

**CLARK COUNTY WASHINGTON****PUBLIC WORKS**  
CLEAN WATER COMMISSION[www.clark.wa.gov](http://www.clark.wa.gov)1300 Franklin Street  
PO Box 9810  
Vancouver, WA 98666-9810  
564.397.5267**September 27, 2024**Clark County Council  
1300 Franklin St.  
Vancouver, WA 98666**Dear Clark County Council,**

The Clark County Clean Water Commission (the Commission) wants to thank you for your time and consideration on the 2025-2029 Stormwater Rate Study and sharing your input on what clean water services are the most important to provide to residents (and ratepayers) in Clark County.

**Recommendation**

At the Public Hearing on October 1, 2024, where council will consider the 2025-2029 Stormwater Rate Study and fixing of stormwater rates and charges, the Clean Water Commission strongly recommends that Clark County Council adopts the top stormwater rate for mandated, recommended, and additional services, which is up to \$86.48 for 2025 to 2029.

**Justification**

Adoption of this rate top rate of \$86.48 will enable the Clean Water Division to implement 62 new, improved, or enhanced stormwater services over the next five years. This includes improved delivery of mandated services required under the federal Clean Water Act and Washington State's Phase I National Pollution Discharge Elimination System (NPDES) Municipal Stormwater Permit. It will also enable the County to make new, proactive investments to address aging infrastructure, by beginning to inspect the over 500 miles of underground pipe for the first time in County history. Additionally, the new stormwater rate will address community feedback from the County's stormwater survey that prioritized the need to implement enhanced services beyond stormwater compliance and infrastructure asset management— such as implementing more nature-based solutions, wetland restoration projects, and focusing more on salmon recovery, lake management, and reforesting the County's watershed

Further, the Commission acknowledges that the quality of the Rate Study built by Clean Water Division staff rivals that from professional consultants, providing a robust, quantitative accounting of solutions to address increased compliance and infrastructure risks facing the County (see Commission letter dated April 19, 2024, attached as exhibit 1). The rate study is founded on a broad range of input that incorporated public feedback through a detailed survey, as well as three public listening sessions to engage County residents directly. This important engagement strategy lays the groundwork for a rate increase that is publicly vetted and necessary for securing and improving our environmental future.

In addition to public input, staff tirelessly coordinated among multiple County departments and held five separate work sessions with County Council to deliver a responsive Rate Study that directly

incorporated Council feedback. Staff used a complex rate model to examine multiple financial scenarios and outcomes that minimized ratepayer impacts, while identifying new revenue sources to fund the program. This creative approach includes a commitment to the spending down the existing Clean Water 4420 fund balance while leveraging REET 2 dollars. This detailed modeling and forecasting substantiates the Division's request to increase rates in a logically sound and compelling way, keeping rates as low as possible while achieving Phase I Municipal Stormwater Permit compliance and dealing with near term infrastructure risks.

### **Commission Position**

While Clean Water Division staff have delivered a technically sound 2025-2029 Stormwater Rate Study that incorporated meaningful opportunities for public input and County Council feedback, which is ultimately endorsed by the Clean Water Commission, we do have concerns about the ability of the Clean Water Division and other County departments to deliver Clean Water services beyond 2029 at this funding level.

While this rate represents a significant increase over the existing fee, we believe this rate is artificially low and does not reflect the true funding need of enterprise Fund 4420, that should sustain itself by collecting ratepayer revenue proportionate to the cost of Clean Water services provided, achieving cost recovery. Our concern is that these low rates are not durable or sustainable due to the incorporation of other revenue sources to "buy-down" stormwater rates using funding from REET 2, spending down of existing Clean Water fund balance, and assuming consistent year-over-year revenue from grants and reimbursable contracts. Building in revenue from other sources to buy-down the stormwater rates results in the Clean Water Division taking on a level of financial risk and uncertainty that is contingent on the health of market dynamics in Clark County. Additionally, betting on the successful award of competitive grants and renewal of government contracts that aren't guaranteed, assumes a level of risk and funding uncertainty.

