

FILE NO. 21-A

PROPOSAL NO. 2003-20s

2 Sponsored by: Councilmember Shawn Bunney

3 Requested by: County Executive/Public Works & Utilities Dept.

4

5 **ORDINANCE NO. 2003-20s**

6

7 AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 19D.60

8 OF THE PIERCE COUNTY CODE, "STORM DRAINAGE AND

9 SURFACE WATER MANAGEMENT PLAN"; AND ADOPTING THE

10 "CLOVER CREEK BASIN PLAN" FOR THE UNINCORPORATED AREA

11 OF PIERCE COUNTY, AS AN AREA UPDATE TO PIERCE

12 COUNTY'S STORM DRAINAGE AND SURFACE WATER MANAGEMENT

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17 WHEREAS, The Pierce County Council adopted Ordinance No.

18 87-205 on March 15, 1988, which was amended by County Ordinance No.

19 88-200 on December 20, 1988, thereby establishing Pierce County

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24 Storm Drainage and Surface Water Management; and

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BOOK /

8/24/05  
Date/initials jm

1 WHEREAS, The Master Plan focused on countywide flood hazard  
2 reduction with a relatively minor emphasis on the Clover Creek  
3 Basin as one of 26 County basins; and  
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5 WHEREAS, The focus of the Master Plan within the Clover Creek  
6 Basin was almost exclusively on flood hazard reduction, with  
7 minimal regard to water quality and/or associated riparian habitat;  
8 and  
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10 WHEREAS, Significant population growth and incorporations have  
11 occurred within Pierce County since adoption of the Master Plan;  
12 and  
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14 WHEREAS, The Council adopted the Pierce County Comprehensive  
15 Plan several years after it adopted the Master Plan; and  
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17 WHEREAS, Since the adoption of the Master Plan, Pierce County  
18 has been issued a National Pollutant Discharge Elimination System  
19 (NPDES) stormwater permit under the federal Clean Water Act which  
20 imposes numerous requirements and standards on the County; and  
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23 WHEREAS, Chinook Salmon and Bull Trout which exist in Pierce  
24 County waters have been listed as endangered species since adoption  
25 of the Master Plan; and  
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1 WHEREAS, Pierce County participates in the Federal Flood  
2 Insurance Program for reduced flood insurance for County residents  
3 and receives additional benefits as a Federal Emergency Management  
4 (FEMA) Community Rating System participant, which favors  
5 comprehensive surface water management plans; and  
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7 WHEREAS, The Pierce County Council has received the Findings  
8 of Fact as identified in Exhibit "B" which is attached hereto,  
9 Staff Report, and recommendation for approval of the Clover Creek  
10 Basin Plan and the Final Supplemental Environmental Impact  
11 Statement from the Pierce County Planning Commission; and  
12

13 WHEREAS, Proper notice has been given of public hearings held  
14 on May 6, 2003, May 20, 2003, June 3, 2003, and June 21, 2005, and  
15 it is in the best interest of Pierce County and its citizens that  
16 the Clover Creek Basin Plan be adopted for the unincorporated area  
17 of Clover Creek Basin, Pierce County; NOW, THEREFORE,  
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19  
20 BE IT ORDAINED by the Pierce County Council:  
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22 Section 1. The Pierce County Council hereby adopts the  
23 "Clover Creek Basin Plan" dated November 2002 as set forth in  
24 Attachment I to Exhibit "A", which is attached hereto and  
25 incorporated herein by this reference.  
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2  
3 *Chapter 19D.60*

4 **STORM DRAINAGE AND SURFACE WATER MANAGEMENT PLAN**

5  
6 (Ord. 2001-63s2 § 2 (part), 2001; Ord. 97-87S2 § 6 (part), 1997; Ord. 96-111 §§ 2, 8, (part)  
7 1996)

8 The following documents are hereby incorporated by reference to this Plan:

9 ~~A. Pierce County Storm Drainage and Surface Water Management Plan, James M. Montgomery Consulting Engineers, Inc., March 1991, and area updates, including Clover Creek Basin Plan, Pierce County Water Programs, November 2002, and Gig Harbor Basin Plan, Pierce County Water Programs, November 2002.~~

10 A. Clover Creek Basin Drainage Plan, An Engineering Study for Flood Control in Pierce  
11 County, Washington, Consoer, Townsend & Associates Consulting Engineers, 1976.

