right of way.

Public facilities are more likely to be maintained.

Ownership and education are important with private facilities.

Mr. Bodell raised the question of establishing a new utility district to manage, maintain, and conduct basin studies similar to what the utility companies do for sewer, water, and power.

Mr. Bodell believes that the best long-term solution would be public. May be more costly, but would be better maintained.

Mr. Stubbs stated if facilities were private, code should state mandatory dues for CC&R's to maintain facilities.

LID

S(5)(b)(iii)

The program must allow non-structural preventive actions and source reduction approaches such as Low Impact Development Techniques (LID), to minimize the creation of impervious surfaces, and measures to minimize the disturbance of soils and vegetation.

Mr. Kraft presented a list of commonly used LID BMP's.

- Bioretention
 - Rain gardens
 - Planters
 - Swales
- Pervious pavements
- Dispersion
- Amended construction site soils
- Reversed slope sidewalks

Other possible LID's were brought up:

- Open graded gravel
- Water reuse / rain water harvesting (rain barrels)

LID Manual vs. Ordinance

DOE must review and approve manual.

Mr. Stubbs asked if there was an engineer review that would allow new innovative ideas from developers. It would be nice to have an easier route to implement innovation and pilot projects.

The group agreed that a manual was preferable to just an ordinance.

Maintenance and Ownership of Facilities

A fee associated with the LID could go into a trust to maintain facilities. The fee would be tailored to the BMP.

Mr. Rupley said if the facility is maintained privately, there needs to be training of installation and maybe a certification.

Include a self-reporting requirement with installation and maintenance information with the homeowner association. If no report is filed, a red flag is raised to the County. The reporting system could be similar to that used by public health and sewer systems.

Education & Outreach

Mr. Kraft said there has to be a way to educate the public to preserve these LID's. They need to know what they are, what the purpose is, and what they can and cannot do. One component would be to make sure whoever inherits the LID's are educated as well.

Mr. Madsen mentioned the County had budgeted for an Outreach Coordinator for critical areas and LID outreach would seem to fit with that duty. To staff's knowledge, that position has never been filled. The Water Resources Department does have a Public Information and Outreach program.

Mr. Howsley and Mr. Rupley discussed that developers and realtors need to inform and educate new property owners. Title Companies are also critical in getting information to the new purchasers. There could be a brochure that new homeowners get at the time of closing on how to care for a rain garden.

Mr. Stubbs stated there is so much paperwork when closing, the brochure would probably get lost or thrown away. Maybe signage on site, "Keep Out".

Mr. Krause discussed the City of Gresham's plan. The homeowners take the responsibility. There is a legal document that goes with the property title and they have staff that actively do education and outreach work.

Mr. Dean brought up the concern of 3rd and 4th purchasers. There should be reinspection every 4-5 years to make sure these owners have the information. Mr. McMurry said there should be a sign at the curb stating:
For more information, go to website and have phone number listed.

Next Steps

Additional SAC meetings tentatively scheduled for DEC 4th and 18th.

Ecology Meeting on Friday, October 19, 2007 at 1:30 p.m. at
New Tradition Homes Conference Center
11815 NE 113th Street (across from Prairie High School)
Vancouver, WA 98662
Sponsored by The Realtor's Association

The next TAC meeting will be held on Wednesday, October 24, 2007.
The Washington State Department of Fish and Wildlife
2108 Grand Boulevard, Vancouver
1:30p - 4:00 p.m.

Adjourn

The meeting was adjourned at 8:00 p.m.

The next meeting will be held on November 13, 2007 in the PSC 6th floor training room at 1300 Franklin Street, Vancouver from 6:00 - 8:00 p.m.

Respectfully Submitted,

Traci Carick