

Charter Review Water Committee Meeting Notes

Wednesday April 2, 9:30 am - 11:30 am, County Courthouse

Commissioners In attendance: Paul Pickett District 2, Nina Sarmiento District 3 (Taking notes), Christy Holy, and Ron Richards (by zoom – left early).

Public In person: Ann Soule and Tony Corado.

Public Online: Craig Smith, Jannie Hobbs, Maren Halverson, Mary Foster, Nicole Hartman, Renee and Rob, Phone ending in 5578, Virginia Shogren, Papai Whipple, and Tiermey.

Chair Election:

Paul Pickett is nominated by Nina and seconded by Holy, all said aye.

Approving the Agenda:

Holy moved to finalize agenda Sarmiento seconded. The Agenda was approved by all.

Public comment:

Tony Corado: Wants to make sure the committee is starting with enough information to be efficient. There is a water committee under The League Of Women Voters, who has talked to a lot of these entities and has already compiled relevant information. Ann Soule is the chair. Water resources technical group of the DRMT - created a technical report three years ago which has all of the data. Find the summary report online. Suggest the committee look at irregularities and changes of practices rather than the situation of water. The water steward needs to concentrate on these changes.

Craig Smith: Agree with Ann Soule and Tony. Represent block on individuals in Sequim, Sequim Bay, Miller Peninsula etc. He's a part of the North Olympic Land Trust, which has concerns for agricultural lands. There is insufficient monitoring. Useful rules in place, but there's not enough monitoring, a lack of coordination, and not enough understanding of the science of water. Information needs to be integrated. We are undergoing rapid urban development and development without knowing the amount of the resource, and there's a lack of a non-political nexus of information on development.

Ann Soule: Leading LOWV the future of water group. Focus is on outreach and education. Worked for Clallam County (CC) for 22 years as water specialist, hydrogeologist by education and title. When she started, she was doing nitrate and bacteria studies. Went from water quality to water resource planning. Went through \$0.5 million hiring consultants to do studies for the Dungeness. Helped create rule for in stream water right in 2012. Did stormwater management in 2013. Dungeness River Management Team talks about droughts to floods, in operation for 35 years and is a great resource.

Dealing with climate change plus trying to further develop the area. It's going dry out west. In a community west of Sekiu, Taxpayers are going to need to help them out because the water system has gone bankrupt. Have had to have PUD truck in water. Unclear who was paying for it. The PUD does not have them in their jurisdiction so it's ultimately up to the county. When Ann retired, they did not hire anyone else as a hydrologist. There is nobody at the county, the PUD has a hydrologist on staff, the tribes don't. There is no one that is bringing up these concerns. It should not be left to the nonprofits. We need

a water steward. Appointed, not elected, a technical position. Has a list that wants to enter into the agenda, and it was already sent in an email.

David B. (Gwen?): Supports Ann's comment. Needs to be appointed, non-partisan, non-political. No one is going to volunteer for something they were technically trained to do.

Craig Smith: From Sequim Washington, works at U of W, global health, impacts of bad water supply. Steward should be a hydrologist and connected to the community. One of the problems is the lack of prior knowledge. Need an expert that can gather information so there is an aggregation of information.

Backgrounds of the committee:

Ron Richards: came to CC in 1975, became a county commissioner, practiced law for a long time, started a natural gas company in Denver CO for 15 years, came back to CC in 2004. Has been following county issues, on a visit to CC went to a meeting led by Mike Chapman. He introduced the concept of regulating water consumption in CC. Agrees with all the commenters, there is a crying need for this position. Originally proposed this position because of such a great need for this. We need more specific language in the charter, such as how to adequately fund this position. Ballot in 2025 may be too soon.

Christy Holy: Does not have a background in water, but Father was in EPA, has a background in conservation. She sees the need for this position. Wants to help focus on what the position is, what we need it to do, and the need for communication between the different entities. She can help with research and other support.

Nina Sarmiento: Degree in ecology and worked for nonprofits in conservation, has heard a lot about the water issues. It impacts ecosystem health. It impacts the entire county. It even tourism because if there is not water in the river there won't be salmon and tourists come to see that.

Paul Pickett: Degree studying watersheds, worked at Department of Ecology doing water permits for industrial facilities, then TMDL studies for water pollutants. One project compared flow gages, including some in Elwha/Dungeness watersheds. In 2000 was elected to the Thurston Public Utility District Commission, helped bring in a new system, now they are one of the largest water purveyors. Taught at The Evergreen State College – water class and climate change class. Helped write the state's climate change response plan. Developed grass roots interagency committee and an agency science network to continue bringing in info / researchers on climate change.

Water connects to everything. There are strongly held ideas about water and we need to find balance. There is WDFW, Ecology, Dept of Health etc involved. The county plays a small part in the big picture but an important part. Retired and represented the Squaxin Island Tribe on watershed committees, where he worked with various counties: Kitsap Pierce, Thurston, Mason. Counties were mostly interested in development. They had to deal with water issues in permits, planning. Thurston has a big monitoring program. Find out what other counties are doing. Who is doing the water monitoring? Snohomish County has a water district focused on water quality.

Discussion:

Ann Soule: Look into Island County as well, they have a good plan.

