

Linda Ann Kuller

From: Sandi Friel <sandi@rockisland.com>
Sent: Sunday, March 5, 2017 11:18 PM
To: Comp Plan Update
Cc: Jamie Stephens; Rick Hughes; Bill Watson
Subject: Comp Plan Update: Water Resource Element

Dear Erika Shook and County Councilors,

I am writing regarding the Water Resources Element of the 2018 Comprehensive Plan Update for San Juan County.

I noted with concern that the county indicated on the Commerce checklist no amendment is needed to meet RCW 36.70A.00(1) – Provisions for protection of the quality and quantity of groundwater used for public water supplies. Likely this is because the Water Element of the Comp Plan was updated in 2010, incorporating aspects of a 2006 Implementation Plan.

However, the Washington State Supreme Court just ruled in October 2016 that the burden is on counties (not DOE) to ensure there is enough available water before issuing permits for new development that relies on a private well. <http://www.ecy.wa.gov/programs/wr/nwro/hirst.html> What's significant about this decision is that the court has said that water is not legally available if a new well would impact a protected river or stream *OR an existing senior water right*.

In light of this recent decision, I don't think the current plan goes far enough to protect senior water rights considering the 2004 SJC Water Resources Management Plan drew the following conclusions (cited verbatim):

- In some areas of the county, groundwater development is like sand running through an hourglass. It's only a matter a time until these aquifers are depleted or the balance is tipped to allow seawater intrusion.
- A general rule used for planning purposes is that 20-30% of recharge is available for withdrawal. The (San Juan County) water budget reveals that the Department of Ecology has issued certificates and permits for groundwater that equal 57% of the amount of recharge. If you add exempt wells into the picture, 174% of the amount of recharge has been allocated county-wide.
- The assessment indicates that large portions of the county are at a point where demand for groundwater exceeds local recharge.
- Future development and build-out of existing parcels will only exacerbate this situation. Areas designated for high-density growth in the county's comprehensive plan that may have limited groundwater included Eastsound, Orcas Landing and Deer Harbor.

- Until an adjudication or similar evaluation of the status of existing water rights is conducted, *no new permitted groundwater rights are available in San Juan County*. This leads to considerable pressure to develop exempt wells, which has been a trend in the county since the 1970's.
- The county review process only looks at wells on a case-by-case basis, with no overview of impacts on the aquifer.
- Many small lots were created in San Juan County prior to current land use regulations with the intention that community water systems would provide service, but in many cases the water systems were either never developed, are unable to keep up with the need for service, or have failed altogether.
- The Town of Friday Harbor, Roche Harbor, Eastsound and Rosario all have concerns about their ability to meet future demand. Problems for surface water systems include...matching water system capacity to the county's growth projections.
- In 2003 (mostly April through November), 1.1 million gallons (1%), of the water the Town of Friday Harbor produced was sold for hauled water to supplement failed wells serving individual and community systems on the island. In response to a survey by Health and Community Services, water haulers on Orcas Island reported delivering 1.3 million gallons in 2000, 1 million gallons in 2002, and 1 million gallons in 2003. These deliveries were 40% individual residences, 10% Group B community systems, and 50% Group A systems. All of this water was delivered to the western side of Orcas Island.

As a realtor selling property on Orcas Island, I cringe at the implications of a dwindling water supply. But as a resident, I can recognize this critical resource needs to be protected for those who already live here with senior water rights. We must focus on sustainability of our island's resources, not just because it sounds noble, but because our lives depend on it.

The Water Element of the Comp Plan needs to be revisited, and creative strategies and policies that truly protect groundwater and senior water rights need to be implemented.

Sincerely,

Sandi Friel
Deer Harbor