

**STORMWATER ORDINANCE UPDATE
STAKEHOLDER ADVISORY COMMITTEE (SAC)
Meeting #7: Tuesday, December 18, 2007
Clark County Public Service Center, 1300 Franklin St., Vancouver
6th Floor Training Room
6:00 - 8:00 p.m.**

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, Don Moe, Joel Rupley, Scott Wilson

Members Absent

James Howsley, Steven Madsen, Doug Stienbarger, Art Stubbs

Staff & Consultants

Traci Carick, Gordy Euler, Jim Gladson, Kevin Gray, Tim Kraft, Robin Krause, Earl Rowell, Sue Stepan, Ron Wierenga

Audience

John Meier

Facilitator

Francine Raften

Approvals

Mr. Rupley requested the following correction to the December 4, 2007 notes: replace "group" on page 1, member update paragraph with "NOAA Fisheries."

The meeting notes were approved as corrected.

The agenda was approved as submitted.

BOCC Work Session Review

Mr. Gray reviewed the topics that were discussed at the BOCC work session on Wednesday, December 5, 2007. The board would like to see how the stormwater ordinance update fits into the comprehensive plan. The comprehensive plan has many goals and policies designed around surface water management and minimizing impervious areas.

The BOCC had the following questions about the ordinance:

- Vision
- Quantity control standard's effects on facilities
- Effects on the agricultural community

Mr. Gray previewed the power point presentation for the BOCC Work session on Wednesday, December 20, 2007. He asked SAC members for their comments and ideas.

Vision: Maintaining the health of the ecosystem

Mr. Gray explained that there is a lot of discussion about maintaining the health of the ecosystem and we need to ask ourselves what does the health of that ecosystem look like? He presented slides demonstrating the historic (forested) stormwater cycle using the example of Whipple Creek, how it has changed under current development approaches (today), and what it might look like in 2050 based on today's policies versus the updated policies from the Comprehensive Plan. The slides demonstrated how new approaches to development coupled with long term retrofit of existing infrastructure can significantly increase groundwater recharge, decrease stormwater runoff, and decrease the erosive pressure on streams.

Mr. Blakemore asked if rain gardens should replace some of the ponds due to the high maintenance cost attached to them.

Mr. Gray replied that this involves the retrofit. Retrofit will happen over a long period of time but the county does not currently have the money or the staff to do the retrofit or the basin planning that's needed.

Mr. Gray was asked if it was worth the cost for, as an example, 10 days difference of benefit. Mr. Gray responded that if you don't start somewhere, you never get to the vision.

Ecology Flow Control Standards and their effect on stormwater facility sizes

Mr. Gray explained that the slides provide a visual of the current code and how it affects a routine development if the design follows the Ecology standards.

The example is in a 12 lot subdivision cul-de-sac, the pond size is the size of one lot. Using the ecology standard flow control, the pond would take up 4 lots. Being innovative and creative with the design and using LID's and different transportation standards (smaller streets, rain gardens, pervious pavement, etc.), the pond would take up 2 lots.

Flow control standards affects on facilities - Predevelopment Options

- Current code with 30-year pre-development standard
- Tiered approach - standards dependent on individual basins (site conditions)
- Forested Standard - Ecology Manual (with extensive variance/stop-loss consideration)

Option 1: Using the current code:

PROS: Smaller and less expensive flow control facilities
More area for lots

CONS: Likely no NPDES compliant
Potential for fines and or lawsuits
Increased stream erosion
Decreased groundwater recharge
SEPA EIS (non project action may not be a simple project).

Option 2: Tiered approach:

PROS: Less stringent standards in some basins
Preservation of vision in environmentally significant basins

CONS: Need basin studies
Increased ordinance complexity
May not comply with NPDES and/or Ecology Manual

Mr. Golemo suggested tiers based on individual sub-watersheds.

Option 3: Forested Condition (Ecology standard):

Includes:

- Variance Process/Stop-Loss Provision
- Low Impact Development Techniques
- Establish Basin-level flow targets through basin studies
- Incentives

PROS: NPDES compliant
Reduced stream erosion
Maximize groundwater recharge (w/LID)

CONS: Larger ponds
Time and cost to complete basin studies
Economically challenging

It was surmised that portions could be combined of Options 2 and 3.

Agriculture thresholds

Mr. Gray explained that the goal is to work with the agricultural community and develop guidelines specific to agricultural sites where work can easily be done by the farmers without hiring an engineer.

