



2014

Clark County

Clean Water Commission

Annual Report

Approved

January 7, 2015

Clark County Clean Water Commissioners

Dick Rylander (Chair Nov 2014)

Gary Schaefer (Vice Chair March 2014)

Jim Carlson (Chair Jan – September 2014)

Susan Rasmussen

Virginia van Breemen

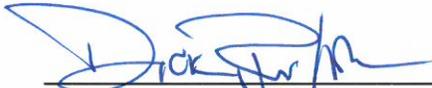
Rob McKinney

David Meyer

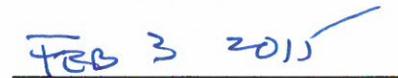
Melanie Wheeler

Brian Peck (resigned November 2014)

On behalf of the Clark County Clean Water Commission, I approve the 2014 Annual Report to the Clark County Councilors



Dick Rylander, Chair



Dated

Clark County Clean Water Commission Annual Report 2014

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Executive Summary

2014 was a transition year for the Clean Water Commission (CWC). Five (5) commissioners (out of 9) were appointed in February. Both the 2013 Chair and Vice Chair were not reappointed, a new Chair and Vice Chair were elected in January/March. The new chair (March) resigned in October elevating the Vice Chair (who is a new commission member) to the leadership role. A new Chair and Vice Chair were elected in November (for 2015)

The Commission met a total of ten (10) times. Staff reports, public testimony and one special working group's activities are described in the remainder of the report as well as accomplishments and recommended actions in 2015.

Meetings

The Clean Water Commission (CWC) is scheduled to meet every other month. (January, March, May, July, Sept and November.) In addition the CWC chose to meet four (4) additional times (April, August, October and December) to conduct additional business in an effort to address open issues. (Note: Commissioner Meyers team conducted two additional special meetings for their project.) Overall the meeting attendance was excellent with only a couple of Commissioners having conflicts. The commitment of members to participate in additional meetings is to be commended. (*Attendance record in Appendix A*)

Scheduled Meeting Topics

- A) Fee Reduction Program – The CWC listened to public comment at several meetings. Several school district's appeared at multiple meetings expressing their concern over cancellation of their exemption(s). The Vancouver School District representative discussed the Green School program and explained how it was incorporated into their program in an effort to help meet the exemption requirements.
- B) Public Interactions – Several members of the CWC met with and/or spoke with members of the community regarding the proposed clean water fees. Where possible Commissioners shared information, answered questions and brought items back to the meetings for discussion.
- C) Don Benton and Ron Wierenga addressed the Commission on one or more occasions providing background, answering questions and providing direction as it relates to the Clean Water Fee Program. This included a presentation titled "Overview of the Clean Water Program Funding" followed by a presentation titled "Clean Water Program Fee Waiver to Schools".

Special Meetings

- A) The S.W.A.M.P. program was discussed, adopted and the path forward defined
- B) Discussion and Presentation by Don Benton to CWC on ESD proposed Storm Water Fee revisions
- C) Special working group presentation on Clean Water Pollution Fee Report (Commissioner Meyer)
- D) Identification of three (3) projects for the Clean Water Commission for 2015 – Project assignments with 3 members in each

E) Adoption of Bylaw change to alter the completion date of Commissioner terms to fit a calendar year working period

F) Adoption of a modification of the annual report format

2014 Staff Reports and Program Summaries by Clean Water Program to Clean Water Commission

Staff Reports:

- National Fish and Wildlife Foundation - Five Star and Urban Waters Restoration Program Grant
- Federal Clean Water Act Section 319 (Section 319) Grant - Administered by the Washington Department of Ecology
- Update the Clean Water Program Fee Reduction for Public Schools
- Bylaws for the Clark County Clean Water Commission
- Review of 1999 Exhibit E: Clark County Clean Water Funding Task Force: Summary of Public Comments; 2014 Clark County Clean Water Program Increase (Modified CCC 13.30A)
- Clark County Code 13.30A.040 Clean Water Commission - Responsibilities

Program Summaries:

- NPDES Permit Requirements; Whipple Creek Watershed-scale; initiated construction on Thomas Wetland East; and increase of the Clean Water Program service fee
- Ecology approved the Whipple Creek Storm water Planning; Monitoring of permeable pavement at McCord's Toyota; initiating the Business Visits for storm water pollution control, working to fix an illicit connection to the county's storm water system
- Clark County's Clean Water Program recently submitted to Ecology a \$300,000 grant application to reduce pollutant loading to Cougar Creek, a tributary of Salmon Creek.

Other

Clark County Stormwater Manual Project: Members of the CWC attended Storm water Stakeholder meetings to hear and comment on stakeholder concerns and issues.

