



## Clean Water Advisory Committee

January 21<sup>st</sup>, 2021 8:30–10:30

Zoom virtual meeting

**Committee Members in Attendance:** Jenny DeGroot, Ryan Hawkins, Vicki Heater, Kyle Loring, Judy Meyer, Kimbal Sundberg

**Ex-officio and County support staff:** Matt Clausen, Marta Green, Erin Halcomb, Frances Robertson, Byron Rot, Kendra Smith, Cathi Winings, Cindy Wolf, Marcus Reaves

**Public:** Ann Jarrell

8:37 AM **Welcome**, Byron begins with Coast Salish Acknowledgement: *Let us acknowledge we reside on the ancestral lands and waters of the Coast Salish people who have called this place home since time immemorial and let us honor inherent, aboriginal and treaty rights that has been passed down from generation to generation.* Introductions around the meeting.

8:38 AM Introductions around the virtual room, Cindy Wolf is here as the new Council liaison

8:46 AM Approval of November 2020 meeting minutes  
Postponed to next meeting due to lack of quorum. We have openings for more committee members.

8:47 AM Public comments – none at this time

8:47 AM CWAC committee changes and updates *Kendra Smith*  
Kyle Loring is stepping down as Chair and committee member. We can have 2-4 positions for each District, with seven needed for a quorum. We have seven right now. One vacancy is on Orcas, two on SJI, and two on Lopez. CWAC may have 12 committee members there are up to five vacancies.

**ACTION ITEM:** Kendra will send around table with current members and their areas of expertise

With Kyle leaving there are gaps in legal realm and conservation. Groundwater, water quality helpful.

**ACTION ITEM:** send anyone with interest to Byron for the application, goal is to refill positions by June.

There's a new GM at Eastsound water and sewer who may be interested, Ryan Hawkins will send their information. Kim will also send a few names. Kendra: committee members can do two 3-year

terms, past members can apply. Byron: everyone on the committee has term up at the same year, except Ryan and Monico

**ACTION ITEM:** Need to clarify term limits with Ingrid. Indgrid answer: Term limits are four years, two terms maximum, all terms end June 2022. Any new member would receive a partial term with the option to add a second term.

8:54 AM VSP 5-yr Adaptive Management Report. *Matt Clausen, Cathi Winings*  
 VSP Revised approach to VSP monitoring: Vicki Heater provides history and describes the SJI program. VSP is voluntary, the task is to engage people, in terms of water quality and monitoring their watershed

Vicki proposes a shift from regulatory type monitoring towards educational, using visual assessments. Need a standardized method, in discussion with scientists at Huxley about setting up a program. Water quality testing can be done in the field, to give indicators about factors that will impact livestock (e.g. DO, turbidity, nitrate). Won't require lab sampling. Sites chosen for Ag activity. Work group is supportive. E.g. Staff gauges farmers can put in ponds to observe water levels  
 - VSP statewide eliminated the regulatory requirement for producers in critical areas, but it's voluntary. Incentives and cost-shares are the only carrot. The regulatory leverage disappeared. Now there's only incentives.

Skagit county never adopted VSP, Conservation District and SJ County decided to opt in to VSP  
 - There was a district court ruling on Jan 8<sup>th</sup> 2021 by Judge Coughenour compelling Ecology to complete guidance to farmers on actions to restore water quality. Ecology needs to specify farm practices that clean up, and need to report to EPA

<https://www.knkx.org/post/settlement-agreement-says-state-must-protect-endangered-species-polluted-runoff>

Kyle: some larger Ag operations have tried to use VSP as a workaround and prevent application of critical area ordinance protections. There are requirements for 5- and 10-year check-ins, VSP is meant to achieve a result and improve water quality.

Matt: There is unclarity on what can we do, do we have Ecology as a regulatory backdrop? County is recipient of state funds, Conservation District contracted by County. Our work is non regulatory/non-enforcement. Voluntary stewardship. Ag approaches us. All SJC is within the VSP, within a critical area.

This process started in 2016-2017, program started in 2018. Need to report to state about whether we've met benchmarks/goals. That's what Cathi has been working on based on our work plan. We've made over 80 farm plans since this program began, largely around livestock. Need to motivate other landowners to participate and for those participating, use education and acknowledgement.

Question: Ecology said, "everything that came out of the lawsuit formalizes where we want to go".

