



Snohomish County
Public Works
Surface Water Management

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Dear Members of the Stillaguamish River Clean Water District Advisory Board:

Thank you for your time and effort to advise Surface Water Management (SWM) in your recommendations letter dated May 28, 2009.

The intent of this letter is to provide a response to your recommendations and let you know how your recommendations relate to SWM's proposal for the 2010 Snohomish County work program and budget. Each of your May 28, 2009 recommendations is included below in italics followed by SWM's response.

Shellfish Protection

"We support Snohomish County's effort, led by SWM and supported by partners including the Snohomish Conservation District, the Tribes, and the State, to develop a Stillaguamish Shellfish Restoration Plan that will strategically direct, help and document focus actions to ensure that RCW 90.72 revenues collected in the CWD protect and improve water quality over shellfish tidelands in the CWD. Snohomish County actions using RCW 90.72 revenues should be used to implement (supplement) priority actions identified in the Stillaguamish Shellfish Restoration Plan and not be used to fund other efforts which have little or no effect on water quality over shellfish tidelands."

- SWM is completing the Stillaguamish Shellfish Restoration Plan this summer and will present the completed plan at the September 24, 2009 CWD Advisory Board meeting. Continued review and update of the plan will occur with stakeholders in 2010.
- SWM will use the shellfish plan as the basis for the County's "shellfish protection program" for the Clean Water District per RCW 90.72.030.
- SWM has made a recommendation in the proposed 2010 budget to refocus professional services money to be used to support shellfish protection activities.
- Per RCW 90.72.045, SWM will develop and submit annual reports to the Washington Department of Health describing the status and progress of the County's shellfish protection program, including expenditure of CWD revenues collected under RCW 90.72. The County's first annual report to the Department of Health will cover 2009 and it will be submitted to the Department of Health in June 2010.
- SWM will document project level allocation of RCW 90.72 revenues to show how those revenues will be used to implement the County's shellfish protection program in 2010.

- For the 2010 work program and budget, SWM is proposing to use RCW 90.72 revenues from the CWD to support, in part, the following activities:
 - Continued staff support for the CWD Advisory Board
 - Pending Council action on the proposed SCD special assessment, SWM will refocus the SCD Farm Outreach Project to concentrate on shellfish-related issues.
 - Stillaguamish Watershed Steward outreach, education, and technical assistance to landowners for water quality protection.
 - Funding for the Snohomish County Marine Resources Committee (MRC) that is allocated from the Stillaguamish CWD will be used to support education and outreach to raise public awareness about shellfish and water protection in the CWD.
 - GIS analysis of existing water quality data to help refine the County's strategy for bacterial pollution source identification and control in the CWD.
 - Native Plant Program and native plant restoration projects
 - Washington Department of Ecology Septic Grant
 - Ambient water quality monitoring
 - Water pollution source control, water quality investigation, and illicit discharge detection and elimination programs
 - South Fork and North Fork Stilly Big Trees projects (Part of the Discretionary Funds previously approved by CWD Advisory Board)
 - Stillaguamish Temperature TMDL project
 - Discretionary Fund projects—will be refocused per CWD Advisory Board direction

Clean Water District Area Annexations

“Support efforts to establish inter-local agreements between municipalities and the County to improve the transition process from county to city management of storm water, drainage, water quality, and other water resources and infrastructure that benefit the community and the Stillaguamish River watershed as a result of annexation that causes a diversion of revenues from SWM to gaining municipalities.”

The County has been actively working along the lines of this recommendation concerning annexations. Master annexation interlocal agreements (MAILA) have been developed with many cities that address transition issues, and are in place for Arlington, Stanwood, and Granite Falls in the Stillaguamish watershed. In the surface water area, the MAILAs provide for secondary interlocal agreements (ILAs) for dealing with property transfer issues, surface water fee transition, and government services. The County can and does comment on annexations where there are potential long-term impacts to ongoing surface water services. There has been collaboration with other jurisdictions on projects to improve surface water conditions in the Stillaguamish watershed. The County is working to make the process easier for cities to contract with the County for such services. This has included the development of a regional service “menu,” and a pilot stormwater mutual aid network in the Snohomish WMA, which can expand to include more cities. The County has also refinanced and restructured the bond debt for the Drainage Needs Report Project and for the Enhanced Community Infrastructure Development Initiative (ECIDI) bonds, so that future annexations will pay for their share of the bond debt.

Clean Water District Advisory Board

“The Board desires to strengthen our advisory and advocacy roles by cultivating public awareness, encouraging community involvement, and fostering watershed stewardship. This includes full participation on the Board. At the present time, there are several unfilled Board membership positions which create a hardship on our ability to ensure a quorum and to fulfill our mission. We recommend that SWM re-evaluate and implement effective approaches for advertising the mission of the Board, recruiting volunteer advisors, and engaging the public.”

