

# Clark County Stormwater Code and Manual County and Community Requested Changes, Batch 1

February 6, 2025

No.	Book or Code	Section	Requested Change / Reason for Update	Manual or Code Language 2021	Proposed Replacement Language	Explanation
15	Book 1	1.3.	<p>Section 1.3 is Definitions Related to the Minimum Requirements.</p> <p>Consider adding building demolition to the land disturbing activities definition. Minimum Requirement (MR) #2 (construction stormwater pollution prevention) and MR #3 (source control) would apply. There should be some sort of threshold to apply this type of requirement. One purpose is to ensure that PCBs from buildings constructed from 1950 to 1980 are not discharged off-site via runoff.</p>	<p>The current definition of "land disturbing activity" is: Any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices, including landscape maintenance and gardening, are not considered land-disturbing activity. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures.</p> <p>Demolition is mentioned in Book 1 in relation to construction stormwater pollution prevention (MR #2).</p>	<p>None. Update interpretation of land disturbing activity, County processes, permits, and/or forms. See Explanation.</p>	<p>Land disturbing activity can be interpreted to include demolition, and examples of demolition permits from other cities and counties indicate that other jurisdictions are applying this interpretation. Clark County has not been interpreting it this way. The proposed action is for Clean Water Division to negotiate changes to interpretation and enforcement of stormwater management requirements for demolition sites with Community Development. It may result in changes to the demolition permit language, inspections, and fees. These changes are TBD. No change to CCSM proposed.</p>
23	Book 1 and 40.386	1.6.3	<p>There used to be a prohibition in code about concentrating flow on to adjacent properties. It seems to have been lost in the 2015 manual update.</p>	<p>Book 1, Section 1.6.3 includes: If the Responsible Official determines based on information in the Preliminary Stormwater Plan (see Section 1.8.1) that the proposed project will adversely impact off-site drainage systems, then the applicant shall implement additional flow control or other measures to mitigate those adverse impacts. No new development, redevelopment, or drainage project shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots.</p> <p>40.386 does not include a prohibition on concentrating or blocking flows.</p>	<p>Proposed change to 1.6.3: <u>New development, redevelopment, and drainage projects are prohibited from materially increasing or concentrating stormwater runoff onto an adjacent property or blocking existing drainage from adjacent property.</u> If the Responsible Official determines based on information in the Preliminary Stormwater Plan (see Section 1.8.1) that the proposed project will adversely impact off-site drainage systems, then the applicant shall implement additional flow control or other measures to mitigate those adverse impacts. <del>No new development, redevelopment, or drainage project shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots.</del></p> <p>To 40.386.020, Standards - Stormwater Control, add: <u>E. New development, redevelopment, and drainage projects are prohibited from materially increasing or concentrating stormwater runoff onto an adjacent property or blocking existing drainage from adjacent property.</u></p>	<p>The existing prohibition on concentrating flows onto or blocking flows from adjoining properties (Book 1, 1.6.3) may be rephrased and emphasized in Book 1 as well as added to Clark County Code Title 40.386.</p>

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46	Book 1	3.2.1	<p>Figure 3.1 allows presettling basin before infiltration BMPs. This conflicts with standards in Book 2 that require basic treatment for underground infiltration BMPs.</p> <p>To clarify, the commenter is requesting that Clark County require basic treatment in front of all underground injection contols (UICs).</p>	<p>Figure 3.1 includes the following in the Infiltration Track...</p> <p>Apply Pretreatment *Presettling Basin *Any Basic Treatment BMP * Emerging Technology</p> <p>Note: The CCSM includes other sections and language which allow pretreatment through a presettling BMP in front of UICs, and those have not been identified here.</p>	<p>Apply <del>Pretreatment Treatment</del> *Presettling Basin *Any Basic Treatment BMP * <del>Emerging Technology</del></p> <p>Note: other sections of the CCSM which allow presettling in front of UICs would also be identified and updated to require basic treatment in front of County-owned and Homeowners' Association-owned UICs. Where consistent with the UIC Program Guidance contained in the Stormwater Management Manual for Western Washington, Volume I, Chapter 4, presettling would remain allowable in front of UICs that are not owned by the County or a Homeowners' Association.</p>	<p>To protect the function of UICs (drywells and infiltration trenches with perforated pipes) from fouling, the County proposes to begin requiring basic treatment in front of all UICs that are owned and operated by Clark County or that are owned and operated by a Homeowners' Association. This is a change in policy for some UICs, which may currently require pretreatment, but not treatment, before them.</p>
89	Book 1 and Book 2	6.4.3 and BMP C241	<p>Sizing of temp sediment ponds are in the BMP, which contradicts the requirement from section 6.4.3.</p> <p>Commenter requests: [Book 1] SWPPP 6.4.3 element #3, remove requirement that states <i>the construction site stormwater discharges shall not exceed the discharge durations of the pre-developed condition for the range of pre-developed discharge rates from ½ of the 2-year flow through the 10-year flow as predicted by an approved continuous flow model.</i></p>	<p>Section 6.4.3 states: The construction site stormwater discharges shall not exceed the discharge durations of the pre-developed condition for the range of pre-developed discharge rates from ½ of the 2-year flow through the 10-year flow as predicted by an approved continuous flow model.</p>	<p>In Book 2, BMP C241: Temporary Sediment Pond, add the following list item to the bulleted list under "Design Criteria":</p> <p><u>- If a site triggers Minimum Requirement #7, the construction site stormwater discharges shall not exceed the discharge durations of the pre-developed condition for the range of pre-developed discharge rates from ½ of the 2-year flow through the 10-year flow as predicted by an approved continuous flow model.</u></p>	<p>A comment from DEAB expresses concern that the guidance for sizing of temporary sediment ponds in Book 2, BMP C241, contradicts the requirement from section 6.4.3 to match the durations of pre-developed conditions for discharges from ½ of the 2-year through the 10-year flow if the site triggers Minimum Requirement #7.</p> <p>Clark County does not propose to change the text of any Minimum Requirement outside of any changes mandated by Department of Ecology. Clark County does not propose to reduce requirements for construction site discharges for sites that trigger MR #7. BMP C241 may be used for for sites whether or not they trigger MR #7, therefore, the sizing guidance within the BMP does not need to apply solely to sites that trigger MR #7. The County proposes to add instructions in BMP C241 for sites that trigger MR #7.</p>