



Clean Water Advisory Committee

August 18, 2022

Committee Members in Attendance: Lynn Bahrych, David Duggins, Bob Eagan, Ann Jarrell, Judy Meyer, Laura Jo Severson, Kimbal Sundberg

Ex-officio, County support staff, and members of public: Krista Davis, Marta Green, Erin Halcomb, Jolyn Leslie, Frankie Robertson, Byron Rot, Buck Smith, Kendra Smith, Sam Whitridge, Cindy Wolf

Unified Command Response Team: Sochi Castaneda and Celina Ladyga (Coast Guard), Robert Walls (Ecology)

8:30 AM Welcome and Coast Salish Acknowledgement Kim Sundberg

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 have been passed down from generation to generation.

8:31 AM Public Comment none

8:32 AM Approval of May 2022 meeting minutes Kim Sundberg
May meeting Minutes approved.

8:33 AM Update regarding F/V ALEUTIAN ISLE spill at Sunrise Point, San Juan Island
Rob Walls from Department of Ecology is reporting from on scene (San Juan Island), Commander Ladyga and Lieutenant Commander Castaneda (from the US Coast Guard) reporting from Seattle Unified Command office. Spill is Federalized and national oil spill fund is currently paying for response and potential salvage. ECY has WA spill funds to apply if needed. Vessel is insured and Swinomish Tribe is cooperating. Description of circumstances (depth and position of the fishing vessel, the Aleutian Isle, at depth underwater between 210-240'), vessel slipped downslope from original 100' ledge and is lodged stern first on a deep sandy bench. ROV and diver surveys are ongoing. Sorbent booms are deployed; sheens monitored by overflights. Strong diesel smell extending to Roche Harbor has abated. Wildlife surveys and hazing are ongoing. Strong currents and depth limit dive operations. Mixed gas diving and decompression protocols required. UC is considering three options: 1) plug vents and leave vessel on bottom; 2) insert vacuum tube to suction out fuel and leave vessel on bottom; 3) place straps under vessel and lift intact to barge. Unified Command currently prefers Option 3. Approximately 90% of nets attached to vessel have been removed. Other derelict nets have been found in vicinity by ROV/divers but are too difficult to retrieve. ECY is prepared to assume custody of the vessel once it is raised. Questions and answers about funding. USCG and ECY are committed to complete salvage and cleanup operations while maintaining operational safety, regardless of expenditure. Unified Command Response team members will report to County Council tomorrow: <https://bit.ly/3Te2VFg>

8:55 AM Agency Updates Jolyn Leslie
DOH worked with 4-RO water plants on the west side to turn off intakes during the spill. No impact to water supplies so long as no active sheening around intakes. Fishing continues in the area. Also, Seattle DOH office has closed and staff are working remotely.

9:00 AM Summary of current Clean Water Utility Capital (CIP) projects *Kendra Smith*
Kendra shares screen, brief description of each project with status and expected timing. Shares 6-year CIP and reviews projects, explains funding. Adding lower Zylstra as a stream-wetland restoration.
QUESTION: is it correct that funds collected on each Island are spent on that island?
Kendra: the funding mechanism is based on a 5-year rolling average of capital projects, ½ cost of entire CIP gets paid by everyone, and ½ paid by benefiting island. Cumbersome to calculate rates, may propose changes to formula.
Kim: Water rights issue remains unresolved at Zylstra, Land Bank needs to be in the loop. Good that the Lower Zylstra restoration budget anticipates one year of planning before implementation.
Judy: SJPT has conservation easement on lower Zylstra, so should also be involved.

9:22 AM 2022-2028 CIP discussion and vote to approve *Kendra Smith*
MOTION: Judy moves to approve the CIP as presented and advance to council; Lynn seconds. All approve.
more discussion: hope these culvert projects bring attention to climate change, and tide gates need attention
Lynn: do regulations have any adaptations to climate change in the UDC (unified development code)?
Kendra: That documentation is in the works in next couple years, next update in 2024, also the Climate committee is addressing sea level rise impacts on infrastructure and new shoreline development.
Kim: Participants in spring salmon recovery site visits were dismayed to see house recently built in Class 1 wetlands adjacent to a salmon restoration project at Neck Point Lagoon on Shaw Island.

