

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Sitting/Acting as the governing body of Water Environment Services

Policy Session Worksheet

Presentation Date: September 30, 2025 **Approx. Start Time:** 2:00pm **Approx. Length:** 30 minutes

Presentation Title: Delegation of Permit Submission Authority

Department: Clackamas Water Environment Services ("WES" or "District")

Presenters: Greg Geist (Director), Ron Wierenga (Deputy Director)

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Delegation of authority to WES supervisory staff to submit reports and certifications required by federal and state permits on the Board's behalf.

EXECUTIVE SUMMARY:

WES has numerous permits issued by state and federal agencies to operate the district's wastewater and stormwater systems and authorize discharges to water, air, and land. The permits require ongoing and frequent submittals to agencies including reports, applications, and notices of events.

In most instances, only the WES Board as the ranking elected official, and the County Administrator as the Chief Executive of WES, have the authority to submit certain information to the agencies unless a formal delegation of authority has been made. WES has operated under state and federal permits for decades, and historically the WES Director has submitted reports and certifications electronically via email and in hard copy to the agencies.

Reporting requirements have changed, and Oregon Department of Environmental Quality (DEQ) now requires permittees to use the state's online reporting system known as "Your DEQ Online". Other federal agencies like the Environmental Protection Agency are moving to electronic reporting as well. The DEQ Online system is complex and cumbersome and requires users to establish and manage accounts to complete submittals.

In order to ensure the timely and efficient completion of WES business, and ultimately to ensure compliance with permits, WES staff requests a formal delegation of signing authority to certain positions to certify and complete the required submittals. Only the positions delegated the authority will hold "Responsible Official" accounts in DEQ Online necessary for submitting required information.

In the absence of a delegation of authority, the Board Chair and Chief Executive of WES must establish and manage online accounts to submit the required information prepared by staff.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? ☒ YES ☐ NO

What is the cost? No cost to County or District

What is the funding source? N/A

STRATEGIC PLAN ALIGNMENT:

Ensuring reports and certifications are submitted to DEQ timely and properly supports the County's strategic priority to maintain strong public trust in good government for Clackamas County residents. Timely submissions align with the Utility Operation strategy within WES' Performance Clackamas Plan, which is to effectively manage wastewater and stormwater systems to meet or surpass environmental, safety, and public health standards, recover resources and protect watersheds.

LEGAL/POLICY REQUIREMENTS:

Federal and state laws and permits issued to WES

PUBLIC/GOVERNMENTAL PARTICIPATION:

N/A

OPTIONS:

1. Direct staff to prepare a Board Order delegating authority to submit required permit reports and certifications on the Board's behalf for approval at a future Business Meeting.
2. Direct staff to come back for further Board discussion and direction.
3. Take no action at this time.



RECOMMENDATION:

Staff recommend Option #1: Direct staff to prepare a Board Order delegating authority to submit required permit reports and certifications on the Board's behalf for approval at a future Business Meeting.

ATTACHMENTS:

#1: Proposed Board Order

SUBMITTED BY:

Division Director/Head Approval 
Department Director/Head Approval 
County Administrator Approval _____

For information on this issue or copies of attachments, please contact <u>Chris Koontz</u> @ 503-679-4034

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of a Limited
Delegation of Signing Authority for
Water Environment Services
Federal and State Permit
Reporting



Board Order No. _____

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Whereas, the Board of County Commissioners (“the Board”) is the governing body of Water Environment Services an ORS Chapter 190 Intergovernmental Entity (“WES”), this matter coming before the Board at this time, and it appearing that the Board, as the ranking elected official, has authority to sign all permit applications under the Federal and State laws regulating water quality, air quality, and climate protection; and

Whereas, the Clackamas County Administrator also serves as the Chief Executive Officer of WES. The Chief Executive Officer also has authority to sign permit applications and reports required by the permits issued to WES under the Federal and State laws regulating water quality, air quality, and climate protection; and

Whereas, the Federal and State laws regulating water quality, air quality, and climate protection provide that the authority to sign the reports may be delegated by the ranking elected official to a duly authorized representative.

Whereas, the Board finds that the reporting requirements for these permits have changed to require electronic reporting through online access. The regulations allow the reporting obligations to be delegated to the supervisors within WES that gather and monitor the data.

Whereas, the Board believes it is necessary to delegate limited authority to the supervisors within WES to submit the required reports as duly authorized representatives, to ensure the timely and efficient completion of WES business; and

NOW THEREFORE, the Clackamas County Board of Commissioners, acting as the governing body of WES, do hereby order as follows:

1. The Director, Assistant Director, Technical Division Manager, and Capital Division Manager are hereby delegated authority to submit permit reports and certifications required by Federal and State permits. The Director and Assistant Director shall direct which managers will complete which reports and certifications.

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DATED this 2nd day of October, 2025.

Water Environment Services

Craig Roberts, Chair

Recording Secretary