

**CLARK COUNTY  
STAFF REPORT**

**DEPARTMENT:** Environmental Services, Clean Water Division

**DATE:** November 24, 2015 Public Hearing

**REQUESTED ACTION:**

Conduct Public Hearing to receive comments and adopt Ordinance 2015-11-24 that includes creation of new Clark County Code (CCC) 40.386, revisions to CCC 13.26A and stormwater-related language throughout Title 40 and Clark County Stormwater Manual 2015 (Manual), by reference. The adopted documents shall be effective on January 4, 2016.

Consent                       Hearing                       County Manager

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**BACKGROUND**

Pursuant to Clark County's Phase I Municipal Stormwater Permit issued under the National Pollution Discharge Elimination System (NPDES) program, the county must update the Manual and stormwater-related code to be equivalent to the *2014 Stormwater Management Manual for Western Washington*. Clark County staff worked for the last two years with internal and external stakeholders to identify issues and considerations to include in the updated documents.

Staff reviewed the updated materials with the Development Engineering Advisory Board and the Planning Commission in the fall 2015. A Planning Commission public hearing on October 15, 2015 included a presentation of the updates, no public comments were received and a recommended approval vote 7-0. The Department of Ecology has provided a conditional equivalency approval on October 15, 2015.

The County Manual will be adopted by reference in the updated stormwater code. Proposed code changes include (1) repeal of Chapter 40.385 CCC and its replacement by new Chapter 40.386 CCC; (2) updates to the Water Quality Code, Chapter 13.26A CCC, to harmonize with the new Manual and remove outdated language; and, (3) updates to Title 40 update to refer to the new Manual and remove barriers to fully utilizing Low Impact Development (LID) techniques. The State Department of Ecology requires that these updates and revisions become effective by January 8, 2015.

**COUNCIL POLICY IMPLICATIONS**

Clark County is required by the State of Washington Department of Ecology to make updates to our Manual and related codes effective by January 8, 2016. If the materials

are not adopted, the county will be non-compliant with the NPDES Phase I Municipal Stormwater Permit.

**ADMINISTRATIVE POLICY IMPLICATIONS**

The various county departments affected by the updated Manual and Code will be required to update implementation procedures and policies to effectively serve customers who will need to comply with the regulations.

**COMMUNITY OUTREACH**

The Clean Water Division utilized two outreach groups for the majority of input, as well as e-mail distribution of materials. A Technical Advisory Committee comprising of local engineers and stormwater experts met ten (10) times to review and discuss code and manual updates. A Stakeholder Advisory Committee met six (6) times to review materials and solicit feedback. E-newsletters were sent to a general e-mail distribution list eight times. All project materials were made available for public information on the website at: [www.clark.wa.gov/environment/stormwater/management/code.html](http://www.clark.wa.gov/environment/stormwater/management/code.html). Public reviews of draft Manual and Code language were made available on June 30, 2014, September 17, 2015 and November 10, 2015. Public comments were logged and considered in the final version of the documents. Department of Commerce review of code language was completed on August 17, 2015 with no comments received. A SEPA review completed public review on August 3, 2015 with no comments received. There are no outstanding issues to be clarified.

**BUDGET IMPLICATIONS**

YES	NO	
X		Action falls within existing budget capacity.
		Action falls within existing budget capacity but requires a change of purpose within existing appropriation
		Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

**BUDGET DETAILS**

Local Fund Dollar Amount	n/a
Grant Fund Dollar Amount	n/a
Account	n/a
Company Name	n/a

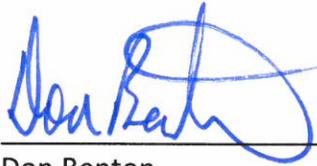
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**DISTRIBUTION:**

Board staff will post all staff reports to The Grid. <http://www.clark.wa.gov/thegrid/>

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Dean Boening  
Clean Water Division Manager

  
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Don Benton  
Director

**APPROVED:** \_\_\_\_\_  
**CLARK COUNTY, WASHINGTON**  
**BOARD OF COUNTY COUNCILORS**

DATE: \_\_\_\_\_

SR# \_\_\_\_\_

**APPROVED:** \_\_\_\_\_  
**Mark McCauley, Acting County Manager**

DATE: \_\_\_\_\_

**Exhibit A – Clark County Code and Stormwater Manual Update binder:**

- Department of Ecology Equivalency Letter – October 15, 2015
- Adopting Ordinance – includes all code revisions
- Clark County Stormwater Manual – 1) Introduction; 2) Book 1 – Administration; 3) Book 2 – BMP Design; 4) Book 3 – Source Control; 5) Book 4 – Operations and Maintenance

**BUDGET IMPACT ATTACHMENT**

**Part I: Narrative Explanation**

I. A – Explanation of what the request does that has fiscal impact and the assumptions for developing revenue and costing information

**Part II: Estimated Revenues**

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
<b>Total</b>						

II. A – Describe the type of revenue (grant, fees, etc.)

**Part III: Estimated Expenditures**

III. A – Expenditures summed up

Fund #/Title	FTE's	Current Biennium		Next Biennium		Second Biennium	
		GF	Total	GF	Total	GF	Total
<b>Total</b>							

III. B – Expenditure by object category

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
Salary/Benefits						
Contractual						
Supplies						
Travel						
Other controllables						
Capital Outlays						
Inter-fund Transfers						
Debt Service						
<b>Total</b>						

