

WATER UTILITY COORDINATING COMMITTEE

WUCC Meeting Minutes

May 8, 2008

Tri-Area Community Center, Chimacum

The meeting was called to order at 1:00 p.m. A motion was made and passed unanimously to approve the meeting minutes from January 18, 2007.

Members present included:

David Sullivan, Jefferson County Commissioner, Chair
Frank Meriwether and Karen Klocke (Alternate), State Department of Health (DOH)
Neil Harrington and Susan Porto (Alternate), Jefferson County Health Department
Larry Smith, Port Ludlow, Olympic Water and Sewer, Inc
Al Scalf and Karen Barrows (Alternate, Scribe), Jefferson County Department of Community Development (DCD)
Dana Roberts and Jim Parker, PUD #1 of Jefferson County
Eric Thomas and Dale Metzger (Alternate), Kala Point
Ken Clow, Ian Jablonski, and Bob LaCroix, City of Port Townsend
David Matthes, Bridgehaven
Donald Herrin, Pleasant Tides
Russ Hendricks, Fort Worden

Citizens, other water system purveyors, Planning Commission members, and interested staff attending:

Stacie Hoskins, Planning Manager (DCD)
Zoe Ann Lamp, Lead Planner, Development Review Division, DCD
Bill Miller, Jefferson County Planning Commission
Mike Whittaker, Jefferson County Planning Commission
Patricia Farmer, Jefferson County Planning Commission
Larry Southwick, Emergency Management
Nancy McDaniel, Emergency Management
Mark DeDominick, Emergency Management
Ann Wessel, Department of Ecology
Tom Loranger, Department of Ecology
Mike Hayward, Water District #3 (Coyle)
Mary Herrin, Pleasant Tides

Old Business:

Northrup:

Frank Meriwether reported that the old well was salty, and the new well is, in contrast, a nice source. No transfer of rights was involved, and 5000 gallons per day is adequate. The new well is situated close to the old one on the same side of the highway.

Olympic Water and Sewer:

Larry Smith reported that there is no boundary change, but there are some SEPA questions. In December 2007 there was approval, but a Port Ludlow customer appealed to Thurston County Superior Court, and the case will be heard in November 2008.

Department of Ecology presentation:

Ann Wessel and Tom Loranger from DOE were invited to present on the instream flow rule. Ann described the history of old statutes for instream flows, with efforts to protect streams for fish and also senior water rights. Issues integral to the subject include funding, aquifer storage, metering, reclaimed water and water banking, existing agricultural maintenance for food security, future well development, conservation standards, and future agricultural water supply. She passed around several handouts, the “bottom line” message of which was that the instream flow rule would not limit the ability to develop. The proposed conservation standard would be 500 gallons per day for household use, which should not be a hardship. The challenge is how to *arrive* at the standard.

Ann went on to say that in the 1970’s both government models and the courts agreed to standard methods for habitat models. They were calculated based on fish species’ life stages: streams should be 18 inches deep, moving at 1.5 feet per second “bank-to-bank;” this is what habitat models indicated is needed for fisheries. More studies will be done this summer.

To respond to public comments with respect to particular streams where the beds are dry in late summer, Ann explained that the yield for flow numbers is derived using standard methods that take into account wet years and flood events, and that the courts support those interpretations. With respect to low flows, 1% is reserved for human use; when the reserve is used up, future development is limited to indoor use, or more ways must be sought to provide additional water. The prevalence of rainwater catchment systems in drier climates was mentioned, and that permits would be issued should reserves run out in sub-basins.

Ann mentioned the contents of a handout illustrating exempt well usage, and described the Department's examination of water supply options. Funding options were also discussed, specifically regarding funding for a USGS model of the Chimacum Basin, from the Washington Water Trust; other options include purchasing water for a water bank; Peterson Lake is a storage possibility; mitigation for water can lead to new permits.

Jim Parker asked if the instream flow rule supersedes exempt laws? Tom Loranger answered that the rule would become law. Conservation standards are enforceable by the state. However, it would only impact *new* wells. Jim asked how the rule is made: does DOE make it? Tom replied that DOE is the authority, writing regulations in consultation with the Governor's Office. Jim asked whether the County has a say. Chairman Sullivan remarked, "They listen but they decide." Ann Wessel said that DOE will work with permitting, that there will be a clear warning to buyers, and that "we want to cooperate."

Al Scalf pointed out that metering within the county would require County action. He asked for a definition of a "new well." Tom Loranger said that if the new rule is adopted in March 2009, "first use" occurs as soon as water is actually being used. Before the water is actually being used, there are questions about its status. Building permits are clear, in that there is a vested water right for a person possessing a building permit. Jim Parker asked about farms that are not using their water rights. He suggested that DOE research wells that have claims but are no longer good wells, that exactly how much water is being used should be determined.

