



Clark County Environmental Services

2013-2018 NPDES Stormwater Permit STAKEHOLDER ADVISORY COMMITTEE

October 16, 2013, 4:00 – 6:00 p.m.
Elections Building - 1408 Franklin St., Conference Room

Attendees:	Don Benton, Ron Wierenga, Rod Swanson, Jane Tesner Kleiner, Chris Clifford	Clark County - DES
	Heath Henderson, Greg Shafer, Sue Stepan	Clark County – Public Works
	Holly Gaya	Clark County - PIO
	Jon Dunaway	Clark County – Fire Marshal
	Doug Ballou	NACCC
	Jeff Breckel	Lower Columbia Fish Recovery
	Barry Cain	Gramor Development
	Jim Carlson	Clean Water Commission
	Maury Harris	Salmon Creek Watershed Council
	Michele Holen	Clark County Association of Realtors
	Lehman Holder	Sierra Club
	Jennifer Halleck	Vancouver Public Schools
	Jamie Howsley	BIA of Clark County
	Ryan Jeynes	City of Battle Ground, ASCE SW Branch
	Lance Killian	Killian Pacific
	James Martin II	Washington State University
	Bonnie Moore / Elizabeth Scott	Columbia River Economic Devel. Council
	Jeff Deringer	Nutter Corporation
	Kenneth Opp	Real Property Management Services
	Sydney Reisbick	Friends of Clark County
Kali Robson	Nothing But NW Natives	
Ginger Schmidt	Hazel Dell/Salmon Creek Business Assoc.	
Gretchen Starke	Vancouver Audubon Society	
Dave Cone	Evergreen School District	
Kevin Tapani	Tapani Underground	
Kevin Wann	Pacific Lifestyle Homes	
Terry Wollam	Re/Max Equity Group	

Agenda Topics:

4:00	1. Welcome and Introductions	Clark County staff
4:05	2. Feedback from last meeting	All
4:20	3. Design Manual and Code update changes – Main Issues of concern – a deeper look at issues related to updates:	Ron Wierenga
	<ul style="list-style-type: none"> • Development project applications and review processes • Ownership of stormwater facilities • Costs associated with potential changes • Maintenance issues 	
5:55	4. Next steps	Jane Tesner Kleiner



MEETING SUMMARY:

As of 10.21.13

Welcome - All

Overview –Recap of last meeting and goals for this committee – conduit for information to public and from the network of citizens represented by this group. Handouts available (LID Tour guide book, Rain Garden Handbook, etc.)

Feedback since last meeting

- Review of NPDES Permit Minimum Requirements – how they apply to development and redevelopment [*we will include a link to the permit Appendix 1 as well as handouts on MRs*]
- Will the SAC review all aspects of the permit (i.e. maintenance, inspections, monitoring, etc.)? – SAC will focus on code and manual updates but can cover other questions related to these topics.
- Will the SAC review the maintenance standards? – Design standards will be set by the approved manual....maintenance standards may be updated. If there is a performance failure we will go back to the original design requirements. If a private facility does not function, the owner is required to fix. If it is the County's facility, we need to fix. Upgrades to facilities to meet current standards depend on the regional need in the subwatershed and the opportunities on the site, as well as funding.
- Proposed changes – Staff will prepare a memo that identifies what DOE requires and what we propose to address.

Design Manual Table of Contents review (Tim) – (see handout)

- Goals for the manual include creating a comprehensive user-friendly document that can allow “one-stop shopping” for customers preparing their permit applications related to stormwater requirements.
- What are the minimum thresholds for meeting requirements? They will be described in Chapter 1 for amount of impervious surface and/or land disturbance. There is limited ability to change the thresholds from DOE. For example, gravel is considered impervious, but we cannot change. [*Refer to email reference to the Permit's Appendix 1*].

