



Meeting Summary

Wednesday, March 7, 2018

6:30 pm - 8:30 pm

**Public Service Center, 6th Floor Training Room
1300 Franklin Street, Vancouver**

Members Present: Marie LaManna, Brendan Addis, Jeremy Burnett, Michelle Girts, Janice Killion, David McDevitt, Holly Norris, Mark Schneider, Josh Seeds

Members Absent: None

Staff Present: Andrea Logue, Cary Armstrong, Eric Lambert

Partner Agency Staff Present: None

Public Present: Ray Killion

I. ROLL CALL

No changes were proposed to the meeting summary for Jan. 3, 2018, and Commissioner McDevitt moved to approve. Commissioner Girts seconded the motion. All voted aye. Motion carried.

II. PUBLIC COMMENT (0:50)

None.

III. PRESENTATION / DISCUSSION / RECOMMENDATION / ACTION

Welcome New Commissioners (1:08)

Janice Killion and Josh Seeds each introduced themselves:

- Commissioner Killion – a retired public attorney who specialized in water issues in California and retired to Washougal about one year ago to be close to her daughter and grandchild. She would like to serve the public with her arcane knowledge of National Pollutant Discharge Elimination System (NPDES) permits and stormwater.
- Commissioner Seeds – is an ecologist and works for the State of Oregon Department of Environmental Quality focused on drinking water protection in forestry and agriculture. Occasional work on stormwater tends to end up at the intersection of law, policy and science. Serving as a commissioner will enable him to engage in water quality issues in his home state of Washington.

Private Stormwater Facilities (6:40)

Cary Armstrong, Senior Environmental Specialist in the Clean Water Division, provides technical assistance to citizens and businesses to comply with private stormwater facility maintenance. There are about 1,200 private stormwater facilities in Clark County, of which 900 facilities are regulated by the NPDES permit. The permit requires at least 80% of the regulated facilities to be inspected annually, but the county's goal is to inspect all 1,200 facilities each year.

In 2008, the Clean Water Division contracted with Public Works Construction Management to inspect both private and public stormwater facilities. As of 2017, the Clean Water Division is inspecting the private stormwater facilities, while Construction Management continues to inspect the public facilities. All private facilities were inspected in 2017 with a newly developed GIS-based mobile application replacing a time-consuming process of paper in the field and data entry in the office.

The data is currently being compiled to determine which private facilities require the most help. The first priority is to remediate to compliance non-functioning facilities regulated by the NPDES permit.



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If a facility fails an inspection, it can still be considered under the permit as functioning or providing water quality treatment and flow control. A failed inspection is defined as not maintained properly. For example, a level spreader in a facility might be below grade resulting in a failed inspection, but the facility is functioning because the water is still treated as it flows through. While the permit does not require this functioning facility to be fixed, as time passes the issue can increase to non-functioning and the cost to fix may be significantly more expensive.

The second priority is to address non-functioning facilities not regulated by the permit. The third priority is functioning facilities that need some help.

Private stormwater facilities owned by businesses are handled by Bob Patterson, Operations Specialist in the Clean Water Division.

Municipalities have different requirements for stormwater facilities. The City of Camas code stipulates all facilities are private. During annexation of county property, any public facilities will be re-designated private. In King County, facilities owned by businesses are private and those owned by homeowners associations (HOAs) are public. King County's stormwater fees are higher to employ more staff to maintain the facilities.

Clark County allows the developer, working with an engineer, to choose if stormwater facilities will be public or private. Both facility types have to meet water quality and flow control standards. For public facilities, the county specifies access requirements: slope of less than 15% grade and not greater than 3:1 and completely fenced with a 15 foot gate. The public option typically entails more land and is more expensive. The private option can be a smaller, unfenced footprint with a steeper slope that will eventually be given to the HOA.

A significant portion of Cary's work is trying to identify and contact HOAs. Similar to other municipalities statewide, there is not a comprehensive list of HOAs in Clark County. Through Stormwater Partners of SW Washington, Clean Water Outreach Specialist Eric Lambert is also guiding a collaborative effort across Clark County and including the City of Longview to compile HOA contacts. Typically, Cary goes door-to-door in a subdivision asking homeowners: do you know your subdivision is responsible for a private stormwater facility, is there an HOA, and who is the president? Often, the response is, "I moved to this subdivision because I was told there was no HOA" or "I don't want an HOA." Cary's next step is hold a neighborhood meeting to explain the options. An existing subdivision with a noncompliant stormwater facility is not required to have an HOA. However, an HOA has legal authority to collect money, and even place a lien on a property, to repair a facility to bring it in compliance with the permit.