Our final concern is the open question of whether the Clean Water division will be supported by County Leadership and Council to fully operationalize the implementation of the rate study through the annual budget adopt process, which gives the Division budget authority to implement new services. The right sizing of the Clean Water Division's staffing levels to deliver projects and programs is absolutely imperative to hire additional qualified staff at the appropriate times to meet escalating Phase I permit and aging infrastructure needs. Since the Clean Water Fund 4420 is an enterprise fund, hiring an appropriate number of staff to support the Clean Water Division will not impact the general fund, and therefore should not be restricted. With an aging workforce nearing retirement, it is essential to hire new qualified staff to build a strong training and succession plan that will ensure no loss of institutional knowledge in the Division. The failure to do so may result in eroding the good work that has and continues to be done by the Clean Water staff.

### **Thank you**

The Clean Water Commission appreciates Council's consideration of our input and values throughout this incredible effort expended by Clean Water Division staff to complete this rate study and begin mitigating present and future stormwater risks. While your support for a rate increase now is imperative, we also hope you will acknowledge that additional future rate adjustments will be necessary to address inflation and to make sure the Clean Water Division has a sustainable, long-term funding mechanism to provide clean water services.

Overall, we are excited to endorse the 2025-2029 Stormwater Rate Study for adoption at the top rate of \$86.48 for 2025 to 2029 and we are confident that this effort will result in multiple environmental, economic, and social benefits for the people, fish, and wildlife that call Clark County home - and also for future generations.

Sincerely,

*Ted Gathe*

**Ted Gathe**  
Clean Water Commission Chair

*Glen DeWillie*

**Glen DeWillie**  
Clean Water Commission Vice Chair


**Certificate Of Completion**

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Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari®, 3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	Allow per session cookies

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CLARK COUNTY WASHINGTON

PUBLIC WORKS  
CLEAN WATER COMMISSION

[www.clark.wa.gov](http://www.clark.wa.gov)

1300 Franklin Street  
PO Box 9810  
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April 19, 2024

Clark County Council  
1300 Franklin St.  
Vancouver, WA 98666

**Dear Clark County Council,**

The Clark County Clean Water Commission (the Commission) wants to thank you for your time and consideration on what clean water services are most important to you and the ratepayers in Clark County. As a Commission, we recognize that the Council is nearing a critical decision point regarding the current Clean Water fee and what services the Clean Water Division will provide into the future.

While the Clean Water fee has previously helped the County comply with stormwater permit requirements under the Phase I National Pollutant Discharge Elimination System (NPDES) in the past, the fee has not kept pace with the County's increasing permit requirements or the need to address emerging risks that threaten our stormwater system.

Aging infrastructure, a changing climate, and rapid population growth are just some of the major risks we must consider when deciding what services, the Clean Water Division will provide into the future, and how much funding is needed to provide these vital services.

The County's 20-year population projection is set to exceed 700,000 residents by 2045, and understanding the County's infrastructure shortfalls in projected growth areas will be paramount. At the same time, the County's resources to manage existing stormwater infrastructure are becoming more stressed, which can increase flooding risk and other challenges with degraded water quality. With the Department of Commerce's new mandate to address climate change as part of the County's Comprehensive Plan update, it is important that the Clean Water Division is simultaneously planning to manage stormwater and provide clean water services in a manner that will systemically ensure that critical infrastructure such as hospitals, emergency services, schools, bridges, roads, and homes, are not at risk during intense periods of rain that overwhelm aged and undersized stormwater systems.

### **Priority clean water services**

To mitigate risks, plan for the future, and provide a high level of service to residents in Clark county, the Clean Water Commission recommends that the Council prioritizes the following stormwater services to address the County's emergent stormwater risks.

1. **Providing mandated, regulatory services:** The Commission recognizes that NPDES permit compliance is the bare minimum level of service that must be supported by the Clean Water fee. At a high-level, these mandatory services include capital planning and construction, inspections, maintenance and operations, education and outreach, pollution prevention and source control, monitoring, private stormwater facility inspections, and technical assistance. Within these mandatory services, there are

specific service categories that the Clean Water Commission views as essential to move the Clean Water Division from a reactive, capacity-limited division, towards a proactive division that is not only in compliance with today's stormwater requirements, but also positioned to sustainably address growing risks as we execute a responsible stormwater program well into the future.