On August 26, 2009, the Snohomish County Council confirmed appointments/reappointments for nine of the seventeen CWD Advisory Board positions. These include four positions that have been vacant: Single Family Ratepayer South Fork, Farm Ratepayer, Snohomish Conservation District, and Washington Department of Fish and Wildlife. This fall, SWM will recruit candidates for the Single Family Ratepayer UGA, Main Stem, and Lakes vacancies and we hope to fill those positions before the CWD Advisory Board’s meeting on January 22, 2010. SWM invited the Snohomish Health District and Washington Department of Ecology to fill their positions on the CWD Advisory Board, but both agencies declined due to staffing capacity limitations.

SWM and the CWD Advisory Board should work collaboratively to demonstrate that being a member of the Board is important to the effectiveness of the Clean Water District, that disagreements can, and are worked out in a non-confrontational manner, and to ensure that the CWD Advisory Board meetings result in encouraging citizens and prospective Board members to participate.

“Invite Snohomish Health District to a Board meeting to investigate opportunities to establish/renew a cooperative and mutually beneficial relationship. This could include: representation on the Board; some use of the Discretionary Fund for practical on the ground SHD projects; and any number of ways to meet our common objectives.”

SWM stands ready to support the CWD Advisory Board’s invitation for the Snohomish Health District to attend a CWD Advisory Board meeting to discuss this topic. As mentioned above, SWM has already invited the Snohomish Health District to fill its position on the CWD Advisory Board, but the Health District declined.

Discretionary Fund

“Beyond community involvement on the Board, the Advisory Board recommends that SWM re-evaluate the approach to advertising and/or developing effective on the ground watershed stewardship projects in partnership with local landowners appropriate for the use of Discretionary Fund. The Board sees the Discretionary Fund as a critical way to cultivate public awareness about water quality issues in the CWD and encourage watershed stewardship.”

SWM welcomes the CWD Advisory Board’s interest in reviewing and possibly revising the existing guidelines and advertising for the CWD Discretionary Fund, which SWM developed with the CWD

Advisory Board in 2001. Since Public Works is responsible for administering and approving allocations of the Discretionary Fund, coordination between the CWD Advisory Board and SWM staff is essential to the overall success of projects fund by the Discretionary Fund. SWM staff participated in the CWD Advisory Board's special meeting on July 27, 2009, to review the existing Discretionary Fund guidelines and advertising. SWM encourages the CWD Advisory Board to consider inviting other professionals who do landowner outreach, education, and technical assistance in the Stillaguamish watershed to participate in reviewing the Discretionary Fund. With the exception of the Big Trees project, which was previously approved for Discretionary Fund funding as a grant match by the Board, SWM has put all other project proposals funded by the Discretionary fund on hold until the Board reaches a consensus about the use of the remaining Discretionary Funds.

Other Recommendations to Advance CWD Goals

"Advocate on behalf of the Board to the Snohomish County Council for stronger regulations which compel private landowners within the Stillaguamish Basin to implement measures protective of water quality."

SWM's role in protecting the Stillaguamish Watershed is a partnership with the Washington Department of Ecology, Snohomish Health District, Stillaguamish Tribe, Tulalip Tribes, Snohomish Conservation District, and citizens living in the watershed. The successful protection of this area, which covers almost 700 square miles, must actively include, involve and focus the efforts of all the partners using outreach, education and support as tools.

Pollution reduction is a very complicated issue and will only be successfully achieved through understanding and cooperation. Implementing stronger regulations will not assist SWM in reducing or eliminating pollution sources. However, upon receipt of a complaint we will work with a landowner in 95% of the cases to eliminate a violation.

"Initiate discussions with the Snohomish County Parks Director and Department to eliminate water pollution associated with the recreational use of the White Horse Trail adjacent to the North Fork of the Stillaguamish River by people, horses and dogs."

Owen Carter, Interim Surface Water Management Director, spoke with Tom Teigen, Parks and Recreation Director, about water pollution problems associated with recreational use of the White Horse Trail. Parks and Recreation is aware of the concerns expressed by the Stillaguamish Clean Water District Advisory Board and will evaluate possible solutions.

"Although, the overtopping of the City of Stanwood sewage lagoon and its discharge into the Stillaguamish River during flood events is an NPDES permit issue between Ecology and the City, SWM's planning, drainage and rivers work groups should offer support to the City and State to the maximum extent feasible. This could include evaluation of data in the flood management plan, focused drainage

inventory, development of decision support tools to integrate flood and wastewater decision making, water quality monitoring, and other assistance.”

SWM appreciates the Advisory Board’s concern about this issue and has met with the Flood Control District to discuss overtopping of the Stanwood wastewater treatment lagoon. SWM will be participating in the December 9, 2009 SIRC meeting at which the City of Stanwood is scheduled to present an overview of wastewater treatment plant upgrades, operation, and maintenance. However, the City of Stanwood and the Stanwood wastewater treatment plant are located outside of the Stillaguamish Clean Water District jurisdiction and as such, the County’s ability to dedicate resources to this issue is limited. SWM will contact the City of Stanwood to better understand the issue, what the City is doing about the issue, and offer to support the City’s next steps as far as the County can given the resource and jurisdictional limitations.

I would like to thank all of the CWD Advisory Board Members for their commitment to clean water in the Stillaguamish watershed. The 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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