Clean Water Commission Recommendations

- 1) We suggested that the School exemptions be allowed to sunset at the conclusion of the school budget year in 2014 given that they received notice in January 2014.
- 2) A special committee, at the request of the Department of Environmental Services, reviewed potential pollution sources and made some recommendations regarding revenue sources. The CWC was approached by the Department of Environmental Services (DES), in August, with a request to help identify pollution sources and suggest possible methods for fund raising from those sources to remediate the cost of corrective actions. The report was delivered in October (one month ahead of November commitment) (*See Appendix B to read the report*)
- 3) We supported the Department of Environmental Services (DES) proposal to increase existing fees and establish new ones to cover the operating deficit. We did not take specific stances on the exact fees or amounts but offered to provide additional feedback once the DES finalized their recommendations.
- 4) Commissioner Terms: At a special December meeting the CWC discussed changing the by-laws to alter the timing for Commissioner term completions from February to the Fall of the year. This is intended to assure that a member change relating to term renewal does not negatively impact commission projects. The change will be reviewed and finalized at the January 2015 meeting.
- 5) Annual Report: The Commission will also produce the annual report such that it is ready to submit to the Clark County Councilors in December. This will allow the review, scheduling of a January meeting and thus finalization and implementation of annual projects early in the New Year.

2015 Planned Activities and Changes

At the October CWC meeting the Commission adopted three (3) projects for the 2015 calendar year:

1. Clean Water Program Fee Study on Polluters

This has already led to some suggestions and a preliminary report to the Department of Environmental Services. It appears that there is yet more work to be done to identify specific pollution sources and assess the ability (or not) to generate revenue specific to the polluter to be used to resolve the impact.

2. S.W.A.M.P. (Storm Water Association Multi-Use Projects)

The stated intent in the mid 2014 report to the Board of County Commissioners is to identify roadblocks to Federal, State, County, City and Developers working together to produce efforts that maximize the results and cost efficiencies.

3. Education/Outreach presentations to the Community

Members of the CWC will actively reach out to groups throughout the county and share a presentation(s) regarding clean water. The presentation(s) will be developed in coordination with the DES. Questions received at the presentations will be cycled back to DES staff. Responses and follow up will be conducted.

Opportunities

In the October 20, 2014 Staff Report the CWC was provided an overview of the responsibilities of the commission. Following is the definition in 13.30A.040:

There is hereby created a Clean Water Commission composed of nine (9) citizens appointed by the Board of County Commissioners. The Clean Water Commission shall represent a balanced interest in storm and surface water treatment and regulation. The commission shall make recommendations to the board of county commissioners on such matters as the focus of the SWMP, program service levels, financing, and policies on surface and storm water issues. The commission shall report to the board its recommendation for creating an incentive program through which service charges may be adjusted in circumstances where property owners significantly reduce the impacts of storm water runoff. In addition, the commission shall report annually to the Board of County Commissioners on the effectiveness of the storm water management program. In order to make an annual report to the Board of County Commissioners, the commission shall establish the criteria for evaluating the effectiveness of the program and set forth the criteria in the annual report. The annual report shall include a plan for the upcoming year in addition to evaluating the effectiveness of the program in the preceding year. Also, the report shall include a summary of revenues and expenditures by watershed, zip code or other easily identifiable geographic means. The terms of the appointees shall be staggered and be for three (3) years. Members may be reappointed to serve additional terms. (Sec. 3 of Ord. 1999-11-09)

The Clean Water Commission members have an opportunity to refocus on the mandate and increase value of their input. In 2015/2016 we will conduct specific projects and activities that relate to our mandate and seek to do an even better job advising the County Councilors and Department of Environmental Services.

A matter for discussion is whether the CWC has strayed from the core responsibilities over time. For instance the following items were not a focus in 2014:

- 1) Program service levels
- 2) Financing
- 3) Policies on surface and storm water issues
- 4) Effectiveness of the storm water management program

We have not addressed a summary of revenues and expenditures by watershed, zip code or other easily identifiable geographic means.

Summary

The Clean Water Commission generated value in 2014 notwithstanding the turnover in members. 2015 has specific projects to focus on as well as revisiting the Commission charter by returning to our roots and meeting the original mandate(s).

Questions for the Clark County Councilors

- 1) Are the projects, efforts and direction of the Clean Water Commission aligned with the needs and goals of the Clark County Councilors?
- 2) Should the Clean Water Commission report to the Clark County Councilors more frequently than the annual report and if so how often?
- 3) In reporting what specifically would the County Councilors like to focus on and is there a preferred format for the report(s)?
- 4) What do the Clark County Councilors see as the top two or three issues the Clean Water Commission should be addressing in 2015/2016?