2. **Inspection, maintenance, and operation of stormwater infrastructure.** This includes both routine and preventive maintenance such as inspections, and small repairs as well as securing funding for unexpected, major repairs or replacement for structural failures that are often associated with deferred maintenance and aging infrastructure. Examples of important services include continuing to support street sweeping, catch basin cleaning, facility inspections, and proactive maintenance activities which are critical to extend the useful life of infrastructure and avoid more costly infrastructure replacement down the road.
3. **Development of a proactive asset management program and longer-term capital plan** that assesses the system's capacity and condition to prioritize infrastructure investment to the most critical areas. Asset management of pipe and conveyance infrastructure is a top priority. This program provides the assessment of the condition and the capacity of infrastructure to convey increased stormwater to prevent flooding from potentially undersized, aging pipes.
4. **Increased assistance throughout the development, construction, and building process.** The addition of more stormwater engineering design, field inspection, enforcement, and technical assistance services to help guide developers and engineers through planning and permitting process is greatly needed to help improve, expedite, and provide clarity throughout the development, construction, and building processes while generating better outcomes for stormwater infrastructure. With increasingly more stringent engineering requirements under the new NPDES permit, increasing these support services will help ensure better stormwater systems planning and design before shovels hit the ground. It will also help ensure that our county's water resources are protected as our community continues to add new development and housing to support our growing population.
5. **Lake management activities to improve water quality.** While lake treatment is a meaningful first step to improve water quality and ensure recreational opportunities for residents and visitors in the county, the Commission recognizes lake management (treating phosphorus in the lakes) is a short-term fix to address the symptom of a larger nonpoint source pollution problem. The minimum the Commission recommends is a stable funding source for lake treatment activities to temporarily mitigate harmful algal blooms while adopting a robust monitoring network to identify major sources of nonpoint source nutrient runoff continuing to lake water quality issues. This investment will help support implementation of solutions at pollutant generating properties. Furthermore, the Clean Water Commission endorses additional funding to upgrade all publicly owned stormwater infrastructure draining to lakes in the county to include phosphorus removal treatment technology with the goal to institutionalize this best practice county-wide.
6. **Additional monitoring services** to understand status and trends of water quality across the county is essential. Currently the county is only able to collect samples in limited locations, every five years. Therefore, the Commission advocates for more robust monitoring services that will not only help us track water quality changes over time, but also help us identify locations where monitoring indicates there is a water quality problem that needs to be addressed. Resources to implement monitoring where there are alleged sources of pollution to support code enforcement are also recommended.
7. **Increased education, outreach, and technical assistance services** to help residents and businesses understand what they can do to protect clean water, and how to comply with environmental laws is imperative to shape and drive culture change. This includes providing additional resources for general

education and outreach to the public and to schools, as well as additional resources for more site visits, technical assistance, and follow-up to help address water quality issues in our community. These efforts will help keep polluters accountable and in compliance with the environmental laws that function to protect our rivers and lakes and help make sure that those who want to make voluntary improvements to water quality on their own properties have the resources to do so.

### **Next steps**

While the Commission has summarized its priorities for clean water services into categories, we believe that there are many other services that the county could provide to address stormwater risks. To learn more about the other services that are important to the public, we encourage you to review the results from the recent survey sent out by the Clean Water Division on what services are most important to the ratepayers and voters in the County. We also look forward to hearing what clean water services are most important to the Council at this critical juncture where Council decisions on clean water services have the potential to create a positive and lasting legacy within the greater community.

### **Thank you**

Once again, thank you for supporting this Clean Water Division effort to mitigate present and future stormwater risks by reevaluating and right-sizing the current Clean Water Fee. Your support now will help ensure that the County has a sustainable, long-term funding mechanism to provide more proactive clean water services. We are confident that this effort will result in multiple environmental, economic, and social benefits for the people, fish, and wildlife that call Clark County home - and also for future generations.

**Sincerely,**



**Ted Gathe**  
Clean Water Commission Chair



**Glen DeWillie**  
Clean Water Commission Vice Chair