To close this loophole, new county code stipulates the formation of an HOA by the developer and each purchaser of a lot (a builder or individual) is required to join.

Cary supports collaboration with the Clean Water Commission to research and contact HOAs.

The process of developing a subdivision starts with the developer building roads, sidewalks and stormwater infrastructure. Then, the lots are sold to builders. Sometimes, the developer may also build the houses. In the past, Clark County would inspect and sign off that the stormwater facilities were built and engineered according to the plans, but before the homes were built. During the building process, trucks deposited mud in the stormwater facilities. The county was working through a backlog of facility maintenance, so years would pass before the compromised facilities were discovered. Now, Clark County monitors stormwater facilities every six months for compliance, when they are still the developer's responsibility, until construction is complete and an HOA takes control of them.



The engineer for the developer designs stormwater facilities based on the impervious surface area to be constructed. Public Works Development Engineering reviews the plans for adherence to the code; they do not review the design due to a past decision from the Clark County Council to accept the stamped approval of the private engineer and avoid excess work.

The typical issues with non-functioning private stormwater facilities are overgrown with blackberries or noxious weeds, the grade is wrong, and ponds are plugged. Bioswale maintenance tips Cary recommends to an HOA to save money are:

- Clean sediment trap with a flat shovel two times per year
- Mow the swale six times per year

There has been a marked increase in underground stormwater filter vault installations. Unfortunately, these facilities are primarily subsurface, hence out of sight and out of mind. Moreover, the lids are really heavy to lift and often no one knows it's there. An HOA will need to contract with a company to clean these vaults and replace the filter cartridges about every three years. Each cartridge is \$300-\$400. The advantage for the developer is where there was once a pond or a swale that demands a lot of area now requires less space and is hidden underground, which allows for additional housing units.

Washington State Department of Ecology establishes rules and guidelines. When building new construction, stormwater management is needed depending on the amount of impervious surface area added. Clark County Code requires as the first option low impact development to infiltrate stormwater on-site, if the site can handle it. Eastern Clark County soils allow for successful infiltration on-site, reducing the need for pipes. Western Clark County soils do not infiltrate well and other options are considered, such as ponds and swales.

When new code regulations are on the horizon, there will be a rush of applications. There are instances of stormwater facilities approved under older regulations that can still be built today.

Once Cary has the data ready, Chair LaManna and the Outreach Group would like to help reach out to HOAs.

With five Clean Water Division staff, approximately 20 private stormwater facilities can be inspected in a day.

Under a prior NPDES permit, Clark County sampled stormwater quality, but now the Department of Ecology conducts the sampling.

There are approximately five designs of stormwater facilities in Clark County, but they all have their unique challenges. The most basic are a bioswale and a pond. An underground filter vault provides treatment, then the water is directed to a flow control structure, and finally discharged to a dry well (regulated under the state's underground injection control rules), a pond, a creek or Clark County's stormwater infrastructure.

Clean Water Division Outreach (49:22)

Eric Lambert, Clean Water Outreach Specialist, has been working to update the Stormwater Partners website. It is not yet live, but it will be at the same URL of www.stormwaterpartners.com. The website will have photographs and information on different types of stormwater facilities in use across the county. One purpose of the website is to help a homeowner identify stormwater facilities, potential problems and maintenance tips. The redesign adds information for businesses on ways to prevent pollution. There will be links to publications available in Spanish, to videos, and to report a spill.

Below is an update on outreach projects and events.