**ACTION ITEM:** Matt will look into what direction comes out of this ruling for VSP, and let Kendra know

Matt: Now we're working to re-word benchmarks, include Vicki's proposal. Finish our farm plans.

Byron: it would be great to have a map of status in these key watersheds

Cathi: Part of what we learned from adaptive management plan and 5-year report was the need to scale back. Previously focused on farm plans, now turn more to outreach/education. In next year, hope to use GIS to figure out where to focus. Can I work with some of you on outreach priorities?

Byron: yes, and county has some robust GIS resources.

Kendra: there are a lot of different data layers around wetland systems and streams. We're updating those, the goal is to get to an accurate map that merges old data and upgrades to current conditions

Jenny: I could help with that as well.

**ACTION ITEM:** Kendra and Cathi to connect offline about using GIS layers to target areas

Question: can we direct cost-share funding toward key watersheds, focus on those areas for impact?

Cathi: one adaptive management goal from original VSP plan is to focus on priority watersheds

Byron: I'd be happy to work with you, I can think of a handful of landowners in those watersheds

**ACTION ITEM:** when surfacewater group next meets, feedback on Vicki's monitoring proposals

Vicki: I want feedback in establishing sentinel sites for monitoring, e.g. a site on False Bay creek that community (volunteers) can recognize from the website.

Frankie: The MRC may also be able to help with sampling at False Bay.

Erin: as for Land Bank being public land, that fits nicely with our outreach program.

10:02 AM Surface water quality monitoring results: nutrients and bacteria for False Bay Creek and Crow Valley Creek watersheds. *Marta Green*

5 stormwater locations, 2 water sheds of focus for surface water, Crow Valley and False Bay

Surface water = streams, undisturbed, exposed. Stormwater = high impervious cover (ferry landings)

Statewide established water quality (salmonid-rearing criteria) for bacteria and nutrients

For Crow Valley, consistently elevated phosphate at most stream locations. Nitrogen generally low.

Question: for phosphate, are those PO<sub>4</sub> relative to total P?

**ACTION ITEM:** Marta thinks yes, will check and get those numbers to Judy

For SJ Valley and False Bay creek sampled two locations just up from confluence of SJV and FB creeks.

Discussion of some potential additional sample locations

Some flooding in SJV creek, saturation of soils and surface water flowing across landscape into creeks

So the question is, are we doing good enough? With management of livestock around creeks

Question: are we talking about more than one producer?

Byron: up to four different livestock producers on SJV Creek

Question: do you have these locations on maps?

Byron: sampling spot is the same, on False Bay preserve on Land Bank property. The producers are at different spots in the watershed, we can put those on maps

**ACTION ITEM:** Map locations of cattle grazing in each watershed (Byron, Cathi).

Note: due to concern about the green algae blooms in False Bay, Megan at FHL just hired a marine quality scientist to look at nutrients in False Bay. There are water fowl, need to drill down on sources

Marta: sample from preserve, furthest downstream, showed lowest phosphate

**ACTION ITEM:** ask Megan to present about research in False Bay at a future meeting

Question: sample for tire particulate matter in streams? Shown to harm salmon

Kendra: I checked with Ecology about filters in prune alley. They don't know if this type of filter will filter out that particulate. We'll sample this spring in the street grit, see what we get there

When we sample in Eastsound's water quality facility, we'll check those samples as well

**ACTION ITEM:** let's touch base on this subject of tire particulate sampling for next meeting

10:33 AM Quick culvert updates: Cormorant Rd-Fish Trap Ck, Killebrew Lake Rd-Bayhead Ck.,  
Orcas *Ryan Hawkins*

Kendra: moving through design on Bayhead creek as well as Cormorant Rd. and Fishtrap. Ryan has met with property owners. We plan to bid these properties and start construction this summer

**ACTION ITEM:** after a few more days we can share designs for both culverts

Fishtrap is 8 ft wide concrete box culvert, on a skew to the road direction. There are two alternative designs, one straight across the road, the other following the creek path on a skew.

Now permitting for excavation and replacement of original culvert that washed out last year at Bayhead. Includes 25' arch and a pool habitat structure

Question: are we taking a lot of trees out? Bayhead has substantial forested area

Ryan: we'll take out 3 medium-sized alder trees. Preserving cedars

If anyone wants to visit a site let Ryan know

10:49 AM Adjourn