Appendix A

Clean Water Commissioner Meeting Participation

Name	J	F	M	A	M	J	J	A	S	O	N	D	Total*	Scheduled	Special	Total of Planned and Special
<i>Current Clean Water Commissioners started March 2014</i>																
Mr. Dick Rylander	N/A	No Meeting	1		1		1	1	1	1	1	1	8	5 of 5	3 of 4	8 of 9
Mr. Gary Schaeffer	N/A		1		1		1	1	1	1	1	1	8	5 of 5	3 of 4	8 of 9
Mr. Jim Carlson	1		1	1			1	1				1	5	3 of 6	3 of 4	6 of 10
Mr. Rob McKinney	N/A		1	1			1	1			1		5	3 of 5	2 of 4	5 of 9
Mr. David Meyer	N/A		1		1		1	1	1	1	1	1	8	5 of 5	3 of 4	8 of 9
Mr. Brian Peck ¹			1	1	1		1	1	1				5	3 of 6	2 of 4	5 of 10
Ms. Susan Rasmussen	1		1	1	1		1	1	1	1	1	1	9	6 of 6	4 of 4	10 of 10
Ms. Virginia van Breemen	1		1	1	1		1	1	1	1	1	1	9	6 of 6	4 of 4	10 of 10
Ms. Melanie Wheeler	N/A		1		1		1	1	1		1		5	4 of 5	1 of 4	5 of 9
<i>Former Clean Water Commissioners:</i>																
Ms. Nancy Olmsted ²	1												1			
Mr. David Morgan ³													0			
Mr. Art Stubbs ³	1												1			

* Shading indicates regular meetings

¹ Mr. Brian Peck resigned November 2014

² Ms. Nancy Olmsted resigned in early January 2014

³ Mr. Art Stubbs and Mr. David Morgan did not get reappointed to the commission

Bylaws state that Commissioners (Section 6B) shall attend 75% of regularly scheduled meetings) Three of the Commissioners were unable to meet the 75% commitment with one resigning at the end of the year.

Appendix B

Storm Water Fee Taskforce - - September 15, 2014

Meeting Summary

Attendees: CWC: Dave Meyer, Gary Schaeffer, Virginia van Breemen, Rob McKinney,
County Staff: Earl Rowell

Scope- identify key data gaps in supporting storm water fee adjustment, and provide County DES with recommendations for resolving gaps

Gaps - Limitations in gaps may be attributable to parameters in the MS4 NPDES permit (education, monitoring, capital construction, enforcement and administration. Further the permit required collection of data in the following areas- high density, low density, and commercial.

Data collected by county during ten year periods affirms that a majority of key water quality parameters that are indicative of stream and biological health is available to supplement original 1999 storm water evaluation. Target parameters included suspended solids, nutrients and bacteria.

Identified gaps-

- Solid waste debris
- Confirmation that water quality data (parameters and sampling locations) are representative of:
 - percentage of land uses in county
 - watershed distribution

Storm Water Fee Taskforce --September 29, 2014-

Meeting Summary

Attendees: CWC: Dave Meyer, Gary Schaeffer, Virginia van Breemen
County Staff: Earl Rowell

Team met to review draft process flow and refine recommendations to be made to the DES on October 1, 2014

Overall Objective of this task force is three fold:

1. Assure that County continues to comply with regulations
2. Support County objectives to satisfy the Clean Water fund deficit
3. Provide input to improve the methods and approaches to accurately quantify water quality equitably to support development of an equitable stormwater fee.

Future consideration: address the following “big picture” questions:

1. Reconcile how the fee structure aligns with anticipated future growth projections and strategies, and future water supply needs

Key findings:

1. There are data gaps in how solid waste debris in county drainage and waterways is currently quantified
2. The breadth and depth of water quality data collected in the County met the minimum requirements under the permit; however it’s recognized that additional data would be highly supportive in establishing an equitable and defensible fee strategy.
3. It’s recognized that additional data collection may be expensive and potentially time consuming- therefore it’s recommended that the DES identify options to obtain existing and new additional data through outreach to other Clark County jurisdictions and appropriate special services, educational institutions and state agencies.

The suggested process flow describes an overview of steps that should be considered to address the identified gaps and to support the County objectives.

Gap Analysis

- Screen 2000-2012 Water Quality Summary against 1999 and 2014 Stormwater Fee Criteria
- Confirm spatial (watershed) and land use types to determine if there is missing data

Data Determination and Collection Plan

- Document missing data needs
- Develop workplan to collect data (consider watershed/land use options)
- Identify "value-added partners" to support additional data collection (incl. Clark College, local school districts, Waste Connections)

Data Collection and Analysis

- Collect missing data
- Evaluate new data against existing water quality data
- Perform risk based assessment of high, moderate and low risk contributors to stormwater quality impacts
- DES develops recommendation of stormwater options

Conduct Public Workshops (per 1999 model)

- Identify Key Stakeholders
- Conduct workshops in Rural, Business/Industrial and Urban Clusters
- Consider two rounds

DES Develops Final Recommendations

- Advance recommendations to CCC

