BEFORE THE BOARD OF DIRECTORS OF CLEAN WATER SERVICES

In the Matter of Adopting Revisions to the Design and Construction Standards Pertaining to Stormwater Management to Align with the Revised Watershed-Based National Pollutant Discharge Elimination System Permit; Pursuant to Ordinance 27; Repealing Resolution and Order 19-05 and 19-22	RESOLUTION AND ORDER NO. 26-25

The above-entitled matter came before the Board of Directors of Clean Water Services (Board) at its regular meeting of October 13, 2026; and

It appearing to the Board that it adopted Ordinance 27 on the use and operation of the sanitary sewerage system and the storm and surface water management system throughout urban Washington County; that this ordinance provides authority to adopt additional rules by resolution and order about design and construction of public sanitary sewerage and storm and surface water management facilities, erosion control, provision of permanent water quantity and quality control facilities, regulation of activities affecting discharges of stormwater and nonpoint sources of pollution for the protection of the Tualatin River, its tributaries, and other waters of the state within the Clean Water Services (District) boundary, requirements for permits for connection to the sanitary and stormwater system and related matters; and

It appearing to the Board that the District is responsible for sanitary sewer service and storm and surface water management throughout urban Washington County pursuant to Oregon Revised Statutes (ORS) Chapter 451 and subject to the rules and orders of the state Department of Environmental Quality, that the District is a permittee under the National Pollutant Discharge Elimination System Permit (NPDES) Watershed-Based Waste Discharge Permit for all urban Washington County, and that the District has adopted master plans for sanitary sewer throughout urban Washington County, as authorized by ORS Chapter 451; and

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It appearing to this Board that the District has entered into intergovernmental agreements with Washington County (County) and the cities within the District's boundaries primarily affected by the District's master plans to provide for an integrated system pursuant to the District's master plan for sanitary sewer and subbasin watershed plans, and that these agreements provided that the cities and County will observe the orders promulgated by the District; and

It appearing to the Board that on April 2, 2019, it adopted District Resolution and Order No. 19-5, which repealed Resolution and Order 17-5 and adopted revisions to the Design and Construction Standards (Standards) pertaining to the sanitary sewerage and storm and surface water management systems, pursuant to Ordinance 27; and,

It appearing to the Board that on November 12, 2019, it adopted District Resolution and Order 19-22, which amended Resolution and Order 19-5; and,

It appearing to the Board that the existing rules and regulations of the District contained in Resolution and Orders 19-5 and 19-22 require revision to maintain compliance with requirements in the District's NPDES permit to incorporate development standards that prioritize onsite and local/regional stormwater retention and pollutant removal, including developing a numeric stormwater retention requirement intended to maximize onsite retention and infiltration and limit flows leaving the site, and prioritizing green infrastructure before considering hardscape structural stormwater controls for stormwater management; and

It appearing to the Board that the revised Standards serve to reduce the adverse effects to water quality and quantity of any construction or site alteration and will further safeguard the public health and safety and the operations of the District's sanitary and storm and surface water systems, to aid the District in achieving compliance with the rules and requirements of the Oregon Department of Environmental Quality, to coordinate the District's planning and actions with the comprehensive plans of the cities and Washington County as those entities comply with Title 3 of Metro's Urban Growth Management Functional Plan, and to further efforts to improve the water quality of the Tualatin River and its tributaries; and

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It appearing to the Board that the District has conducted an extensive outreach of public information regarding the development and adoption of these rules, including meeting with representatives of the cities within the District and with Washington County, and providing information and copies of the proposed rules to those entities and members of the public; and

It appearing to the Board that the revised Standards are available on the District website and a copy of the proposed changes were made available with the Board packet for the public hearing on October 13, 2026; and

It appearing to the Board that it has conducted a public hearing regarding the adoption of these Standards on October 13, 2026, in accordance with District Ordinance 27, Section 8, and that public notice was given as required and interested persons were allowed to appear and be heard; and

It appearing to this Board that after considering written and oral testimony it is appropriate to adopt the Standards and that such Standards are within the scope of District Ordinance 27 and are necessary to further the objectives of District Ordinance 27, which include: enhancement and maintenance of the water quality of the Tualatin River and its tributaries; compliance with state and federal permit and regulatory requirements; promotion of the health, safety, and welfare of the community; and furtherance of the objectives and purposes of the federal Water Pollution Control Act 33 USC §§ 1251-1387; and the Board being fully advised in the premises; now, therefore it is

RESOLVED AND ORDERED that the Standards are hereby adopted; and it is further

RESOLVED AND ORDERED that administration of the Standards may be delegated to individual cities and Washington County as the District's designees only pursuant to intergovernmental agreements that specifically provide for such delegation; and it is further

RESOLVED AND ORDERED that the General Manager is hereby authorized and directed to take such steps as are necessary to finalize the Standards, including but not limited to correcting typographical and formatting errors, removing "Reader Notes," and removing underline and

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strikeouts to produce a final version that can be published and available to the public. In addition, the General Manager is authorized to update technical references and Standard details from time to time, to align with current industry practices and ensure that the visual representation of requirements is consistent with the written text of the Standards. These changes will not affect the substance of the Standards; and it is further

RESOLVED AND ORDERED that Resolution and Orders 19-5 and 19-22 are repealed, provided, however, that all permits issued, enforcement and other actions taken pursuant to said Resolution and Order before the effective date of this resolution, will remain in full force and effect or be able to be issued and enforced; and it is further

RESOLVED AND ORDERED that this Resolution and Order will take effect on November 1, 2026, for all development and construction permit applications with land use applications accepted by the land use authority on or after November 1, 2026, unless specifically requested by applicants for development and construction permits with applications currently in process.

DATED this 13th day of October 2026.

CLEAN WATER SERVICES
By its Board of Directors

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Chair

_____

Recording Secretary

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