Larry Smith asked about the time estimated for starting to process new municipal applications. Tom Loranger replied that they had talked with planning units about granting no new rights until the rule is established. Larry asked if advantages accrue to separate municipal applicants who choose to partner. Al Scalf asked if it is an existing purveyor with an approved water service plan, wouldn't he be dealing with either Port Ludlow or the PUD. Larry replied that if the CWSP is followed, there is no motivation to include other people, but that perhaps in the water rights arena, there would be an advantage.

The presentation closed with Ann Wessel saying she would send Karen electronic copies of the handouts for distribution.

New Business

Water Service Area Changes

PUD Service Area Changes:

Jim Parker said the WUCC approved but did not forward to the Department of Health the service area changes requested at the last WUCC meeting. Al Scalf responded that staff would compose a letter for David Sullivan that he would then forward to DOH requesting

approval. There was a brief discussion between Al, Susan Porto, and Frank Meriwether concerning building permits and SIPZ issues in the area.

City of Port Townsend:

Ian Jablonski referred to the maps included in the agenda packet, and reported that the City and PUD had agreed about the service area map changes; he further commented that the City is already serving areas outside the established boundary. His proposal was that the WUCC approve as outlined. Al Scalf made a motion to recommend approval, seconded by Dave Mathis. After brief discussion, the motion passed unanimously.

Pleasant Tides:

Don Herrin requested that the WUCC amend the service area to include all areas outlined in black on the map provided. Don mentioned parenthetically that the Pleasant Tides Water Co-op is discussing holding talks with Statesman about water issues pertaining to the Brinnon Master Planned Resort, which was approved as a Comprehensive Plan Amendment in January 2008. Don said that currently in Pleasant Tides there are 104 connections approved by DOH (and water rights established). The new proposal would add 10 connections. Al Scalf made a motion to recommend approval, seconded by Dave Mathis. After a brief discussion during which Jim Parker asked if other purveyors in the vicinity knew of the proposal well in advance, and Frank Meriwether and Karen Klocke mentioned that no SEPA review had been necessary, the motion passed unanimously.

Water District #3, Coyle:

Mike Hayward spoke from the audience on behalf of Bill Thomas. They have not yet submitted formal documents, but Mike described the proposal. It is to expand the water service area for the benefit of the fire hall. They currently have 314 ERU's, and want a total of 514. They want to expand into a series of reservoirs. Jim Parker mentioned that he would be happy to see the district take over the entire southern area. Frank Meriwether suggested some ways they might want to proceed.

Municipal Water Rights:

Jim Parker said the WUCC should keep an eye on DOE with respect to water rights issues. His concern had to do with the fact that if there is no use, the water right may be lost, particularly with wells that have not been used (even if municipal). Neil Harrington asked at what point inchoate water rights take effect. A discussion surrounding these issues ensued.

Fire Hydrants:

The discussion began on the topic of streamlining fire hydrant maintenance and cost, and continued on the topic of usage. The question as asked: can a hydrant be metered without restricting flow? The discussion continued on the specific case of a Jefferson County

resident who himself removed a fire hydrant on his property to which he objected, and the remainder of the debate concerned the question of responsibility for fire hydrants, the County or the PUD.

Drought Contingency Planning:

Ian Jablonski asked if the WUCC was interested in pursuing drought contingency planning. A discussion ensued about who might be in charge of it (Emergency Management was suggested), and questions emerged about deeper wells, funding sources, mitigation of impacts, and whether or not other planning areas have established drought contingency plans. Larry Southwick said that it would be very helpful to have coordination on this issue. There was a great deal of discussion, after which David Sullivan directed staff to obtain contacts for all water systems to send to the WUCC and Emergency Management.

Marrowstone Update

Al Scalf asked Jim Parker for an update on the Marrowstone Island public water project. Jim reported on the Water Facilities Inventory, that PUD added treatment at Sparling, and the number of Quimper connections is 2,600-3,000. He said the new drill at Sparling produces 1,200 gallons per minute, and that within one year the PUD will request new connections. He reported further that 450 Marrowstone residents want full connection, according to a survey. The discussion turned to rainwater catchment: no approval from DOH yet. There was a good deal of discussion about the topic.

Public Comment:

Public Comment: The Chair allowed public comment throughout the meeting to incorporate citizen concerns on the various issues discussed by the WUCC.

The meeting was adjourned at 3:45 pm.

Minutes prepared by Karen Barrows