



Snohomish County
Public Works
Surface Water Management

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July 17, 2013

Dear Stillaguamish River Clean Water District (CWD) Advisory Board:

Thank you for your time and effort to advise Surface Water Management (SWM) in your annual recommendations letter dated April 29, 2013. We have responded point by point to your recommendations below to illustrate how we have incorporated them into our 2014 work plan.

Funding for RCW 90.72 Programs

The 47% reduction in RCW 90.72 Shellfish Protection revenue caused by Ordinance 13-009 poses a serious challenge to our mission and identity as a Clean Water District (CWD). RCW 36.89 revenue saw a 2% cut. The Board supports your plan for 2013, as presented to the Finance Committee, to manage the impact of these cuts through SWM budget reallocations and aggressive use of CWD fund balances. Nevertheless, this is a short-term remedy that still includes substantial budget cuts, particularly to the Discretionary Fund, and if continued through 2014, would leave our fund balances largely depleted. The upcoming SWM Service District Reassessment Study cannot be expected to enable a solution until 2015 at the earliest.

*The percentages of CWD fees as currently allocated to 90.72 and 36.89 are 25% and 75%, respectively, pursuant to the fee structure table of Title 25A.20.030(2). The Finance Committee has proposed to you that SWM could draft an amendment to this table, shifting these percentages, to 30% and 70% for example, to restore in large part the 90.72 revenues by effectively sharing the recent cut more equitably, as a percentage reduction, between the two funds. To assure long-term viability of CWD shellfish protection and water-quality programs, **the Board recommends that SWM propose to Council such an amendment, to be effective in 2014.***

SWM acknowledges the CWD Advisory Board's concern about the significant reduction in Clean Water District revenues as a result of the approval of Ordinance 13-009, and we are committed to working with the Board to evaluate options for addressing this problem.

SWM has analyzed your proposal to shift the percentage split between shellfish protection (RCW 90.72) and stormwater (RCW 36.89) revenues from the current 25/75 to 30/70. Although the proposal would increase the amount of 90.72-based revenue, it would decrease the 36.89-based revenue, which has little fund balance, with a net revenue reduction to the CWD of approximately \$18,000. The net reduction is mainly because NPDES permit holders would end up paying less in 36.89-related payments (since the percentage would drop from 75% to 70%), and they would be exempt from paying the 90.72 portion resulting in NPDES permit holders paying less total CWD service charges under this proposal. Because this

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proposal reduces the total amount of revenue in the Clean Water District, SWM does not support this option at this time.

Instead, as discussed at the June 27, 2013 CWD Advisory Board meeting, the directors of SWM and Public Works will propose the use of Snohomish County Road funds in the 2014 budget to pay for some of SWM's capital improvement projects, which were originally funded by CWD 36.89 revenues. The 36.89 revenues replaced by Road Fund would then be available to be used elsewhere. SWM is recommending that they be used to backfill the reduced revenues experienced by the Snohomish Conservation District and the Discretionary Fund. A longer-term solution will be sought through the SWM Service District Reassessment Study for implementation in 2015.

White Horse Trail

*We believe the White Horse Trail and other county parks property within the Clean Water District should be assessed CWD fees similarly to the policy for privately owned properties and privately-owned rail beds, given that they present the same problems in terms of impervious surface and obstruction of surface water flows and contaminant contribution. **The Board recommends** that the Snohomish County Parks Department be assessed accordingly.*

For 2014, SWM is planning to assess CWD fees for the estimated impervious surface area of the White Horse Trail property managed by the Snohomish County Parks Department, which will generate approximately \$25,000 in CWD fee revenue.

