



Clean Water Advisory Committee

February 22, 2023

Committee Members in Attendance: Lynn Bahrych, Jenny DeGroot, Bob Eagan, Vicki Heater, Ann Jarrell, Judy Meyer, Kimbal Sundberg

Ex-officio, County support staff, and members of public: Jay Cook, Tyler Davis, Susan Eshelman, Lincoln Gable, Kelly Hamilton, Laura Pitts, Melissa Rohde, Buck Smith, Kendra Smith, Cathi Winings, Cindy Wolf

9:02 AM **Convene meeting** *Kimbal Sundberg*

9:03 AM **Public Comment** *none*

9:03 AM **Business Operations**

- Approve February 22nd Agenda (revised version). Kyle Dodd, Krista Davis, and Doug McCutcheon can't make it today and the Groundwater subcommittee didn't meet in January – those updates taken off today's agenda.

- Approve December 14th Minutes

Jenny makes a clarification about impassable areas downstream for salmonids at Bayhead; Kim found a typo.

ACTION: Pema will make these changes and send Tyler an edited draft of the December 2023 CWAC minutes. The December minutes are approved with those corrections.

9:07 AM **Staff & Agency Updates**

- Ecology Update *Buck Smith*

Snowpack low in Olympics and Cascades, drought emergency declaration still in effect through June 30th and may expand. Still time through April for more snow. Buck reviews definition of drought and considerations;

<https://ecology.wa.gov/water-shorelines/water-supply/water-availability/statewide-conditions/drought-2023>

Kim notes that it's more difficult to gauge drought on islands because there's no snowpack to measure

Buck: we'll be in touch with the main reservoirs in the County going into the summer. Measurements can be taken and declare drought any time between spring and summer. Precipitation taken at FH airport and Olga.

Kelly: You can also help us monitor the drought by submitting observations and photographs to the

<https://droughtimpacts.unl.edu/Tools/ConditionMonitoringObservations.aspx>

- Environmental Stewardship *Tyler Davis*

Minor adjustment to the already approved CIP, redistribution of Bayhead culvert money.

9:14 AM **Subcommittee Updates**

- Surfacewater Subcommittee *Kimbal Sundberg*

Wendel Raymond and his student Dezheng Zhang presented about their nutrient study in False Bay. We discussed next steps for data collected but not yet analyzed, Megan Dethier lined up a post-doc to process those data.

Judy: post-doc will start in April. It'll be good background for looking at effectiveness of the fencing project

Kim: we also discussed the Rosario diversion and Fishtrap Creek, and SRFB as well as riparian funding

9:19 AM **Ongoing Business Discussion**

• Water Quality Funding Updates

Tyler Davis

Tyler reported his grant proposal to EY for Phase II riparian restoration on False Bay Creek was approved. Tyler is currently reviewing Letters of Interest submitted for work on Lower Zylstra, False Bay Creek, and a comprehensive county-wide eDNA assessment to learn more about local fish populations. Next step will be review by the TAG.

9:23 AM • Confirm Comp Plan Working Group

Kimbal Sundberg

County working on Comprehensive plan, want CWAC members to look at water element and drought plan. Tyler: need to incorporate climate resiliency into the comp plan, now it just has a draft of the drought plan in it. Cindy: the Climate resilience element will be worked on in large part by the climate sustainability committee. Kim: There's some good information in the existing plans and drafts, we can look at what's relevant and what's outdated. But can we only meet with four or fewer without convening a publicly posted meeting?

• Who would be interested in working on the comp plan updates? Judy, Lynn, Ann, Kim, Vicki, Bob, Jenny

Cindy: We could publicly notice these meetings for a Comprehensive Plan Review Subcommittee of the CWAC

Kendra: need language improvements in the comp plan by the end of this year, final draft by June 2025

Kim: reminder that we'll have the USGS study on groundwater in the County to describe groundwater recharge areas and water availability

Cindy: it sounded to me like unless something changes, that draft USGS report gave recharge rates but not a 'dipstick' level of what's in aquifers. Kendra, can we let the committee look at that draft data?

ACTION ITEM: Kendra will follow up with Kyle to check on the availability of draft report in the coming weeks

Kim: Climate Impact Group SJI <https://data.cig.uw.edu/climatemapping/> There's water resource data for the next century here, for SJC they're projecting that by 2049 a 33% increase in drought conditions. Linking those projections to growth. There will be increased rainfall in wintertime. But water resource issues will increase during high summertime occupancy

- Kendra reviews how this subcommittee's input will get integrated into the comp plan

Vicki: Kendra mentioned there was a plan developed/implemented on the east coast in an area tentative for water availability, what was that and can you send a link to it? Someplace like Martha's Vineyard?

