



Clean Water Advisory Committee Meeting Minutes

Friday Harbor Grange - May 9, 2019

Committee Members in Attendance: Jenny DeGroot, Kyle Dodd, Vicki Heater, Kyle Loring, Judy Meyer, Byron Rot, Laura Jo Severson, Buck Smith, Kendra Smith, Kimbal Sundberg

Non-Committee Members in Attendance: Krista Davis, James Finn, Marta Green, Tom Huse, Ann Jarrell, Mike Pickett, Pema Kitaeff

Committee members not in attendance: Paul Kamin, Bill Watson, Bob Neiman, Gary Sale, Jolyn Leslie

8:37 AM Approval of March minutes. *Kendra Smith opens the meeting*
Judy: add the word 'trapping' before 'sediment', other clarifications to be made with Byron
Judy moves to approve minutes with edits, Kyle Loring seconds, all in favor – minutes approved.

Agency/Dept Updates:

Kyle Dodd: has heard from contractor working on Lopez groundwater, received monitoring report – will present final report at next meeting. No major changes in trends in water quality.

Buck Smith from Dept. of Ecology/Water resources program: governor declares drought if watershed has less than 70% of supply and will cause hardship to farmers. Drought already declared in 3 basins, on watch-list for several others. Cascade Creek: Gary Sale working 2 days/week through June, Buck scheduled to meet to review valves & pipes. State parks management will either fill Gary's position or contract out. Paul volunteered to check on valves. Dept. of Ecology will check monthly Summer/Fall.

Q: what happens when drought is declared?

A: water users can get special funding from State to drill additional wells. If water will be very low the utility can ask for voluntary and then mandatory conservation of water

Q: how much of an impact does drought have in terms of fire protection?

A: prediction is for a warmer/dryer than normal summer. Burning will be prohibited after May 15th.

Vicki: Laura Jo, I invite you to join the Conservation district meetings to talk about fire-wise

Kendra: Cascade Creek is on the agenda, we should get together a sub-group to discuss it further

8:51 AM Water quality / quantity monitoring in the County *Marta Green*
Pause on the monitoring program this season to figure out strategy going forward. Framework will be more cost-effective. Report produced by a consultant. There was a 3 year pilot followed by 2 more years of monitoring. One sampling event in spring 2018 and another in Fall 2018 (*see handout*). More analysis needed to determine conclusions from last 5 years, but in general not much change year to year. The quality assurance plan has not been updated since the start of the pilot program, needs to be revisited. Objectives listed on handout should be scope of project, i.e. 'assess storm-water in 6 places'. Challenges: 1. readiness for first flush (sometimes require being on multiple islands on same day), need personnel. Had one continuous flow sampler at Eastsound that has been out of service for

several years. And 2. Getting bacteria samples analyzed within appropriate time (8 hours), samples shipped to “Edge” Lab in Bellingham. Need to tighten up some chain of custody and documentation.

Note: Jenny was a stormwater monitor, not so much lack of personnel as lack of management/planning within Conservation District. Volunteers are still ready to do this work.

Q: how do you define first flush?

A: It’s the first rainfall that generates runoff off impervious surfaces, not saturation. It’s stormwater runoff, not surface flow collection or groundwater that is collected upon ground saturation. For stormwater we are interested in run-off from impervious surfaces.

Q: Is this just surface and freshwaters? Not including groundwater?

A: Correct this monitoring review is for surface and storm waters; it is separate from island-wide groundwater monitoring program that Kyle Dodd is working on.

Q: In that case the title should reflect something about freshwater. Make clear what the real issue is

A: One of the questions we’re trying to answer is what kind of what kind of pollutants are part of run-off.

Kendra: the question of Fisherman’s Bay may be something for Dept. of Ecology, marine sampling.

Kyle Dodd: WA dept. of Health does annual report, 8 in our county. One monitoring station on Squaw Bay: site visit two years back found confined paddock area and failing septic system. Now being fixed. Several marine water quality stations in shellfish growing areas. Sample analysis results must be from a state-certified lab, we can do that with routine surface-water area, hard to schedule for first flush.