Mr. Rupley explained that pollution generated surfaces can be minimized fairly simply by using down spout systems as long as the roofs are painted or coated. Flow control can be handled by existing management practices that the farmers already know how

to do. The manual should be creative to get some BMP's without consulting an engineer.

Mr. Gray concluded the board presentation review and Mr. Krause moved on to the SAC agenda.

Stop-Loss Provision (refer to PowerPoint presentation)

Mr. Krause explained that Ecology included the stop-loss provision specific to redevelopment and replaced impervious surfaces.

King County has proposed a limit if the cost of the flow control facility to mitigate these surfaces exceeds 1/3 of the valuation of proposed improvements (including interior improvements) or twice the cost of a facility to mitigate the same surfaces on a new development site.

Mr. Krause asked SAC members to discuss the goals of a stop-loss provision. Should it be equitable for the environment or based on economics of the individual projects? Should a higher end development have to do more to protect the environment than a lower end project?

Mr. Bodell said 1/3 could be a significant amount of money depending on the building.

Staff discussed that 1/3 is the maximum; costs could be less.

Mr. Golemo doesn't believe that the stop-loss would encourage redevelopment.

He believes that there will be an issue with the high costs as the profit margin would not be close to making redevelopment feasible. All that can be done should be done first such as maximum flow control and infiltration. In situations where these are not possible, that's where the variance and stop-loss should come in. Percentage of the site is another option. Relating it to LID is yet another option. Mr. Golemo asked at what point the County is willing to forego development. He commented that it would be good to have guiding principles from the County.

Mr. Krause asked SAC members to discuss the pros and cons of a dollar approach. Ecology is fairly open to different stop-loss approaches.

Mr. DiVittorio believes guiding principles are needed from the county for redeveloping. From a stormwater perspective, at what cost are you willing to develop and articulate that. How can we mitigate the costs so people can develop if it's below the thresholds? It's hard to stick a number on it when you're not sure what you are trying to achieve in terms of development. It seems arbitrary.

Mr. Krause asked regardless of the flow control standard, what is the limit for a particular site as to what they need to do for stormwater? This is supposed to be the point at which economically you go to a range that is not feasible regardless of the options available.

Mr. DiVittorio stated that there should be a lot of leverage with Ecology on redevelopment. Situations should be able to be improved before those high costs are met. And that we should be talking about the level of improvement- not costs; not dollar value but the reduction of off-site runoff.

SAC members discussed King's County proposal of 1/3 of the value is too high. Instead of a dollar value, reduce off-site runoff by approximately 25%.

Mr. Krause asked except for runoff, at what point does a project qualify for certain standard threshold requirements. Which standards do they qualify for? Is the suggestion to apply to all pervious surface or where it's difficult to achieve?

Mr. DiVittorio asked if it is likely to go to redevelopment with the new standard at a reasonable cost.

Mr. Golemo replied that if there is decent infiltration, the cost would be reasonable.

Mr. Krause added that it depends on the size of the building. If it's a 5-story building, the returns will be much higher. He stated that it will be very site specific on how much money you can spend on underground vaults in the parking lots.

Mr. DiVittorio suggested a cost threshold. If the new performance is met half way between existing performance and what the new ordinance requires, that's enough. Once a certain percentage of the budget or dollar amounts are met then look at a different standard.

Mr. Golemo is concerned that cost estimates are very subjective and there could be possible appeals.

Mr. Rupley suggested working off the assessed value. Once you get there, it triggers an outcome based approach which says you have to reduce off-site flows by X%.

Mr. Kraft stated that if you want to allow redevelopment to occur, you can't expect people that are doing a \$500,000 improvement to do a \$200,000 stormwater facility.

Mr. Rupley added that the group needs to be looking at good incentives to redevelop bad looking sites. Upgrades are needed to reduce off-site discharge.

Mr. Golemo added what about a certain amount of cost per acre which could be based on average percentage of new development.

The group agreed to table the other agenda topics until the next meeting.

Adjourn

The meeting was adjourned at 8:05 p.m.

The next meeting will be held on January 8, 2007 at the
Public Service Center
6th Floor Training Room
1300 Franklin Street, Vancouver
6:00 - 8:00 p.m.

Respectfully Submitted,

Traci Carick

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ENFORCEMENT\MEETINGS\SAC\SAC7\SAC #7 NOTES.DOC
January 9, 2008