9:31 AM Crescent Beach restoration feasibility study *Byron Rot*
Byron shows site on map, describes site – mostly owned by San Juan Preservation Trust and Conservation Land Bank. Byron describes the three affected private properties, buildings and stormwater situation. Additionally, Conservation Land Bank has built three gravel parking pads to improve public access. Freshwater flows into wetland from upslope areas during winter and saltwater flows impact about ¼ of wetland. One foot diameter culvert under Crescent Beach Road is can plug mostly in winter due to natural longshore sediment drift process from feeder bluff. Crescent Beach Road is overtopped every few years by king tides and storms. Public Works cleans driftwood and kelp off road surface following such events and routinely unplugs the culvert to mitigate flooding and road damage.
Byron shows results of FEMA sea level rise model predictions, and tidal flooding.
Best culvert for fish for is replacement with a bridge or large culvert. Only feasible alternative for floodings is a fish accessible culvert with tide gate (images from modeling water inundation). The open culvert will cause flooding to properties, the culvert with tidegates is unlikely to receive grant funding because of little benefit in terms of habitat improvement. Also, tidegates are prone to failure.
Kendra: note septic system for one property located in a seasonable flooded area, shellfish beds receive outflow so there may be contamination concerns.
Byron: the property owner most affected by flooding is not interested in selling or trading. Seems to be in denial about sea level rise and the future of the house.
QUESTIONS
Bob: I'm curious about water quality in that area
Byron: this is not one of our sampling sites. There's also subsurface stormwater. It's a sizeable watershed. Possibly we could use high school students to collect samples.
Lynn: possible contamination of a shellfish bed with septic runoff?
Byron: we haven't confirmed any water quality issues with the shellfish bed, not sure how Dept. of Ecology monitors. But all three of these houses have septic systems
Kim: DOH requires batches of bivalves tested before offered for sale, shellfish regulated by state for PSP and harmful bacteria issues.
Judy: are these septic systems still passing annual inspection?

ACTION ITEM: Byron will contact Kyle to find out about the septic situation and let CWAC and Erin know.
Byron will contact Erin H regarding Conservation Land Bank Crescent Beach management plan.
Sea level rise modeling (on top of FEMA flood modeling shown previously) shows buildings frequently flooded by 2050 and road overtopped. Crescent Beach Road and houses mostly underwater by 2100.
Kendra: Land Bank property extends north to Mt. Baker Road, borders the school, great park-like opportunity.
Kim: Seems like the crux of this issue is around the fate of one private property owner.
Kendra: this study has documented the situation and projected future conditions. We'll continue to maintain the culvert. But this property is clearly too low relative to rising water levels. Hopefully, this study puts the county in good standing if there's legal action in future.
Lynn: Could Land Bank trade less flood-prone property for hers?
Byron: She's not willing to consider leaving. But she was kind to grant access to her property and cooperate.
Kim: So, county will clear storm debris off road and maintain existing culvert, but not planning anything new?
Byron: Correct, this is an appropriate site for managed retreat
Ann: Is Land Bank interested in acquiring the property?
Byron: Lincoln has approached property owner and proposed life estate, but she was not interested.

10:19 AM Other business

Kim: Update on May 22nd meeting about the Water Element for the Comprehensive plan – In June I delivered comments to the Planning Commission, thanks to all who contributed. I attended their June meeting and they voted to accept all CWAC recommended language *except* funding a full-time hydrogeologist position. Water Element goes to County Council for public hearing and approval this fall.

ACTION ITEM: Byron to contact David at CDP for date of next CC meeting on Water Element.

Judy: next meeting September 15th? Also, what's the plan for Environmental Stewardship staffing after Byron's retirement?

Kendra: Steve Kruger will pick up some of Byron's duties. Also, Krista will take lead for staffing CWAC. Planning to hire an environmental engineer to help with in-house design work and help with marine projects. No plans to change course in terms of surface and storm water programming. Finally, now that CIP is approved we could postpone next meeting until October. December meeting would wrap up the year.

Byron: I'd like to have a final meeting on my riparian restoration work, want Judy and Kim to be there
All in favor of rescheduling next meeting for October.

Agenda items for October meeting:

- update from Dean on fencing and livestock watering adjacent to False Bay Creek on Red Mill Farm
- follow-up on Crescent Beach septic and Conservation Land Bank issues
- wrap up from Byron on riparian restoration projects
- Water Element approval by County Council

10:28 AM Adjourn