Paul Pickett: What are the county authorities? Natural Resources under DCD I don't know much about. Streamkeepers is housed under DCD. Environmental Health deals with individual and group B wells (less than 15 connections), and regulates on-site septic systems. Public works can projects with permits to protect water, and they do restoration projects on their own. Watershed planning is a gap, there were some watershed planning plans vetoed. The Dungeness has been so focused on. There are a lot of other rivers in this county, with specific hydrology. The county is hydrologically diverse, with many rivers that are critical salmon habitat.

We should talk to DCD, environmental health director Jenifer Garselon (her supervisor is Kevin Picolo, Director of Health and Human Services), Dept of Ecology, Jamestown and Elwha Tribes, hear the PUD perspective. Carlsborg is a really interesting case study, we could see what is going on with that project.

Nina Sarmiento: staff are doing a lot of work with biology and other natural resources fields. Could we ask to talk to them.

Paul Pickett: We should go through the chain of command, ask Bruce to invite staff who participate in water work. [Loni agreed.] SWOT model - look at strengths, weaknesses, opportunities, and threats. We need to sell this to the Commission and to the public. What is in the charter shouldn't be too in the weeds, needs to send marching orders to the county.

Christy Holy: If we are recommending that we hire a hydrologist we need to discuss qualifications. We need to show why we need a water steward, = research into the state of the county. What's the problem(s)? What's the county's role in solving that. Get all the info on the projects = show where there are gaps. Resolutions are good to look at. Look at what's already been done.

Paul Pickett: Hydrogeologists focus more on groundwater but also trained on hydro cycle. Engineers also have the same training. Hydrologist is mostly surface water flow and the water budget. Some of the comments said we need a technical specialist. Then there's also a lot of talk on coordination. Maybe someone can do both. There is still some fuzziness on what we actually need.

What's the problem? What's the county's role in solving that? What are the legal authorities the county has? The county can comment on water rights but can't make that decision.

Nina Sarmiento: Language and naming the position is important. Master vs specialist vs steward. How does the public respond to these words?

Paul Pickett: A professional example I encountered was that "Master" sounded too controlling, but a Steward can be able to provide education. Defining terms is important.

Craig Smith: Has initiated multiple water departments around Africa. The county can't wait till 2026. There are multiple UGAs about to be approved that will impact water resources. This is somewhat urgent. Sees the position of a hydrologist with ancillary positions. A responsible individual that would be a paid position.

Holy: Follow up Q: Would need a commission?

Craig: We need a content specialist with knowledge of hydrology, also need support from individuals that understand the law, as well as someone who can communicate with farmers, different from the citizens. Core individual needs to speak from the truth of the understanding.

Pappy (Cathy?) Whipple: Bringing up Issues from Sequim. The water issue has been going on for a number of years. We are not running out of water right now, has not seen the facts on the case. Words like "clean" and "urgent" can mean different things to different people, and "urgent" may be only one person's version. This is something that can't be rushed, otherwise we will end up with more messes, one example is Town Road.

Nina: We shouldn't rush, we should be thorough. Bring in the expertise we need.

Paul: Consider an aspirational deadline for 2025. We should be thorough, but we also need to avoid the "paralysis of analysis". Maybe use the 80:20 rule – get 80% of the answer with 20% of the work.

Next Steps:

Paul: For homework we should read LOWV reports: story of water rights, also lectures. Lecture on both water rights and treaty rights. Read Dungeness River Management Team reports. We'll hold off on meeting with LOWV Water Committee and DRMT until after we've had a chance to look at their reports.

Send invitation to agency leaders :

- DCD (Christy)
- Invite Jennifer in environmental health cc Kevin LoPiccolo (Nina).
- Dept of Ecology (Paul).
- Tribes, Jamestown and Elwha, we want to learn from you what is important to you (Paul)
- Clallam PUD (Paul).

Also, research other counties' water positions (Nina).

Final Comments from the public:

Ann Soule: interviews are important, ask what about the current status quo is not working?

Tony Corado: Avoid the word master because it has inter-jurisdiction legal authority. Think about how to get it past the voters, because they will know it will impact their taxes. There is a wealth of information already, the issue is the allocation, and implementing conservative practices. How it affects the homeowners. Just put in 4 new wells. The committee might want to interview well drillers. There are a

lot of wells being redrilled, because their wells are going dry. The committee has roughly 4-5 months to get the CRC in agreement.

Final comments:

Paul: There are also different avenues to pursue, perhaps through recommendations to the County Commissioners:

- Dept of ecology could appoint a water master.
 - Perhaps adjudication (take it to a court that looks at everyone who's out there and what their water rights are) – need to be a squeaky wheel to get that started.
- Ecology can file for relinquishment or abandonment if there is a water right can't be used at all. We might want to ask for adjudication in the Dungeness and Elwha, which would include ground truthing for individual water users. [Paul's afterthought note: Dungeness was adjudicated in 1924. We'll need to understand what that means. Most likely the Dungeness Rule takes care of everything now.]
- The water right from Ecology states that for Port Angeles is that the Elwha is big enough to handle growth for the next 50 years but is this actually feasible? Needs reevaluating. The mill shut down so the city still has the water right but the mill isn't using it anymore.

Paul will be back on the 16th of April. Next meeting tentatively scheduled for the 23rd same time.