ACTION ITEM: it doesn't jog Kendra's memory exactly, but she can do some research around that

Lynn: for this subcommittee, public participation for those meetings is key, especially with water availability.

-everyone agrees. We want open communication and for everyone to be able to participate.

Bob: Would this subcommittee return to CWAC with comments for review before any next steps?

Kim: yes, just like all our subcommittees final recommendations are made by full CWAC

9:51 AM • Rosario Diversion Update

Kelly Hamilton

Talked to Christopher Peacock who manages outflow from Cascade Creek through diversion ditch to Cascade Lake. Last summer, water was diverting from the Creek and not making it to the Lake. Kelly describes repairs to the diversion and culvert, put in pond liner in places to prevent leakage and cleared culvert of debris. Kelly shows photos of cleared & patched culvert. Rosario has been sold (in process). Orcas Water Holdings was not part of the sale and Peacock will continue to be responsible for the monitoring of the diversion.

Orcas Water Holdings owns a portion of the water right as well as Washington Service company, and a portion is reserved to be used for domestic and hydroelectric purposes at the Resort.

Vicki: But how can the right be divided among organizations?

Kelly: it was adjudicated, here is a link to the water right,

<https://apps.wa.ecology.wa.gov/docs/WaterRights/ScanToWRTS/NWRO5/pdf/NWRO50000195C.pdf>

Record B is the portion in Trust for Cascade Creek. Record A is the portion for domestic and hydro power.

Buck: that Rosario water right went through an adjudication in the 70's, determined to have an 1884 priority right. Negotiated with Rosario utilities and purchased half of the low flow seasonal water. Purchased a portion

of 1884 water right from what was then Orcas Water Holdings for domestic use. Washington Water Trust hopes to work with Orcas Water Holdings in future. There's funding available if negotiation of purchase goes through

Jenny: There are multiple grants for that, salmon recovery funds and Ecology, the hydro diversion that Kelly just showed, that's the water being taken from Cascade Creek and moved to Cascade Lake, but natural course would take it to Buck Bay. Two years ago, Chinook salmon reared in that creek. That would happen in November, need that water then. Orcas Water Holdings are the ones that have released water at key times. I'll hope negotiations continue so that water can be released to support these last remaining native salmonids.

Kim: It's still in a heavily forested area. Are there any plans to make a better system than just that open ditch?

Kelly: no plan to further secure that ditch

Buck: two different adjudications. In the 70's, Mountain Lake. In the 80's, Cascade Lake and tributaries. Set the spillway elevation, and then different level in drought years

Our main switchboard number is available 24/7, let us know if the creek isn't flowing properly

Kelly: Or you can call me on my cell at 360-706-3924

Cathi: Is there a map to help visualize the setting of the Cascade Creek diversion?

Jenny: thanks, I'd love to see the data Ecology has on Cascade Lake over the last 10 years.

Kelly: Those data are usually kept by State Parks, they monitor both lakes for Ecology

ACTION: Kelly can reach out to State Parks for those data

Kelly: last summer, lake level was such that we did not need to tell Rosario to turn off their hydropower

Jenny: Gary Sales used to collect that information for the Parks (briefly discuss locations of gauges)

Lynn: why is there no water pipe in that ditch?

Kelly: that ditch is historical, diverting water from Cascade Creek since 1880's, that's the original diversion ditch. Only requirement under the water right is to keep that ditch cleared of debris and in working order.

Cindy: what does it mean that some of the water right is used for domestic purposes by the resort?

Kelly: the domestic portion is held by Orcas Water Holdings, it goes to the resort itself as well as the homes around the resort. - Bob specifies the exact area covered by the Rosario water right

Jenny: there are a lot of different water rights that supply water to Orcas Water Holding it's not a one takes all situation. More negotiation is possible for a lot of wins here. Hope for more discussion with all the water users

Bob: Our ace in the hole is Olga water users, the valve is ready to open from Doe Bay to Olga but some difficulties in the water plan for Doe Bay, taking care of some unaccounted-for leaks before they can open. That's probably the biggest location where you can get the most water is from that Olga water right.

10:17 AM Fishtrap Creek Flows

Jay Cook

Kim: Tyler sent Jack's Lake mitigation plan. If the plan requires spillage into Fishtrap, why is there no water?

Jay says there is water in the creek in the winter when there are storms, Cindy says no that's not the case

Jay: they put in infrastructure such that the outlet to Fishtrap is below the outlet to skull creek, requires a big storm to spill into Skull creek. When Lake is full, 95% of spillage should go into Fishtrap

Jenny: no, most of the water is going to Skull creek not Fishtrap. Now that County has repaired culvert there should be no impediment. The Helsells required to provide data to Environmental Stewardship and Ecology

Jay: we got one year of data I can share. It was a low storm year without much water in 2021. No data were submitted since 2021. Do you think they've put some blockage to prevent water from going down Fishtrap?