12 ~~B. Hylebos Basin Drainage Plan, Part A, Engineering Study for the Hylebos Flood Control  
13 Zone District, Consoer, Townsend & Associates Consulting Engineers, 1974.~~

14 ~~D. 144th Street East Drainage Basin Plan, An Engineering Study for Flood Control in  
15 Pierce County, Washington, PRC Consoer Townsend, Inc., 1981.~~

16 ~~E. Puyallup River Basin Comprehensive Flood Control Management Plan, Pierce County  
17 River Improvement, James M. Montgomery Consulting Engineers, Inc., 1991.~~

18 The following are appendices to the Plan:

19 ~~A. North Fork Clover Creek Basin, Preliminary Design Report for Surface Water Control,  
20 Project No. D-303 & D-304, David Evans and Associates, Inc., October 1993.~~

21 ~~B. Wollochet Creek Watershed, Hydrologic/Hydraulic and Engineering Analysis, Pierce  
22 County CIP Project: 005-D323, Preliminary Engineering Report, Economic and  
23 Engineering Services, Inc., March 29, 1995.~~

24 ~~C. Ward's Seeley Drainage System Improvements Predesign, (SWM CIP Project D305-1),  
25 CH2M HILL, with Hong West & Associates, Inc., and SvR Design Company, March  
26 1994.~~

27 ~~D. Wards Lake Creek Basin Drainage Basin Improvements, Draft Report, R.W. Beck,  
August 1994.~~

~~E. Ward's Seeley Drainage System Improvements Predesign, SvR Design Company,  
February 9, 1995. (Memorandum to John Rogers from Maureen Kwolek.)~~

~~F. Results of Subsurface Site Investigation and Infiltration Analysis, Ward Steilacoom  
Project Area, Hong West & Associates, March 27, 1995. (Technical Memorandum to  
John Rogers from Otto Harris and Larry West.)~~

~~G. Pierce County Drainage Study of Clover Creek, Technical Memorandum Project D404,  
KCM, Inc., December 23, 1994.~~

~~H. Woodland Creek Detention Pond Project No. D-310, Modeling and Assessment Report,  
Parametrix, Inc., September 1993.~~

~~I. Woodland Creek Bypass Pipeline Project No. D-310-1, Parametrix, Inc., July 1994.~~

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J. ~~Clear Creek Drainage Basin Feasibility Study, Project Number D-308, Technical Memorandum A, Detention Alternative Documentation, D'Abov Engineering, Inc., September 1994.~~

K. ~~Clear Creek Drainage Basin Feasibility Study, Project Number D-308, Technical Memorandum B, Bypass Pipeline Alternative Evaluations, September 1994.~~

L. ~~Chambers-Clover Creek Watershed Action Plan, prepared by Pierce County Public Works and Utilities, June 1997, and recognized by Pierce County Council Resolution R2000-100, October 2000.~~

