

1 Sponsored by: Councilmember Terry Lee
2 Requested by: County Executive/Public Works & Utilities
3 Department
4
5
6

File No. 21-A

7
8
9
10
11 **ORDINANCE NO. 2005-115s**

12 **AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER**
13 **19D.60 OF THE PIERCE COUNTY CODE, "STORM DRAINAGE AND**
14 **SURFACE WATER MANAGEMENT PLAN"; AND ADOPTING THE**
15 **"CLEAR/CLARKS CREEK BASIN PLAN" FOR THE**
16 **UNINCORPORATED AREA OF PIERCE COUNTY AS AN AREA**
17 **UPDATE TO PIERCE COUNTY'S STORM DRAINAGE AND SURFACE**
WATER MANAGEMENT PLAN.

18 **Whereas**, the Pierce County Council adopted Ordinance No. 87-205 on March
19 15, 1988, which was amended by Council Ordinance No. 88-200 on December 20,
20 1988, thereby establishing the Pierce County Storm Drainage and Surface Water
21 Management Utility, and

22 **Whereas**, the Pierce County Council adopted Ordinance No. 91-113 on
23 November 5, 1991, which adopted the "Pierce County Storm Drainage and Surface
24 Water Management Plan (Master Plan), codified as Chapter 19D of the Pierce County
25 Code (PCC) for the unincorporated areas of Pierce County; and

26 **Whereas**, the Master Plan focused on county-wide flood hazard reduction,
27 analyzed the Clear/Clarks Creek Basin as an urban basin, and recommended a set of
28 capital improvement projects and actions, many that have been implemented, and

29 **Whereas**, the County Council adopted Ordinance No. 91-197 in January 1992,
30 which adopted the "Puyallup River Basin Comprehensive Flood Control Management
31 Plan"; and

32 **Whereas**, the "Puyallup River Basin Comprehensive Flood Control Management
33 Plan" applied to the main stem of the Puyallup River, White River, and Carbon River
34 and did not address flooding and storm drainage problems in the drainage basins of
35 tributaries flowing to the Puyallup River; and

36 **Whereas**, since the Master Plan was adopted, the Pierce County Council
37 adopted the Comprehensive Plan for Pierce County Washington in November 1994
38 pursuant to the State Growth Management Act; and



1 **Whereas**, the Growth Management Act requires consistency between the
2 Comprehensive Plan for Pierce County Washington and capital improvement plans for
3 public facilities; and

4 **Whereas**, since adoption of the Master Plan, Pierce County has been issued a
5 National Pollutant Discharge Elimination System (NPDES) stormwater permit under the
6 federal Clean Water Act, which imposes water quality requirements and standards on
7 stormwater discharges; and

8 **Whereas**, Chinook Salmon and Bull Trout that exist in Pierce County waters
9 have been listed as endangered species since adoption of the Master Plan; and

10 **Whereas**, Pierce County participates in the federal Flood Insurance Program for
11 reduced flood insurance for County residents and receives additional benefits as a
12 Federal Emergency Management (FEMA) Community Rating System participant, which
13 favors comprehensive surface water management plans; and

14 **Whereas**, the Pierce County Council has received the recommendation for
15 approval of the Clear/Clarks Creek Basin Plan and Final Supplemental Environmental
16 Impact Statement from the Pierce County Storm Drainage and Surface Water
17 Management Advisory Board; and

18 **Whereas**, the Pierce County Council has received the Findings of Fact, Staff
19 Report, and recommendation for approval of the Clear/Clarks Creek Basin Plan from
20 the Pierce County Planning Commission; and

21 **Whereas**, the Economic Development and Infrastructure Committee of the
22 Council conducted a public hearing on the proposed Clear/Clarks Creek Basin Plan on
23 December 6, 2005; and

24 **Whereas**, the Pierce County Council has determined that the proposed
25 Clear/Clarks Creek Basin Plan implements the Comprehensive Plan of Pierce County
26 Washington, and protects the public health, safety, and welfare; **Now Therefore**,

27 **BE IT ORDAINED by the Council of Pierce County:**

28 Section 1. The Pierce County Council hereby adopts the "Clear/Clarks Creek
29 Basin Plan" dated November 2005 as set out in Exhibit A, which is attached hereto and
30 incorporated herein by this reference.

31 Section 2. Chapter 19D.60 PCC is hereby amended as shown in Exhibit B,
32 which is attached hereto and incorporated herein by reference, to include the
33 "Clear/Clarks Creek Basin Plan".



1 Section 3. The Pierce County Council hereby adopts the "Findings of Fact" as
2 shown in Exhibit C, which is attached hereto and incorporated herein by reference.

3
4 PASSED this 18th day of April, 2006.

6 ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

9
10 Denise D. Johnson

11 **Denise D. Johnson**
12 Clerk of the Council

13
14 Shawn Bunney

15 **Shawn Bunney**
16 Council Chair

17 John W. Ladenburg

Pierce County Executive

18 Approved Vetoed _____, this
19 27 day of April,
20 2006.

21 Date of Publication of

22 Notice of Public Hearing: March 29, 2006

23 Effective Date of Ordinance: May 7, 2006