Kim: more than likely they've taken the stop log out of the box by the house that was meant to regulate flow over the spillway. It seems in violation of the mitigation plan, water isn't being held up at the box at the house

Jay: I don't know how that would benefit them, that would be bold after we've engaged them

Jenny: their stable is next to Skull creek

Cindy: I cross Skull creek daily. Fishtrap has been dry since 2021 except during a huge storm there's a trickle

Lynn: must expect more storms like that, consider robustness of system under increasingly intense conditions

Jay: there was some concern about more than 1.5 cfs down Fishtrap after so much time without water, that was the logic behind the spillover to Skull creek for large storms

Jenny: I think it was higher than that when we first discussed, should be more like 2.5 cfs. County did a good job of replacing the culvert, that's the one that was blown out in November 2021. Now the holdup is just water from Helsell's pond coming down. There have also been many salmon recovery efforts just waiting for that water. Need a way to make sure Ecology is monitoring it and that they're following up with the Helsells

Jay: that's a failure on my part. They put the system in, and I was confident it would be set where 95% of water was going to go down Fishtrap creek. Monitoring and data submittal wasn't enforced.

Kim: will you follow up with the owner and let CWAC know in about two months? need a certain base flow.

Jay: there's not a requirement that they provide flow deep into the summer, the requirement is to send water down Fishtrap creek. There's a paragraph in the water right document that if they set up the culvert so most of the wintertime flow goes down Fishtrap Creek that would be favorable. No requirement to release water slowly over the summer. BUT tenor of decision was that they reach out to locals and engage with this group

Kendra: I'd like to do a deeper dive in GIS and hydrology to look further into this. Was there some question about how much water is getting produced out of Fishtrap, is this a canary in the coal mine for what's coming?

Kim: right but if water works designed to prioritize Fishtrap and it's going down Skull creek, that's not right

ACTION ITEM: Jay will make a site visit to Orcas to check on Helsell's pond and keep this committee posted.

Jay will coordinate site visit with Environmental Stewardship to allow opportunity for county to participate.

10:39 AM **New Business Discussion**

- National Association of Counties Conference in Washington DC

Cindy Wolf

A team of us got a resolution passed on groundwater to get behind a national aquifer database. Committee is made up of national membership, from many types of counties with disparate interests surrounding water.

Kim: keep us informed, hope there'll be an opportunity for funding to implement here.

10:44 AM **Committee Housekeeping**

Member Recruitment

- Vacant seats remaining include: San Juan Position 4, Orcas Position 5, Lopez/Shaw Positions 12

New member Melissa Rohde: District 3, Position 11. Kim introduces Melissa Rohde, experienced with water resource research and management

Melissa: I'm a resident of Lopez, background in water resource management. My work focused on quantifying groundwater recharge in bedrock-fractured areas around the world. Trying to help counties and local agencies comply with California's groundwater management act. I do original research to try to find water resources and provide that information to decision makers, and broadly interested in water sustainability

Kim: just need County Council approval, move through official designation process— hopefully by next meeting

Melissa is interested in both Groundwater and Surfacewater subcommittees

Lynn: so excited to hear from you, hope you join Groundwater subcommittee as fast as possible

ACTION: Tyler will get this to Sally so we can approve this at the next Council meeting

Tyler: I think it's already set for next meeting after that at the mid-March meeting

Buck: back to Cathi's question...

Cathi: I found it at the end of the permit. It would be great to have an orientation though spots on the map

Buck shares the map (Moran state park on East Orcas) and describes all the water diversion components in detail

Kelly & Buck will head out there soon this spring, some new Ecology and Health Department staff will meet up with State Parks and tour the 'plumbing' in the area

Jenny: Could Washington Water Trust join as well? Debra Lekanoff also interested. Could a group join?

Buck: YES, already talking to Jason Hatch at Washington Water Trust about giving them a tour in the spring.

ACTION ITEM: Buck will let Jenny know about timing and maybe she can meet at the Creek

Jenny: I've been checking the water every month at the diversion

Cindy: I'd like to be there too for the tour of Cascade creek, not necessarily the Helsell's

We'll also take a tour by Fishtrap and Skull creek at that time

Lincoln: I'm Lincoln Gable, I'm a neighbor at Fishtrap, happy to help serve as a liaison between that family and this board. I think they've tried to push the water toward Fishtrap

11:01 AM **Adjourn Meeting**