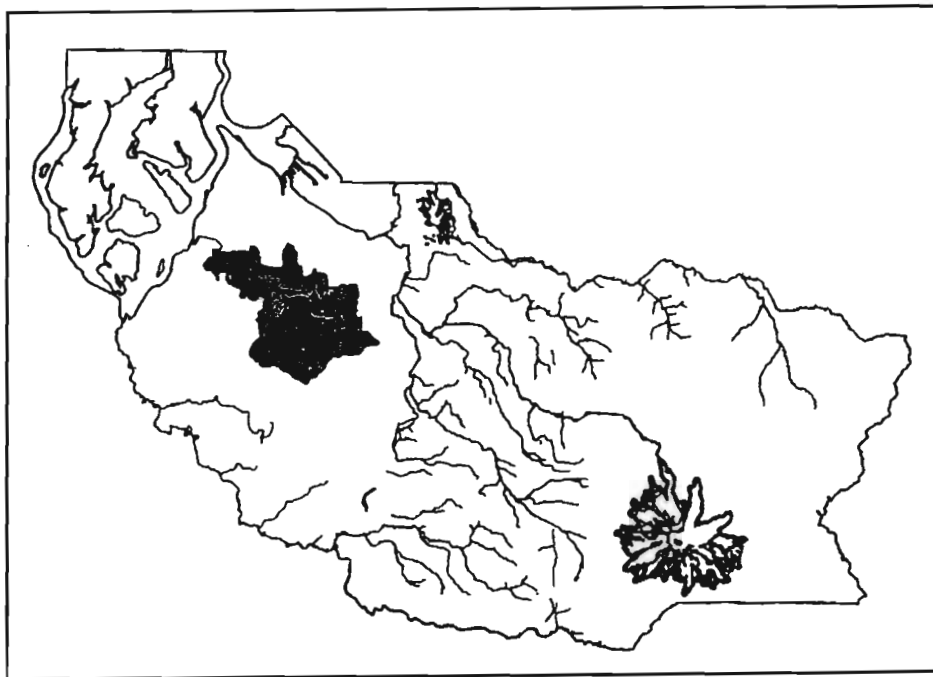
M. ~~Key Peninsula-Gig Harbor-Islands Watershed Characterization & Action Plan, prepared by Key Peninsula/Gig Harbor/Islands Watershed Committee, July 1999, and recognized by Pierce County Council Resolution R2000-101, October 2000.~~

Code Revisor's Note: The Storm Drainage and Surface Water Management Plan was adopted by Ordinance No. 91-113 and codified as Chapter 19D.60 PCC by Ordinance No. 96-111. The Clover Creek Basin Plan was adopted by Ordinance No. 2003-20s.

Attachment I to Ex. A. 2003-20s

# Clover Creek Basin Plan

November 2002



**Pierce County**

**Public Works and Utilities  
Environmental Services  
Water Programs Division**

2 FINDINGS OF FACT

3  
4 The Pierce County Council hereby finds that:

- 5 1. In November 1991, the Pierce County Council passed Ordinance  
6 No. 91-113 and adopted the Pierce County Storm Drainage and  
7 Surface Water Management Plan, Volumes 1, 2, and 3 dated  
8 March 1991 (1991 Plan).
- 9 2. The 1991 Plan is a comprehensive plan for storm drainage,  
10 surface water management and floodplain management within  
11 unincorporated Pierce County that contains a capital  
12 improvement plan and recommendations for nonstructural  
13 remedies to storm drainage and surface water problems.
- 14 3. The 1991 Plan is adopted as another comprehensive planning  
15 document in Pierce County Code 19D.60.
- 16 4. Many of the capital improvement projects in the 1991 Plan  
17 have been constructed and many of the recommendations for  
18 nonstructural actions have been implemented. The remaining  
19 projects have been reevaluated and if still valid, have been  
20 rated along with the new projects.
- 21 5. The 1991 Plan concentrates on flood prevention. The Clover  
22 Creek Basin Plan identifies flooding, habitat, and water  
23 quality programs within the basin and recommends capital  
24 improvements and nonstructural solutions.
- 25 6. Since 1991, several major events have occurred that affect  
26 how the 1991 Plan can be implemented and the overall  
approach to effective storm drainage and surface water  
management.
7. In 1994, the Comprehensive Plan for Pierce County Washington  
(Comprehensive Plan) was adopted. The Growth Management Act  
(GMA) requires Pierce County to develop, adopt, and  
implement a comprehensive plan (RCW 36.70A.040). The GMA  
requires provisions for adequate public facilities, such as  
storm drainage facilities; protection of critical areas,  
such as flood hazard areas, fish and wildlife habitat areas,  
and wetlands; internal consistency; and consistency of  
facilities plans with the land uses and policies of the  
comprehensive plan.