Kendra: if we’re implementing projects to remedy problems, we want data Dept. of Ecology will accept. Then as treatments go in we can show improvement over time and get those watersheds removed from the 303D list. After 303D next stop is TMDL.

Q: with bacteria, need to distinguish between human and farm-related? Blame often put on septic

A: Kendra will find out; will ask Dept. of Ecology

Dodd: Health & Public Works can partner look at a drainage area, determine sources of fecal bacteria.

Marta: OBJECTIVES – #1. assess the performance of storm-water projects, at outfalls and ferry landings. Krista is working on bioswale project so have baseline data from last year. Now that we’re sweeping and cleaning catch basins & we’ll make sure to get the first flush. Parameters: metals, bacteria, etc.

#2. Performance assessment of priority watersheds: False Bay, West Sound Creek (Crow Valley), Garrison Bay (questions of landowner cooperation). Byron suggested some additional creeks to add (future projects?) Beaverton Creek, Sportsman lake creek, Judd Cove. These may be water limited, we don’t have data.

Kendra: decide based on whether there are land-use activities that bring a creek’s health into question? Resources are limited. Idea of circling back to Cascade Creek for baseline data

#3. potential for 303D de-listing (*shows map of 303D listed*). Stream segments in False Bay & Lopez Sound watersheds, Mountain Lake (part of Cascade Creek), East Sound, Horseshoe Lake, West Sound Creek (Crow Valley).

#4. Concerns that arise year to year: opportunistic samples (like Jones farm livestock issue on Lopez).

#5 Needs for flow: monitor at outfalls, if we get continuous monitoring at outflows is to better gauge contaminant loading between sampling events. (Idea of auto-samplers –never worked properly.)

Vicki: the flow question is important to all watershed health not just water quality

Marta: this includes ‘stream flow for project feasibility study and design’

Byron: There are guages at False Bay creek, West Sound Creek (Crow Valley). There are a lot of jurisdictions that monitor biological indicators as well, like benthic invertebrates. We just don’t have funding for that

Kendra: it's a matter of priorities and funds. Maybe at next meeting we can have a map showing all 303d listed locations and review plans, discuss strategies for our limited resources. Coordinate with VSP voluntary stewardship program run by Conservation District to run some water quality sampling. ACTION ITEM: convene water quality monitoring subgroup = *Marta, Judy, Vicki, Kyle Dodd, Byron.*

Kim willing to work on False Bay sampling

Goal: game plan for addressing first flush by end of summer, have a sampling plan for the winter

9:25 AM Challenges and opportunities for code revisions and policy updates *Krista*

Start street sweeping this month through October. San Juan & Lopez on 3rd Monday, Orcas on 2nd Monday. Sampling street grit at start/end. Vactoring (big sucking tool) from Skagit is used to clean catch basins in October. Sweeping because we found relatively high amounts of street grit. We'll test the sweepers effectiveness on chip seal/ Regenerative air sweeper is being used – suspends street dirt and then sucks it up, limits particle distribution in the air. Timing will be early morning before it's warm. Adjust force if needed. Goal: get the street clean before first flush and pick up accumulated street grit material throughout the dry season

Huse: on east coast, study different levels of intensity of street cleaning and effects on water quality

A: Roger Sutherland hired, he has access to that data, this has been historically addressed as an issue of TMDL compliance

Q: how many public catch basins do we have in the county?

A: probably 1000, there are 50-70 just in Eastsound. Map of drain networks. We have records from Type I vs. Type II catch basins. After this year if some catch basins don't have much less material than we'll know we have more source control work to do. We've tested for oils, grease, heavy metals but the grit itself is considered solid waste (not hazardous waste). Last year we had approx. 5 yards.

Developmental reviews:

The utility review plans & implements stormwater permit approvals, and is also present for inspections. Introduced James Finn, partnered to looking at the code enforcement part as well as monitoring.