Referral and Compliance

*In our most recent letters to the Snohomish County Council and the Snohomish Conservation District, the Board has recommended improved cooperation between the County and the Washington Department of Ecology for effective enforcement in the referral and compliance process. This position is also reflected in the attached Local Integrating Organization (LIO) survey of Board members (see item "LIO Survey" below) regarding small agricultural operations. **The Board requests** an update on the status of your stated effort "to clarify roles and responsibilities" regarding these agricultural water quality problems. **We also request** a report on the efficacy of the ½ FTE budgeted to assist the Snohomish County Planning and Development Services Department in improving the County's referral and compliance process. **The Board recommends** your active attention to this issue.*

SWM will schedule an update for the CWD Advisory Board in 2013 to report on our progress in addressing the referral and compliance issue. We will also consult with the Snohomish County Planning and Development Services (PDS) Department to determine the number and status of code enforcement complaints relative to Snohomish County's water quality, drainage, and/or critical area protection codes. In anticipation of the Pollution Identification and Correction grant, we have discussed code enforcement with PDS, the Washington Department of Ecology, the Washington Department of Agriculture, and the Snohomish Health District and will be working to resolve any issues as part of that grant.

Lakes

*Milfoil and toxic algae remain serious threats to the lakes in the CWD, and the Board recommends continued efforts to control them. You previously reported making a shift to greater use of herbicides for milfoil control, and mentioned possible revised diving guidelines from the Washington Department of Labor and Industries and a potential increase in the Aquatic Plant fees for Lakes Goodwin and Shoecraft. **The Board requests** an update on*

this effort. We wish to thank SWM for its support of the funding process for the proposed toxic algae control project on Lake Ketchum. The Board also requests an update on the status of the Lake Howard "Lakewise" pilot project.

SWM is continuing efforts to control invasive Eurasian watermilfoil plants in Lake Goodwin and Lake Shoecraft and prevent their spread to other lakes. SWM has contracted for herbicide treatments of about 25 acres in Goodwin and Shoecraft in July 2013 to target the main locations of milfoil. Herbicide treatments are necessary because the milfoil has become too dense to control with diver hand removal. In 2014, SWM will resume diver surveys and hand removal, together with spot herbicide treatments of problem areas. Diving work has become more expensive because of the Department of Labor and Industries' interpretation of diving regulations. For this reason, SWM will work with the Seven Lakes Milfoil Advisory Committee in 2014 on a potential increase in the Aquatic Plant fees for Goodwin and Shoecraft for 2015.

SWM has worked with Lake Ketchum residents to assemble a funding package to implement the lake restoration plan. The final funding element – a proposed Lake Ketchum restoration service charge for properties around Lake Ketchum – will go to the Snohomish County Council for approval this summer. This service charge involves an amendment to Snohomish County Code Title 25A and will be patterned after the Aquatic Plant fees at Goodwin and Shoecraft. With funding assembled, the restoration of Lake Ketchum is budgeted to begin in the spring of 2014.

The pilot LakeWise project is continuing at Lake Howard. SWM will provide a detailed update on this project at the July 25th CWD Advisory Board meeting. SWM will evaluate the success of the pilot project over the winter and expand the program to another lake in 2014.

Stormwater

The Board supports your ongoing study in the Douglas Creek watershed, recognizing the nexus between maintaining water quality and stabilizing upland run-off, not only in the Stanwood area but throughout the CWD. Again, this position is reflected in the attached LIO survey of Board members.

Thank you for supporting the Douglas Creek drainage and water quality studies. SWM is in the process of completing these studies and will present recommended drainage improvement and water quality protection actions at a public meeting in Stanwood this summer.

The Sustainable Lands Strategy Reach Scale Plan for the Stillaguamish watershed will also help to identify and develop strategies for addressing multiple issues in the lower portion of the Stillaguamish watershed.

LIO Survey

For your information, we have attached a copy of the LIO Survey taken by eight members of the Board, which indicates their positions on priorities for the action items update for the Puget Sound Partnership Near Term Actions.

Thank you for providing this input, as well as for participating in the LIO Implementation Committee workshop on June 27th to prioritize near term actions for the 2014 Puget Sound Action Agenda update. The workshop was attended by CWD Advisory Board representative Chris Betchley as well as SWM staff.

Thank you again for your thoughtful recommendations to SWM. We hope this response helps to inform your annual recommendations letter to the Snohomish County Council in October. We look forward to working with you on the Service District Reassessment Study later this year and in early 2014 to help refine and further improve the programs funded by the CWD revenues. The CWD Advisory Board's recommendations help to ensure that the County's annual work program and budget are responsive to the interests and needs of the local community.

Sincerely,



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cc: Steve Thomsen, P.E. Snohomish County Public Works Director