



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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May 15, 2009

CERTIFIED MAIL 7008 2810 0001 3939 6757

The Honorable Marc Boldt, Chair
Board of Clark County Commissioners
1300 Franklin Street
Vancouver, WA 98666-5000

Re: Notice of Violation No. 6514

Dear Chairman Boldt:

The Department of Ecology (Ecology) has received Clark County's response to Notice of Violation No. 6514 regarding the County's stormwater ordinances and manual. Ecology appreciates the County's response and intent to comply with the terms of the permit.

Ecology has met with County staff to discuss the framework for a compliance agreement. We are encouraged by these initial conversations and it appears that further discussions are warranted to develop and agree upon a framework that both the County and Ecology can support as meeting the permit requirements.

Given this, Ecology will temporarily defer further enforcement action to allow these discussions to continue. However, if progress is not sustained or if an agreement has not been reached within 90 days of the date of this letter, Ecology will look to other options to enforce the terms of the County's permit. These options could include issuance of a unilateral order and/or monetary penalties.

Because the County is proposing a capital program as an alternative to the default flow control requirement in the permit, Ecology will need assurance that the County will dedicate the funding necessary to implement the program. Any agreement we reach must also clearly stipulate the ramifications for the County if adequate funding is not provided for the program.

I look forward to working with the County to regain compliance with the permit. Please contact me at 360-407-6271 or gasc461@ecy.wa.gov if you have questions regarding this matter.

Sincerely,

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

cc: Kevin Gray, Clark County Public Works