James: We want to take a proactive stance and educate public. Lack of stormwater planning in the past starting to impact more dense areas. Back to code enforcement and site visits, talking to contractors about getting BMP's in place and meeting 2005 guidelines. Trying to get them to decrease velocities, keep dirt on site, put in place some bio-filtration like straw. We put signs on those sites, saying "implement BMP's". Best Management Practices = Water leaving site shouldn't be turbid or polluted. Containment of disturbance on the site. Looking at moving forward from the 2005 manual. Adapt language from stormwater manuals to meet code revisions.

Differences between 2005 and current regs: Control dust (i.e. tarp piles of dust/soils right away). As urban areas get denser, lose impervious surfaces in between and abilities of soils. Stormwater plans approved 5-10 years ago. Do new developments have adequate size dispersion areas? Instead of individual drainage plans for each lot or parcel, need larger plans. Problematic because of high groundwater levels in some areas. Leading to flooding during certain events

Q: are stormwater part of inspections?

A: yes, it's the first part. San Juan Island has a good inspector who keeps contractors to their BMP's. More issues on Lopez and Orcas. It's an initial inspection issue but also a maintenance issue. The Ecology manual written for Phase I & II jurisdictions, we are not that. We have the opportunity to address our own conditions. Work on which standards are most applicable based on soil conditions/drainage basins. We'll work on changes in the Fall/into next year. The other piece is the fee structure for development - tracking how much time we spend on the review process, which should

inform new fee. Some subsidy is there but there should be more cost recovery. Interested in agricultural issues as well as urban areas. example: one farm established a pond with no permitting. If they can claim agricultural purposes there are no mitigations they can be required to do. They're pumping water into the pond from a nearby F stream. Kim is on VSP committee – discussed idea that this program can function as a 'get out of jail free' card. The agricultural activity claim is being used as an excuse for work in critical areas that we have no way to monitor. The adoption of the VSP affects how James does enforcement with animals in wetlands. Only extends 200' from shoreline, doesn't cover the miles of streams and wetlands. We want mitigation and to have no net-loss and to properly integrate agricultural activities with the VSP.

Kyle Loring: hard to close the loop because agricultural activity is hard to define. Also, it's important to tabulate calls. Impacts need to be brought to the attention of the Conservation District

James Finn: It's just me, I've been here for three years. I don't have time to report out to Friends. Last year I did 45 reports out on vacation rentals. Collected over \$100K in penalties.

Q: dirt containment on private roads?

A: no funding for that infrastructure, you can put lignin

We have a sense of community here, need peer pressure from neighbors not just code enforcement. But we do have some repeat offender landowners. No regulatory teeth. Once they get into the VSP there is no circling back to make sure they're doing the right thing.

Vicki: James please document what you see on agricultural lands. The VSP includes large-scope and very loose plans for assessing the effects. It includes no direct relationship with landowners.

James: I try to always have appropriate contacts. Work a lot with DNR in cases where there are tree-removals but in agricultural program and with VSP, who do I hand off concerns to? How do I assist?

Vicki: please just start documenting. Talk to Mike Ramsey and me. You have evidence that'll be useful

James: I can send a briefing

Krista: at what point do we allow the impact to water resources to continue without involving WDFW? I understand the monitoring, but how are we going to control it? When to take action of involving other agencies?

Kim: if you see anyone digging in a stream they should have an HPA from WDFW so contact Marcus

James: my job is to encourage voluntary compliance, need to keep to that spirit

Kendra: we'll continue to discuss this, come up with a mechanism to avoid degradation. Look at pathway. This was the key aspect of VSP that people had concerns about

Kyle Loring: this a shield against local enforcement, but state and federal levels are still available

James: my job is documentation of what I see in the field, review codes to find if I have authority.

