

Stillaguamish River Clean Water District Advisory Board

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Stillaguamish Drainage Basin**
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April 27, 2017

Will Hall, Director
Snohomish County Surface Water Management
3000 Rockefeller Ave., MS 607
Everett, WA 98201

Dear Mr. Hall,

Pursuant to Snohomish County Code (SCC) Title 25A.30.030, the Stillaguamish River Clean Water District (CWD) Advisory Board (the Board) offers our annual recommendations to Surface Water Management (SWM).

In previous years, our annual letter has addressed myriad issues including, but not limited to: storm water drainage, shellfish protection, topics relating to the Snohomish Health District and the Conservation District where our areas of concern intersect, solid waste and other pollutants entering and contaminating the CWD waterways, lake health, toxic algae issues affecting human health, and the Lake Wise program.

This year, one issue is all-encompassing and must be resolved before other issues can be addressed. Therefore, this year the CWD letter only addresses your proposal before the County Council titled: *"Consolidating Surface Water Management service areas, amending portions of Title 4 related to revenue and finance, amending Title 25 related to storm and surface water management, and repealing Title 25A of the Snohomish County code related to water quality restoration and water quality management."*

The Stillaguamish CWD Advisory Board opposes SWM's proposed consolidation plan and dissolution of the Board as presented by SWM at our March 23, 2017 meeting and contained in proposed Ordinance 17-020 before the County Council. The repeal of SCC Title 25A is not in the interest of the unique water quality issues and shellfish protection needs of the Stillaguamish Basin, nor will it provide the services and citizen oversight explicitly promised to ratepayers when the County established the CWD in 1993. The Snohomish County Council adopted SCC 25A, which created and guides the CWD and the Board. The "Authority and Responsibility" of the Board is now and remains in effect as set forth in SCC 25A.30.030 (Advisory Board Authority and Responsibility) until these provisions are modified or the code is repealed.

The CWD Board has always sought, and continues to seek, a collaborative, positive, and productive relationship with SWM. The Board focuses on shellfish protection and clean water objectives by recommending action projects that improve storm and surface water controls, reduce pollution, and restore and maintain water quality in the Stillaguamish CWD.

The primary responsibility of the Board under SCC 25A.30.030 is to represent ratepayers and provide advice to the County Council and SWM regarding management of "services within the clean water district." We are profoundly disappointed that the Board was never allowed to review the proposed ordinance either in its planning stages or before it was forwarded to the Executive and Council, leaving the Board little opportunity to contribute its knowledge and expertise. Further, SWM has never indicated to the Board any

concerns as to the Board's function, or registered any complaint regarding how the Board fulfills its responsibilities.

The Board wishes to fulfill those responsibilities in a positive way, but cannot do so if not given the opportunity to provide advice, as SCC 25A directs.

The Board therefore respectfully recommends that:

- SWM continue to honor the direction of the County Council as set forth in SCC 25A.30.030;
- SWM engage with the Board to find cost effective ways to work harmoniously and collaboratively to meet the surface water control, clean water and pollution reduction objectives in the Stillaguamish CWD without dissolving the CWD and the Board;
- the Board be notified in a timely manner, and in advance of any proposals, intentions, or actions that affect the operation of the CWD, including any proposals affecting the Board's duties, actions, and responsibilities, and that the Board be given the opportunity to provide advice as directed by SCC 25A;
- SWM immediately lift the temporary suspension of the Discretionary Fund Grant Program so that new water quality restoration project proposals from CWD ratepayers can be considered. Since the Discretionary Fund was temporarily suspended, prospective applicants have been turned away. Discretionary Funds are dedicated under SCC 25A.20.020(3) (Rate structure for the clean water district), which is currently in effect and remains so until the existing code is amended or repealed; and
- the budgeted 2017 CWD fund balance in the Discretionary Fund be reserved for use exclusively within the Stillaguamish CWD boundaries.

We recognize the impact of the deficits and challenges of the current budget. The Board stands ready, as it always has, to collaboratively and positively assist SWM in meeting these objectives. The Board remains committed to fulfilling the mutual goals of water quality restoration and recommending storm and surface water management services within the Stillaguamish CWD as provided for by SCC 25A.

The Board appreciates your attention to our comments and recommendations. We look forward to receiving your written response.

Sincerely,



Dale Shelton, Chair



Bob Landles, Vice Chair

cc:

Dave Somers, Snohomish County Executive
Brian Sullivan, Snohomish County Council Chair
Jeff Ketchel, Interim Snohomish Health District Administrator
Kevin Plemel, Interim Environmental Health District Director
Monte Marti, Snohomish County Conservation District