



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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May 5, 2008

CERTIFIED MAIL 7006 3450 0001 6754 6606

Ms. Betty Sue Morris, Chairman
Board of Clark County Commissioners
1300 Franklin Street
Vancouver, WA 98666-5000

Re Phase I Municipal Stormwater General Permit Submittal Requirements for Clark County,
Permit Number WAR044001

Dear Ms. Morris:

In your letter dated February 13, 2008 you discussed the reasons for the delay in submitting the required draft documents to the Department of Ecology (Ecology). The documents that were required to be submitted by February 19, 2008 included the draft ordinances for source control and new/redevelopment, technical standards, a source control program and a stormwater manual for our review and comment. You also stated that it was your hope that Clark County would be able to submit these documents for review to Ecology by March 31, 2008. Failure to submit the documents by the required date of February 19, 2008 is a violation of Phase I Municipal Stormwater Permit conditions:

- S5.C.5.b.iv
- S5.C.7.b.i

So far the only submittals that Ecology has received from Clark County were the Phase I Municipal Stormwater Permit Annual Report for 2007 and the Draft Stormwater Management Program (SWMP) document. We have not received any further information on the overdue submittals.

Clark County must finalize the drafts of the ordinances, source control program, technical standards and manual and submit these to Ecology for review. Ecology is concerned that additional delays would make review, resolution of issues, and Clark County's adoption of the ordinance requirements by the August 18, 2008 deadline difficult. Failure to meet this deadline may result in non-compliance with additional permit conditions.

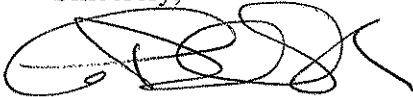


Clark County must immediately submit to Ecology an implementation schedule that outlines the County's planned timeline to meet the August 18, 2008 adoption date for permit conditions S5.C.5 and S5.C.7. This schedule must include an allowance for the Department's 60-day review period. In accordance with permit condition G20.A, submitting the implementation schedule will demonstrate the County is: "take(ing) appropriate action....to stop or correct the condition of noncompliance."

Continued failure to comply with Phase I Municipal Stormwater permit conditions is a violation of the State's Water Pollution Control Law (Chapter 90.48 Revised Code of Washington) and the Federal Water Pollution Control Act. Permit violations can be subject to enforcement actions including directives and/or monetary penalties.

If you have any questions about the permit or this letter please contact your permit manager, Greg Winters at 360-690-7120 or by e-mail gwin461@ecy.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Garin Schrieve", written over a horizontal line.

Garin Schrieve, P.E.
Southwest Region Manager
Water Quality Program

cc: Kelly Susewind, Ecology
Greg Winters, Ecology