

Stillaguamish River Clean Water District Advisory Board

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October 14, 2013

Snohomish County Council
3000 Rockefeller Ave.
Everett, WA 98201

SNOHOMISH COUNTY COUNCIL
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Dear Council Members,

Pursuant to Snohomish County Code (SCC) Title 25A, the Stillaguamish River Clean Water District Advisory Board (the Board), wishes to provide you the following recommendations and comments:

Restoring RCW 90.72 Revenue: Last March, Snohomish County Ordinance 13-009 established an NPDES credit, exempting certain properties in the Clean Water District (CWD) from 90.72 fees, and extended this exemption to County departments. This caused a 47% cut (about \$400,000) in 90.72 revenues, allocated under 25A.20.030(3) SCC to fund the clean water programs listed below:

- The Stillaguamish Shellfish Protection Program, through which Surface Water Management (SWM) fosters inter-agency cooperation and public involvement, helping to keep 4,000 acres of commercial shellfish beds open in South Skagit Bay and Port Susan.
- The Snohomish Conservation District (SCD) contract for technical assistance and water quality education and outreach in the CWD, serving farmers and residential landowners.
- The Discretionary Fund grant program "to assist private landowners, local agencies, and community groups in undertaking small-scale projects to improve water quality." In the past two years alone, the Discretionary Fund has helped to pay for projects on Lake Ketchum and in Drainage and Diking District 7, education and outreach to raise public awareness, and 18 on-site septic (OSS) repairs (see attached map).
- The SWM contract with the Snohomish Health District (SHD), enabling their participation on the CWD Advisory Board and their assistance with the CWD OSS repair effort.

A survey conducted by SWM as part of its Service District Reassessment Study (SDRS) found solid public support for such programs, not only in the CWD, but countywide. It is incongruous that in the one part of Snohomish County where these programs are already successfully in place, their revenues are chopped by half, with their fund balances facing depletion as early as 2014.

Working with SWM staff, the Board has developed a proposal to restore 90.72 revenue. Specifically, the tables in 25A.20.030(2) SCC would be amended to reapportion the surface water fee, making the 90.72 share 35% rather than 25% of the current charge. Annual 90.72 revenue would return to nearly 25% of the total, reestablishing the balance between 90.72 and 36.89 revenues. The Board has formally recommended to SWM that such an amendment be sent to Council.

Although 90.72 revenues are small relative to the SWM budget, the on-the-ground projects they pay for are central to the mission and identity of the CWD, and require

dedicated revenue for long-term viability. **The Board strongly recommends** that Council amend Title 25A as described above, in conjunction with code changes that arise from the SDRS, to become effective by 2015. Our Finance Committee stands ready to discuss this proposal with members of Council.

Re-Define Board Member Position: The Board would remind Council of our 2012 recommendation for adoption of an amendment to 25A.30.040(a) SCC, to change the Advisory Board position for "Unincorporated UGA" (a position extremely difficult to fill) to an "At Large" position. As part of the effort to keep Board vacancies to a minimum and promote citizen participation, SWM has offered to submit the amendment to Council. **The Board again urges** adoption.

Snohomish-Stillaguamish Local Integrating Organization: The Puget Sound Partnership Leadership Council approved the formation of the Snohomish-Stillaguamish Local Integrating Organization (LIO) on March 1, 2012. "The mission of the Snohomish-Stillaguamish LIO is to (1) coordinate with Puget Sound Partnership (PSP) and other LIOs, and (2) facilitate the integration of local governments, tribes and other organizations' strategies that advance the Action Agenda in Water Resource Inventory Areas 5 and 7". **The Board encourages** Council to support the Near Term Actions (NTAs) prioritized by the Snohomish-Stillaguamish LIO beginning in 2014.

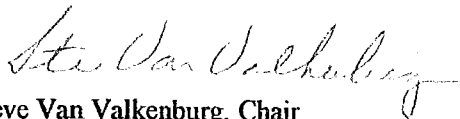
Referral and Compliance: The Board is still concerned that the regulatory referral and compliance process for environmental protection now in place has been ineffective, and polluting practices are too often allowed to persist for lack of enforcement. The top NTA for the Snohomish-Stillaguamish LIO (above) is "Regulatory Effectiveness." This proposed NTA will compile and evaluate the existing regulations protecting habitat and develop and implement recommended actions, including enforcement. We recognize SWM is currently working with the Snohomish County Department of Planning and Development Services (PDS), SCD, SHD, and Washington Department of Ecology (WDOE) to clarify the County's referral and compliance process. **The Board recommends** that the County Council use its legislative oversight to encourage and enable the Executive Branch to bring effective enforcement to the referral and compliance process, in cooperation with WDOE, and to provide PDS with whatever staffing and funding may be needed for that purpose.

On Site Septic System Point of Sale Verification

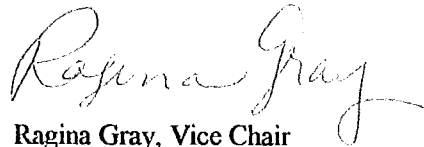
The CWD Advisory Board has supported SHD's efforts to develop a program for point of sale (POS) verification of OSS compliance with operation and maintenance guidelines. We believe such a program would be valuable for identifying and repairing failing OSS, and should be considered. Since members of the County Council have seats on the Snohomish County Board of Health, **the Board requests Council support** for POS verification.

The Board thanks you for your attention and welcomes any comments or questions.

Respectfully submitted,



Steve Van Valkenburg, Chair



Regina Gray, Vice Chair

Cc:

John Lovick, Snohomish County Executive
Clay White, PDS Director
Monte Marti, SCD Manager
Dr. Gary Goldbaum, Snohomish County Health Officer
Josh Baldi, WDOE Northwest Region Director (acting)
Shawn Yanity, Stillaguamish Tribe Chairman
Melvin Sheldon, Jr., Tulalip Tribes Chairman

Stillaguamish River Clean Water District (CWD) Discretionary Fund Projects (2012 - 2013)

- Project Type**
- ▲ Education & Outreach
 - On-Site Septic (OSS) Repair
 - Restoration
- Project Status**
- Complete
 - Underway
 - Pending Approval
 - Proposed
- Stillaguamish CWD**
- Stillaguamish CWD
 - Stillaguamish CWD Drainage Surcharge Area
 - Stillaguamish Flood Control District

October 8, 2013



Snohomish County

PUBLIC WORKS
SURFACE WATER MANAGEMENT
(425) 388-3464

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Education and Outreach Projects (not site-specific)

- ▲ Be the Solution
- ▲ Be the Solution Phase II

