



Clean Water Advisory Committee

June 20, 2024

Committee Members in Attendance: Lynn Bahrych, Bob Eagan, Vicki Heater, Judy Meyer, Melissa Rohde, Kimbal Sundberg

Ex-officio, County support staff, and members of public: Steve Bernheim, Angela Broderick, Raquel Callans, Tim Clark, Vince Dauciunas, Tyler Davis, Susan Eshelman, Laura Pitts, Lovel Pratt, Buck Smith, Cindy Wolf

pre-meeting chatter: need a quorum for comp plan memo approval today (but could happen over email if needed)

9:06AM **Convene meeting**

Kimbal Sundberg

Happy summer solstice to everyone!

9:07 AM **Public Comment**

none

9:08 AM **Business Operations**

- Approve June 20th Agenda – no additions/corrections, the agenda is approved
- Approve April 18th Minutes – no additions/corrections, no objections, the minutes are approved

9:09 AM **Staff & Agency Updates**

- Ecology

Buck Smith

Kelly Hamilton has taken another position within Ecology to work on the Nooksack river adjudication. Jeff Cedarbaum, who's been with Ecology for some time, will be regulating Cascade Creek. Christopher Peacock is back at Rosario and those two are in touch. And the tugboat El Capitan, which sank at Westsound Marina, was lifted yesterday and barged away. It took a while, some litigation between the marina and DNR, but the vessel's owner's insurance company has taken responsibility for removal.

Kim: the County has an active derelict vessel program to deal with vessels that get dumped here, it's a growing problem but the County has been proactive about ensuring they're disposed of before they sink.

Buck: Ecology is in Bellingham or Seattle so can't always get out there quickly, but we have contact with IOSA.

Bob: any updates about the PFAS situation for Hannah Heights?

Buck: yes, we're in discussion with homeowners. A nearby property owner trying to get an easement to put in a new well. We're engaged, standing by to see what's needed regarding water rights

Bob: anything to contain or control the spread of the PFAS?

Buck: not through my program in Ecology but through the Toxic Clean-up Program, I'll put a contact in the chat

Kim: Bob, you asked at last meeting that we get an update from Hannah Heights homeowner's association.

Are you still interested in getting that on the August agenda?

Bob: yes, by all means, I've been in contact with Paul, the lead of their HOA. It's disconcerting to me that there doesn't seem to be any real activity in terms trying to contain or control the spread.

Kim: I haven't heard anything about that from any agencies either. I think Melissa Rohde on this committee brought up some ideas about technical solutions using reverse osmosis.

Cindy: Kyle has been working closely with the HOA and millions of dollars has been allotted toward this problem, Liz Lovelett has been helping find solutions to get clean water. Need to check with Kyle Dodd for more information about clean-up and liability

Raquel: there's been a lot of action from a potable water perspective, there are funding options but they all have contingencies so they're still evaluating those. Some professors at UBC doing research in PFAS removal from water and we're exploring new technologies. Working on getting a new well site legally established. There's additional component of contaminated soil, but now focused on getting drinking water.

Bob: do we know when Kyle will be here?

- more conversation about getting representation at this meeting from H&CS

ACTION ITEM: Susan will remind Ethan about next meeting

Bob: I've spoken with Ethan, he also doesn't have time and isn't up to speed on this issue

Kim: anyone who wants to get a general sense of the PFAS problem, look at the article in the New Yorker from a couple weeks ago, <https://www.newyorker.com/magazine/2024/05/27/3m-forever-chemicals-pfas-pfos-toxic> It's a big health problem, and it's stunning that after this was identified there's no active solution for how to clean it up. It's just going to spread into the aquifer every time it rains. I acknowledge the money that's been put forward toward water. It would be good if Paul could come to one of these meetings

Cindy: it's not County land, and no money or capacity to clean up something like this. Maybe we could ask Kyle for a particular 15 minutes or half hour. For an effective meeting, we need to have the State at the table

Level: FYI - Friends tested mussels for PFAS and other contaminants with WDFW in Hannah Heights watershed

- Environmental Stewardship

Tyler Davis

No significant updates, we're busy with the water element of the comp plan (thanks to help from this group).