- 1 8. The Clover Creek Basin Plan bases recommendations on land  
2 uses designated in the Comprehensive Plan and the policies  
3 related to storm drainage and surface water management  
4 facilities as they apply in the respective basins.
- 5 9. In 1995, Pierce County was issued a federal Municipal  
6 Stormwater National Pollutant Discharge Elimination System  
7 (NPDES) permit that remains in effect. The NPDES permit  
8 requires Pierce County to have a water quality program. The  
9 next permit update is expected to increase requirements on  
10 Pierce County for water quality protection.
- 11 10. The Clover Creek Basin Plan includes actions aimed at  
12 keeping Pierce County in compliance with its NPDES permit.
- 13 11. In the late 1990's, the federal government listed Puget  
14 Sound Chinook salmon and Bull Trout as a threatened species  
15 under the federal Endangered Species Act (ESA). Chinook and  
16 Bull Trout spend parts of their lifecycles in Pierce County  
17 waters. The ESA calls for the elimination and reduction of  
18 existing and future actions, including habitat alterations  
19 that could cause "jeopardy" for protected species.
- 20 12. The Clover Creek Basin Plan includes actions aimed at  
21 reducing Pierce County's potential ESA liabilities, such as  
22 improving listed species habitat on and off County  
23 properties. It also considers habitat issues of other  
24 salmonid species with potential to be listed.
- 25 13. Chapter 3 of the Clover Creek Basin Plan documents public  
26 involvement by identifying groups and people with an  
27 interest in the outcome of the basin plan and a series of  
stakeholder meetings where they were invited to identify  
flooding, water quality and related habitat concerns in the  
Clover Creek Basin and asked to comment on the results of  
the basin characterization. Two additional meetings were  
held on November 6<sup>th</sup> and 12<sup>th</sup>, 2002 to present and receive  
comment on the Draft Plan and Draft Supplemental  
Environmental Impact Statement (SEIS).
14. The Draft SEIS for the Draft Clover Creek Basin Plan was  
issued by the Pierce County Environmental Official on  
October 18, 2002. Notice of the availability of the Draft  
SEIS was published in the South Pierce County Dispatch on  
October 13, 2002.
15. The Pierce County Planning Commission held a public hearing  
on the Proposed Clover Creek Basin Plan on November 26,  
2002. Notice of the public hearing was published in the

1 News Tribune, the South Pierce County Dispatch on November  
2 13, 2002.

3 16. The Public Works Committee held hearings on the Proposed  
4 Clover Creek Basin Plan on May 6, 2003, May 20, 2003, and  
5 June 3, 2003.

6 17. The Pierce County Storm Drainage and Surface Water  
7 Management Advisory Board considered the Proposed Clover  
8 Creek Basin Plan at its meetings on October 4, 2004 and  
9 October 19, 2004, and recommended approval of the Basin Plan  
10 to the County Council.

11 18. The Economic and Infrastructure Development Committee held a  
12 public hearing on the Proposed Clover Creek Basin Plan on  
13 June 21, 2005.

#### 14 **Conclusions**

15 The Clover Creek Basin Plan is consistent with surface water and  
16 public facilities-related policies of the Comprehensive Plan for  
17 Pierce County Washington; the objectives of the 1991 Pierce  
18 County Storm Drainage and Surface Water Management Plan, listed  
19 as another comprehensive planning document in PCC 19D.60; and the  
20 County's adopted Capital Facilities Plan.

21 The Clover Creek Basin Plan is consistent with the Comprehensive  
22 Plan for Pierce County Washington, the Growth Management Act, as  
23 well as other State and federal regulations.

24 The Clover Creek Basin Plan implements and is consistent and  
25 supportive of Pierce County's Municipal Stormwater NPDES Permit.

26 The Clover Creek Basin Plan furthers the objective of reducing  
the potential ESA liability of the County.

The Pierce County Planning Commission recommended approval of the  
Clover Creek Basin Plan.

The Pierce County Storm Drainage and Surface Water Management  
Advisory Board recommended approval of the Clover Creek Basin  
Plan.

The Clover Creek Basin Plan is needed to provide for the health,  
safety and welfare of the citizens of Pierce County.

Based on public testimony, the staff report, the plan and  
environmental documents, the Pierce County Council hereby adopts  
the Clover Creek Basin Plan.