Jenny: if you're working with DNR you should also be working with Marcus Reaves at WDFW

10:04 AM CIP and budget brief update

Kendra

Budget and capital improvement. We've had adjustments of parcel count (to determine impervious cover by lot, still waiting for LIDAR for final estimate) to exclude conservation parcels, and vacant lots. The code updates moved the utility from parcel basis to an impervious surface basis because it's a service fee not a tax. We have a road assessment for the utility that partially balances out the loss of revenue from the conservation & vacant parcels that currently provide water quality benefits by not being developed. FH is also excluded from the count. Graph shows the Equivalent Surface Unit calculation used instead of parcel, some payments come out larger than just one parcel. The difference in calculation types results in 4076 ESU's less than initial 2017 value. Total result of operating revenue

generation + capital improvement amount = total almost \$1 million. Fee seems like a reasonable level, capital improvements regarding stormwater are being funded from grants

Status of Capital Improvement Program:

Kendra will provide when it's wrapped up. Spreadsheet shows each project as a tab. Each year Kendra goes through and revises based on actual activities. Eg: Lopez has four projects, partly grant-funded. Lopez bioswales is largest, total amount \$372K. On SJI – False Bay, Garrison. On Orcas – West Sound / Crow Valley, Prune Alley and another Eastsound-related project, focused first on urban cores. Also, a small works fund with resources available for problems (broken pipe etc.) that go beyond classic maintenance.

We're required to show a 6-year capital improvement program. Numbers of 5-year average (2019-2023, 644K) vs. 6-year average (\$570K) varies due to inflation other factors. At this rate we'll get through dept. of Ecology 1.2 million grant by 2022.

The purpose of the Clean Water utility is to keep water quality conditions good for fish, shellfish, etc. But not clear if the nearshore is funded by the Clean water utility. It is in some jurisdictions but we would like guidance from the committee on this. We have no match mechanism for things like SRFB projects unless they're riparian/nearshore. Are we comfortable using these utility funds for nearshore activities?

Kim: we want nearshore projects to receive clean water from the uplands.

A: We do projects such as Pear Point Outfall, False Bay, Garrison Creek. For corridor restoration it takes time to move lot to lot through these corridor landowners, so these projects are extended the full 6 years

Byron: it's a mixed bag. Eg: today planting on riparian part of private SJ preservation trust lands.

Jenny: There is no problem with ties to nearshore related funds, it seems like that's where most money goes. But in the freshwater areas we lack data. I want more funding in places where SRFB can't help.

A: We have funds for capital improvements, with some of it going to Project manager hours. This spreadsheet shows all freshwater efforts – for stormwater, get that clean first, and then tackle other projects once we take care of big water quality concerns.

Judy: make sure there's a freshwater linkage. Eg. The crescent beach project has a clear freshwater-nearshore connection, Mackaye harbor doesn't it's just a bulkhead

Kendra: eg; removing rocks & debris at False Bay. Adjacent to False Bay creek, would a nearshore project there be a proper linkage?

A: it's kind of loose – has some implications, there is a stormwater outfall there. But also that's a documented sand lance spawning habitat, improving conditions in the watershed. This utility is not funding projects for nearshore or marine capital projects. But we do have a mandate to 'restore fisheries' and maintain habitat for fish

James: what about HW mark? Sometimes it extends up to creek

Kendra: a lot of this has to do with project manager time. Looking for a match of 10-15%

Conclusion of discussion: it's ok to spend some efforts on nearshore but we need some nexus of connection to freshwater issues.

10:31 Kendra is starting to work on 2020 budget, will discuss next time, line up revenues with some budget and how it relates to CIP

10:32 ACTION ITEM : groundwater subcommittee, Dodd will convene

10:33 Cascade Creek subgroup, Buck is going there on June 18th.

Kim: is there any effort to get Rosario to try to sell some of their water right?

Jenny: Byron just gave a talk to a full house, planning to get together on June 4 to approach Rosario. There are two other water rights: Olga and Doe Bay. Jenny has a presentation at the Olga potluck. Olga isn't using all of their water. That conversation has started

Vicki: from Conservation District meeting – surface water resource issues, farmers will apply for rights

Kim: before we process more water rights, need to assess in-stream flow needs and fish needs

ACTION ITEM: put this on the agenda for next time

Need to discuss budget items over next couple of meetings, Kendra needs blessing of the CWAC

10:41 AM public comment? no

10:41 AM Adjourn: *Judy* moves to adjourn meeting, *Kyle L.* seconds, all approve

Next Meeting: June 13, 2019