I'll be submitting final applications to SRFB by Monday, we've been talking about those for a few months

Susan: the other item of note is that our department has started our own quarterly newsletter, you would have received that via the mailing list or if you didn't, let us know and we'll add you to the mailing list

ACTION: please add Lynn Bahrych to the mailing list

- WA Health Department

Raquel Callans

The EPA passed new rules for PFAS, we're still trying to understand implications of that for the State. We implemented State action levels for PFAS a couple years ago. There's funding available for group A systems, especially for consolidation for which we're advocating. For small group A systems, we have consultants and providers contracting directly with the State, if a system needs planning/engineering they could get free technical assistance, design, etc. If we know of water systems that may be interested, connect with Raquel.

Bob: can you give a summary on manganese removal change?

Raquel: no formal change but Dept. of Health is admitting we've been incorrect about effects of manganese. Now we're putting out information about how manganese can affect health. I have information I can pass along about that including allowable levels and information about treatment if a system has elevated levels.

Judy: if systems are required to monitor for PFAS, is that one-time or regularly?

Raquel: monitoring now and required to implement treatment by 2025. Many systems have already tested and found they're under levels, we're still working out rules for regular monitoring levels. Likely not annual.

Bob: Manganese builds up in pipes/storage facilities and if a pressure issue occurs there can be a big flush

Raquel: important to get this message out to group B's as well, I can give that to Ethan to distribute

Buck Smith provides contacts from Ecology: The Cascade Creek Watermaster is Jeff Cedarbaum. He can be reached at 425-495-3301 or Jeff.Cedarbaum@ecy.wa.gov. For PFAS cleanup questions, contact Kim Wooten in Ecology's Toxic Cleanup Program. She can be reached at 425-324-1658 or Kim.Wooten@ecy.wa.gov

9:35 AM **Subcommittee Updates**

- Groundwater Subcommittee

Kyle Dodd

Nothing to present

9:36 AM • Surfacewater Subcommittee

Kimbal Sundberg

We discussed Fishtrap creek and the diversion to Skull Creek. We also discussed the On Site Septic workshop, a Puget Sound regional virtual meeting, Katie Johnson, WRIA2LIO representative summarized comments from the workshop and presented it to the MRC – a number of local issues with septic, vulnerability to sea level rise, how we deal with failing systems, septage (from in ground septic tanks, RVs and boats). We heard from Ryan, a planner from Town of Friday Harbor to discuss the bulk water issue. The remainder of the meeting was devoted to Water Element discussions.

9:40 AM **Ongoing Business Discussion**

• Helsell Reservoir/Fishtrap Creek

Tyler Davis

Last month Jenny and I visited the reservoir (AKA Jack's Lake). The modifications made are as described, the outlet to Fishtrap creek is indeed lower than the outlet to Skull creek. Tyler shares a map, shows where water would run down Fishtrap when it comes out of reservoir, emergency spillover goes to Skull creek. Hard to figure out why in recent years there's been such a decline in flow. Up top, Fishtrap had a small trickle and Skull had none, but lower down Skull had a stronger flow. Skull creek has more catchment from up above, but there must be something else happening lower down with groundwater. It's been the way it is now for up to 24 years when last big modifications were made to dam. Anecdotally there used to be more flow. Downstream there may be more wells or more demand along Fishtrap and that's how water isn't getting into creek.

Bob: but most of this flow rate is anecdotal and we don't have empirical evidence to compare it to?

Tyler: correct. Helsells are putting in an automated monitor, that should be in place by the next rainy season.

Bob: who's paying for or managing that data?

Tyler: this is the Helsells' responsibility and they're required to share the data with us. They're working to establish this datalogger at the headwaters of the creek. But there's no datalogger further down the system

Bob: so, like Cascade creek, if we have one up above let's put one down below and compare notes

Cindy: we have plenty of historical and anecdotal evidence and there was a 24" culvert there that gushed in the wintertime. We've seen nothing like that since the culvert was replaced. So, there must be an impoundment between Helsells and the bottom of the creek. What agency is authorized to look at that? someone should

Tyler: that would be great, by all accounts it was once the largest stream in the County with "significant spawning fish" (presumably salmon). The dam in 1976 would have changed a lot, but this sounds more recent

Cindy: was flow rate data not part of prep work for that culvert replacement or the grant to the Connors for channel restoration?