Follow-up on issues or concerns

- Older facilities (i.e. detention basins or swales) will not change but maintenance requirements may change. Can there be a written set of specifications so that HOAs know what they need to do for maintenance? Make simple fact sheets as opposed to digging through a large document (make the information easy to access). When the design plan for a development is approved, could a maintenance plan be submitted for that specific facility....could this be a requirement to ensure that the facility is being maintained to the necessary specs? There needs to be clear procedures so that as there is turnover in staff/owner, there are articulate requirements. Make it site and facility specific for post-inspection as well as on-going inspections or corrective maintenance. (Gresham example for self-reporting – a signed agreement that the owner would say they would meet a certain level of requirements). Vancouver School District maintenance team is creating a preventative maintenance plan for their sites. It would be helpful for the owner to have a list that the County will inspect to when they perform the compliance inspections....clear expectations for both owner and County staff.
- LID is relatively new in our community so the maintenance expectations will be newer to owners.
- Would it be helpful to have letters of support /endorsements for the tract we are taking with the modifications? Our goal is to get out the message of the updates and gain consensus on the products that are produced. Any level of support is needed. The goal is to gain consensus that we've captured the best methods for meeting our permit requirements.
- Would third party inspections be helpful? Not if it costs more money. If there are clear expectations, then the owner can probably perform the inspections cheaper. The county could look at potentially training the owner on how to inspect and maintain. Therefore the owner could self-report to County.
- Public facilities are required to have 95% of facilities inspected. DOE is open to reducing inspections if the facility has a good track record. Could this be applied to private facilities? Per Public Works, in 2010, non-compliance of facilities was 70%. This past year, non-compliance has dropped to 27% due to increased inspections.

- It would be helpful to increase notice to the facility owners of what they are supposed to do. We have a staff person who works with HOAs and businesses. Need to have clear messaging as to who has what level of responsibility (to inspect and maintain and repair).
- As we move to LID requirements, facilities become smaller and less identifiable as a stormwater facility. How will we educate the public to understand that the facilities are there and they need to stay? Recorded easements will help homeowners have the required information (what it is, what it does, etc.). We need to help educate the public on LID requirements. Homeowners may want to change the properties over time unless expectations are clearly defined and the facility is required. DOE will require easements on certain facilities but not everything (i.e. rain gardens). It will be a County decision as to what level we want to require easements. For example, a 100-unit subdivision will have a significant number of facilities as opposed to past developments of one or two facilities.
- Permeable surfaces – need for maintenance, is freezing a problem? The under-drainage is designed to get the water away from the surface to minimize impact to the surface if temperatures drop below freezing. Either in the subbase system or piped to secondary facility.
- Is there guidance to make sure that you have a fully functioning facility? The stormwater management plan gets approved in the plan approval process but does not always get to the individual builders so that there are clear expectations. If something is built in someone's backyard, it would be difficult to inspect. The county needs to ensure that the goals for the overall subdivision stormwater plan are met in the individual lots. Individual homeowners may try to fix the problem by piping to the street to reduce flooding of a neighbor. Individual site conditions may create challenges to fix on site to meet requirements.
- Creating requirements that allow flexibility on solving the site conditions for stormwater management.
- Policy decisions around the number of county-owned facilities – County doesn't maintain commercial stormwater facilities...those are owner maintained. Residential developments have had the opportunity to stay private or become publicly owned. We are considering a change in policy to not accept additional stormwater facilities unless they are public works (i.e. roads, parks, etc.). Sounds good but may have lower quality. This could lower costs but may also expect varying results. Barriers include HOAs that just have the stormwater facility but no other common areas, the HOA could dissolve over time and there is no responsible party....who is the owner? Camas recently is considering going back to making them all publicly owned as they are ultimately responsible. What are the costs associated with the change in policy? The County has a fairly thorough inventory so we can track anticipated costs. That maintenance comes from the Clean Water Fund (\$33/year) so as more facilities are added it stretches the fund's ability to maintain. Currently over 1,000 facilities but more will be added as development continues.
- The Clean Water Fund is set to manage the County's stormwater assets. Without raising the fee, we have fewer dollars to maintain more facilities. The Clark County fee is lower than other jurisdictions. The SAC will not be addressing if our fee is appropriate for the need. Other discussions outside of the SAC can address the need for a fee increase to cover anticipated costs.
- Private vs. public ownership may require the same design standard to minimize operation costs and can access the sites. There are budget implications to public vs. private facilities.
- System development charges? Would that be appropriate in this location?
- Which facility works better – several rain gardens throughout a project vs. piping to a centralized system? We are learning that decentralized systems work better as they let water filter and infiltrate where the rain falls. If we need to control flows better, we need to not pipe it to a centralized system.
- The update process is just for unincorporated Clark County. The cities are under separate permits, but they will be updating their requirements after the following year. What happens when there is annexation and how do facilities transfer? There are currently no intermodal agreements in place, but the public land and facility go the jurisdiction. If it is privately owned, it stays the land owner's responsibility.
- At some point, is there a fine and the county will fix it? Not necessarily, it could be a civil infraction where a lien is placed on the property (in rare instances). Foreclosure properties are a challenge as properties are owned by banks and have unclear ownership.

