

**STORMWATER ORDINANCE UPDATE
STAKEHOLDER ADVISORY COMMITTEE (SAC)
Meeting #9: Tuesday, January 22, 2007
Clark County Public Service Center, 1300 Franklin St., Vancouver
6th Floor Training Room
6:00 - 8:00 p.m.**

**DRAFT
NOTES**

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

Introductions

Members Attending

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

Members Absent

John DiVittorio, Scott Wilson, James Howsley, Dan Bodell

Staff & Consultants

Traci Carick, Jim Gladson, Tim Kraft, Robin Krause, Earl Rowell

Audience

George Vartanian (Planning Commission)

Facilitator

Francine Raften

Approvals

The January 8, 2007 meeting notes were approved as submitted.

The agenda was approved.

Stop-Loss Provision

Mr. Krause reviewed the last meeting with Ecology and the recommendation of the alternative standard for the stop-loss provision. DOE believes that demonstrating this standard to be equivalent with the current provision could be challenging.

An analysis could be performed on ten redeveloped projects that have occurred over the last year. Equivalency can be determined by examining the results of these projects under Ecology's current provision and the proposed alternative standard.

Another option is to look at the current code and the percentage of the project budget for stormwater infrastructures. King County's proposal of 1/3 will also be looked at to find out how that determination was reached.

Mr. Rupley suggested that the SAC recommendations be approved by Ecology first. In order for DOE's acceptance of the suggested solution, equivalency must be proven.

Mr. Stubbs believes that DOE's standards may not be economically feasible. If alternative options are substantiated, DOE should accept them.

Mr. Madsen and Mr. Blakemore discussed building costs. Mr. Madsen believes these costs would be the same as in the building permit evaluation which would be a definable number.

Mr. Krause added that some projects only have a constructed shell and the tenants complete the interior improvements.

Mr. Madsen stated that there is no rational relationship with the interior of a building and the stormwater impact. This is a project feasibility issue so it makes sense that the entire project be included in the cost. Developers could phase the project construction to meet the stop-loss provision by applying for the shell construction permit and later applying for the interior work permit as to not raise the evaluation.

Mr. Krause stated that this is why an equivalent alternate standard is needed so there won't be cases like these. These cases can be used in the studies to show Ecology.

Draft Code Comments

Mr. Krause asked members for their comments on the Clark County Draft Code 40.380.

Mr. Madsen would like to move the definition section up.

Because of the detailed information and calculations, Mr. Rupley feels that the stormwater infiltration design section on pages 11-12 section E should be in a technical memo instead of an ordinance.

Mr. Golemo believes that a reference to the Minimum Requirements needs to be added.

The list of publicly-owned runoff treatment facilities was discussed.

Mr. Krause explained that the list was generated due to the ongoing high maintenance costs involved with public facilities. The County pays to maintain the public facilities long-term. The idea is for people not to automatically choose storm filters because depending on the size of the facilities can be very expensive to maintain. The list is in order of preference.

Members were asked if the list of facilities should be removed or should criteria be developed for each item.

Mr. Rupley recommended getting rid of the list and noting that the facilities shall be selected based on long-term maintenance costs.

Mr. Golemo suggested changing the language to confirm that the list is prioritizing the facilities based on maintenance costs.

Mr. Madsen asked who is selecting the facility. Mr. Krause replied that the wording needs to be changed to reflect that the engineers select the facility.

Mr. Madsen and Mr. Krause discussed the criteria for the facilities. Mr. Krause stated that feasibility also needs to be part of the criteria. Using long-term maintenance costs only would be too restrictive.

Mr. Blakemore responded that the criteria would also have to be site applicable.

Mr. Kraft discussed that these public facilities are owned by the county; shouldn't the county have a say in what they are going to maintain? How can this be done without the list?

Mr. Krause explained that the TAC group did not want to eliminate BMP choices nor did they want a large number of BMP's that are expensive to maintain long-term. The intent of the list was to show that you could still use storm filters if you can show that the other types of facilities are infeasible for the project.

Mr. Rupley believes with the list, there is still the problem of proving what the feasibility issues are. By eliminating the list, it becomes more clear and flexible to accommodate new technology. If the main purpose for the list is to give developers an idea of what facilities are preferred, it should be put into a guidance manual instead of the ordinance.

Mr. Krause recapped the main issues with the list of publicly-owned facilities:

- Look at the criteria
- Remove the list
- Keep the list and add a formal guidance document

Review SAC Summary Report

Mr. Golemo recommended listing suggestions and solutions to the flow control and forested conditions on pages 6-7 to show how the group reached that decision.

Mr. Krause added that because of the magnitude of this topic, there needs to be more background information and details provided.

Mr. Golemo and Mr. Krause discussed the variance process. Mr. Golemo believes that the variance language is confusing. Variances are generally used in planning issues and that a modification would be more appropriate language than a variance.

Mr. Krause replied that the term variance cannot be completely eliminated because the proposed approach will be listed under the Variance Process.

Mr. Rupley suggested changing the language to define the word variance as a process and a modification as the result of a process.

Mr. Madsen believes that the term variance is inappropriate. A variance is deviating from the code but not the plan. A modification would be a change that needs some other equivalent functionality.

Mr. Golemo feels that there should be more details in the types of variances. As the code is currently written, everything falls under the Type 2.

Mr. Krause replied that this was not the intent. Clarifications will be made to show that not all processes skip to the Type 2.

Next Steps

Mr. Madsen will represent SAC at the next BOCC work session to give a brief summary of the review process.

Future SAC meeting #10: March or April (TBA)

Adjourn

The meeting was adjourned at 7:55 p.m.

Respectfully Submitted,

Traci Carick