Kim: Likely no flow for a couple years because we were in a drought, ponds and reservoirs weren't filling. If the only way for water to get out is to go over a spillway, then the trickle down Fishtrap is the seepage from the dam. If the dam is there, there won't be much flow – just in wintertime when enough rain to spill over the top

Tyler: then what would anyone recommend for next steps? How to investigate further downstream

Buck: at Ecology we don't have authority to trespass and walk the creek. WDFW does have that authority

ACTION ITEM: the WDFW for SJC is Beth Tate – Tyler can check with her

Lynn: can we use Google earth to zoom in on creek?

Tyler: I tend to use our in-house GIS, andromeda, but I'll cross reference with google earth

Judy: could building permits in watershed help? Could those be checked easily for new/increased well use?

Tyler: we can check that; I understand there haven't been new well drills but no data about demand/use

Judy: it's a lesson in the need for data and monitoring wells, which we're calling for in the water element!

Buck: if you find any new impoundments, please let us know and WDFW– they should have issued an HPA

9:57 AM **New Business Discussion**

- Concrete Plant @ Olerin Business Park

<Kyle couldn't be here to report> *Kim Sundberg*

From what was reported in the San Juan Island Journal and other online sources, neighbors are concerned the water quantities needed to operate the plant may impair their nearby wells, and runoff may have impacts on Beaverton Marsh. There are questions about what agency is responsible to monitor water quantity and quality at this batch plant? We were hoping today to get a briefing from H&CS on the review process, SEPA, etc. This approval will go to the Hearing Examiner, and apparently there will be opposition. The County has approved it through a Mitigated Determination of Non-Significance but there are some issues with water use, monitoring and creating new sources of pollution.

10:00 AM **Comp Plan Water Element**

- Review & Approve Memo

Kimbal Sundberg

Thanks to Tyler and Susan for working on this with us. We can make additional edits today to the memo; need to approve by vote to be an official action from our advisory committee.

Start with **section 4.1;**

Bob: I have a comment on the third paragraph, "drier conditions" –I've heard that we're going to be wetter, but that it'll come in bulk and drier conditions are more extended as far as what's projected.

Kim: Committee is aware that science is evolving on this, trying to use best available information. As far as SJC, climate scientists are saying that overall precipitation will likely not change too much but more significant rainfall events in the winter and then in the summer hotter/drier conditions

Judy: maybe we can change that phrase to "drier conditions in the summer"

Bob: then in next paragraph, issue with numbers (i.e. "10%") – quantifying water in soils is variable. That's the beauty of our county, some areas all sand and some are all clay – comparing to bedrock recharge is hard

Vicki: this language came out of the original recharge analysis by USGS, consultants discussing groundwater were discussing the idea that up to 20-30% of groundwater should be available for use. The real question is not how much groundwater is there, but how much available for withdrawal.

Vince Dauciunas: WRIA 2 Phase 2 Basin Assessment August 2002 Prepared for WRIA 2 Planning Unit/ San Juan County Department of Health and Community Services, "Total groundwater use in the County equals approximately 14 percent of annual recharge, a *value that is less than the '20-percent guideline'* planners often use as a maximum sustainable withdrawal rate."

Kim: County has low recharge and most water runs off into ocean. Want to convey that it varies by property - More discussion of language here, provide a range of recharge rates? Or say they're variable but low?

Melissa: Not scientifically incorrect to say that rates are low throughout the county, definitely less than 50%

Lynn: I like the language "generally low" because it keeps the emphasis on conservation

Bob: what about the 'need to verify'?

Kim: it refers to the new USGS report which we're still waiting for

Vicki: USGS says their new results will confirm what was stated in their previous report, just with more detail.

Vince just referred to the data in their previous report which shows the reference point, thank you

on to **section 4.2;**

Vicki: about bulk water sales, is the concern about providing service outside the place of use for their water right. Is that it or is it a capacity issue?

Kim: Ryan talked to our subcommittee about this in May, he said ToFH was concerned about management of the bulk water sales. They didn't have good control of the system, no disclosure about where the water was going. And ToFH is spending \$ millions on a new filter system for the water plant, those upgrades will be supported by the rate-payers in town and are not recouped by bulk water sales. Increased level of use will require more system upgrades the town can't afford. And they felt H&CS may be approving new development without adequately consulting ToFH about water availability. ToFH is not obligated to support development outside its service area where there isn't adequate water supply.