Clark County Stormwater Manual 2013-2014 - Outline

Draft - 10.16.13

- **INTRODUCTION** – Purpose, Applicability of this manual, Organization of the manual, How to use this manual, Glossary, Acronyms
- **CHAPTER 1** - Minimum Requirements for New Development and Redevelopment Projects and Submittal Requirements
 - 1.1 Exemptions
 - 1.2 Definitions Related to the Minimum Requirements
 - 1.3 Applicability of the Minimum Requirements
 - 1.4 Minimum Requirements MRs #1-9 described
 - 1.5. Variances
 - 1.6 Site Plan Submittals for Projects Triggering MR #1 - #5 (engineer site plans and non-engineered residential projects).
 - 1.7 Site Plan Submittals for Projects Triggering MR # 1 - #9
 - 1.8 Post-Approval Site Plan Revisions
- **CHAPTER 2** - Stormwater Pollution Prevention for Construction Projects
 - 2.1 Purpose
 - 2.2 How to Use this Chapter
 - 2.3 Thirteen Elements Listed
 - 2.4 Relationship to Regulatory Requirements
 - 2.5 Stormwater Pollution Prevention Plan Requirements
 - 2.6 BMP Standards and Specifications (keep the Ecology Manual's BMP numeric designation) Source Control Measures & Site Runoff Conveyance and Treatment BMPs
 - 2.7 Resource Materials
- **CHAPTER 3** - Hydrologic Analysis, Flow Reduction BMPs and Flow Control BMPs
 - 3.1 Purpose
 - 3.2 How to Use This Chapter
 - 3.3 Hydrology Analysis
 - 3.4 Flow Reduction and Control Design using Infiltration, Dispersion and Detention (Approach, Surface Runoff & Dispersion BMPs, Infiltration & LID BMPs, LID Practices, and Detention BMPs,
 - 3.5 Conveyance Design, Off-site Analysis
- **CHAPTER 4** - Structural and Operational Pollution Source Control BMPs
 - 4.1 Overview
 - 4.2 Stormwater: Your Role
 - 4.3 BMPs for All Commercial, Public Agency and Industrial Activities (Required and Suggested BMPs
 - 4.4 Source Control BMP Information Sheets
 - 4.5 Stormwater Treatment and Spill Control BMPs
 - 4.6 Agency Requirements
 - 4.7 Contacts List: Phone Numbers and Web Sites

- **CHAPTER 5 - Runoff Treatment BMPs**
 - 5.1 Introduction
 - 5.2 Treatment Facility Selection Process
 - 5.3 General Requirements for Stormwater Facilities
 - 5.4 Pretreatment BMPs
 - 5.5 Oil-Water Separators
 - 5.6 Filtration BMPs
 - 5.7 Wetpool Facilities
 - 5.8 Policy on Emerging Technologies Approved by Ecology

- **CHAPTER 6 - Financial Guarantees**
 - Purpose and Description
 - Performance Security
 - Maintenance Security

- **CHAPTER 7 - Administrative**
 - Purpose and Description
 - Maintenance of Private Drainage and Stormwater Facilities
 - County Acceptance of New Stormwater Facilities
 - Stormwater Pipe Testing
 - Infiltration Facility Testing
 - Deeds and Easements
 - Covenants
 - Construction Materials
 - Stormwater Conveyance and Facility Labeling and Signage

- **CHAPTER 8 - Stormwater Facility Operation and Maintenance Standards**
 - Introduction
 - Individual *Fact Sheets* for each type of facility

- **APPENDICES - May include the following information**
 - Standard Stormwater and Erosion Details and Diagrams
 - Basic Treatment Receiving Waters and Flow Control Exempt Surface Waters (DOE)
 - Guidelines for Wetlands when Managing Stormwater (DOE)
 - Recommended Standard Notes for Erosion Control Plans (DOE)
 - Background Information of Chemical Treatment (DOE)
 - Hydrologic Tables and Graphs
 - Example Covenants
 - Clark County Soil Groups for WWHM (January 2010)
 - Western Washington Hydrology Model Information (DOE)
 - Ecology LID Flow Modeling Guidance (DOE)
 - Recommended Newly Planted Tree Species for Flow Control Credit (DOE)