- Don't Drip and Drive contracts approved by the Clark County Council:
 - Purchased the domain www.fixthoseleaks.com
 - Updating materials
 - Watershed Alliance has been contacting auto shops about leak check events
- Meeting with the City of Gresham on their Stormdrain Cleaning Assistance Program (SCAP):
 - Businesses need to clean their storm drains, but the price varies from \$100-\$700
 - City of Gresham contracts with a vendor to provide cleanout services at a set price
 - When the City of Gresham requires a business to clean storm drains, they can recommend the vendor offering a consistent and reasonable price
- Stormwater Partners of SW Washington meeting will be Apr. 18, 2018
- Private stormwater facilities door hanger designed for Cary
- Professional storyteller Will Hornyak contracted to present at schools:
 - Eric created a list of schools prioritized by little to no involvement in Clean Water activities of Student Watershed Monitoring and Clark County Green Schools
 - Clean Water Division has a CD of his stories that Eric distributed
 - Eric will contact commissioners if there is an opportunity to attend
- Friends of Trees Planting at 6:8 Church on Apr. 7, 2018:
 - Planting in North Salmon Creek, Felida and West Hazel Dell
 - To date, approximately 80 trees have been reserved
- Klineline Kids Fishing at Salmon Creek Park on Apr. 13-14, 2018:
 - Opportunity to engage with underserved communities
 - Pre-register on website
 - Teaches kids to fish, raffle bicycles, crafts and food
- 13th Annual Small Acreage Expo at 78th Street Heritage Farm on Apr. 14, 2018
 - Sessions on topics – pollinator habitat, drainage issues, improving riparian areas
 - Ways to manage your land in a responsible and healthy way
- StreamTeam Earth Day Fest at Salmon Creek Park on Apr. 21, 2018
- Giving away water bottles:
 - Facebook – like Clark County WA Public Works
 - Instagram – follow [clarkcowa_pw](https://www.instagram.com/clarkcowa_pw)
 - #closetocleanwater – photo of water bottle, travel to the location, take a selfie, post and tag Public Works
 - #upclosetocleanwater – up close photo of something, travel to the location, take a photo of it, post and tag Public Works
- Not participating in the 2018 Home & Garden Idea Fair:
 - 3-day time commitment challenging
 - May return if have AmeriCorps intern or involve Stormwater Partners

Goals and Objectives (1:14:20)

Last meeting, the commissioners recommended developing objectives for the year, an action plan and long-term goals for each working group and the commission as a whole. To assist with developing the overarching goals and objectives, the mission statement in the bylaws could be broken down into three parts:

1. Recommending practical actions to achieve healthy watersheds
2. Emphasize healthy watersheds as a whole, integrated system
3. Achieving this through cultivating a more informed community

Commissioners are interested in ongoing education in or outside regular meetings to be better representatives when speaking with the public and improve feedback to the council. Topics of interest include:

- Understanding Clark County policies and processes



- History of what works or not
- Why certain processes exist
- Ongoing monthly conversations on a topic or article in meetings and email

Chair LaManna asked Commissioner Girts if there was an example of a municipality both making people happy and keeping a healthy watershed. Commissioner Girts will look, but none that are well-established come to mind. There are some in the early stages of trying to promote both.

Commissioner Seeds suggested evaluating through economic value lenses:

- Fiscally conservative approach – what will result in the lowest long-term cost to the community. The tradeoff of today's revenue from development and creating problems for 20 years down the road that will be a huge cost burden is not fiscally conservative.
- Ecosystem services – we derive value from healthy watersheds. One way to measure is evaluate the cost if an ecosystem were to be replicated with infrastructure or some other form of human effort, and it's generally less expensive to maintain a healthy ecosystem.

Commissioner Killion asked if Washington state has a State Environmental Policy Act (SEPA) process and as part of that is there an analysis of watershed impacts for development? It is a SEPA checklist, no analysis is done and it's a cut and paste process of meeting the stormwater regulations.

Commissioner Schneider recommended for the first few years, as commissioners are learning, to think about:

- How does the commission integrate with or evaluate what the county is doing to try to address these issues?
- How to provide recommendations to either supplement what they are doing or get them thinking in a different way, even without being a technical expert?
- How is the commission additive?

Working groups should meet and bring back to the May meeting:

- Key objectives
- Information needed or questions to be answered by the Clean Water Division to reach goals

Working Group Discussion: Research, Outreach and Partnerships (1:51:57)

Each working group met for discussion on goals and objectives.

IV. ADJOURN – 08:30 PM

Summary provided by: Andrea Logue / 564.397.5268

For more detailed information, an audio recording for this meeting is available through the county website at: <https://www.clark.wa.gov/public-works/clean-water-commission>.