Bob: I understand that the municipal water code allowed group A system to serve systems outside their service area with the caveat that they'd update their water system plan through Dept. of Health and Ecology. So that's up to the discretion of any particular water system. And, about the Eastsound/Olga system – it's my understanding that Olga/Doe Bay monitor their own systems, but Eastsound is their operator. Washington Water owns and manages for Rosario, but operations are handled by Eastsound.

Kim: so, they have boards that manage for their homeowners or for their water-served areas, but they've outsourced the management to Eastsound as a contract operator? they monitor and collect the data, but they don't have any authority in terms of water rights. Do we need to add that language here?

Bob: management is tough to describe, maybe 'contract operator' is a better term to describe what Eastsound is doing for Olga/Doe Bay/Rosario. <Tyler adds in that language to section 4.2 on the memo>

Vicki: the data group A water systems have in their plans are a source of valuable information, they're required to maintain those plans as far as their capacity and availability to serve

Tyler: this is really meant to be instructions for the consultant to address these issues

On to **section 4.3;**

Judy: in section 4.3.1, "update data" is pretty vague

Tyler: referencing some data provided in those paragraphs, those are the data that need to be updated

Kim: that's the need to better understand wells and water availability data, we want the consultant to do that legwork from Ecology websites (well logs, water permits, etc.), what percentage have water metering data

Tyler: yes, there needs to be something in this section highlighting the need for better monitoring/metering data, it's an important gap we need to bring to attention. Very few people are aware of how much water they're using

Judy: do we want to say specifically what we mean then, i.e. Confirm number of wells/# people they serve?

Tyler: yes, that's what summarized in the preceding section

Melissa: could county GIS person provide a map of wells?

Tyler: locations should be easy to pull up, the question is which ones are monitored?

Vicki: there won't be any, just the group A's and the monitoring wells on Lopez. We've done well maps in the past and I hope those data are still available, out of date but we worked hard on that. There are historic data

- More discussion about what data are needed and how to measure with the County's geologic variability

Bob talks more about the importance of monitoring wells, important for legal reasons

Vince Dauciunas shares link to article concerning bulk water from Mayor Jackson:

<https://sanjuanislander.com/opinion/opinion-piece/37748/mayor-raymont-c-jackson-in-response-to-guest-column-by-andy-haas>

Vince suggests consideration of alternative sources of freshwater should include desalination. This crosses over multiple elements in the Comp Plan, including land use, shoreline, and energy.

Cindy Wolf: There is quite a bit of private desalination already within the county - very energy intensive and expensive. Possible balance of requiring an alternative energy source for a desalination permit?

Judy: one more note, need to include link to GIS map <Tyler: *done.*>

Kim: clarification that group A (not Class A) is the correct term; there is an issue with County's approval of new construction using hauled water when one of major purveyors is no longer providing.

Vicki: I suggested language in section 4.3 which includes a list of water sources, including hauled water. I propose rewording that to eliminate the option of a certificate of water availability using low producing wells or hauled water. My recommendation is to no longer allow hauled water as an option to support a water availability certificate, but that would lead to a change in county code.

Bob: I disagree, there are wealthy areas of water that can be properly managed, transported, and organized with metering and description of where they're going. It's doable and reasonable with a system in place, it shouldn't be taken away from people to have a clean source of water. Especially considering these issues like PFAS, seems like we shouldn't deny people clean water.

Kim: I'd like to propose we approve this as written and amended. If anyone has serious objections let us know, but otherwise we want to push this to the next step which is to send this memo forward to DCD for draft inclusion in the comp plan.

MOTION: Lynn moves to approve entire memo document we've been discussing, Judy seconds. All in favor of approving it and sending forward to the planning committee, no objections. (Six approvals, that's a quorum.)

Tyler: if there are any other changes let me know but now with committee's approval, I'll send this to Sophia

Question: when will we see the next draft?

Tyler: I'll check with Sophia about timing and report back

11:02 AM **Adjourn Meeting**