

# GMVUAC May 6, 2019

## Meeting Minutes

### Meeting Called to Order – 7:02 pm

Pledge of Allegiance  
Roll call

### Members Present:

Steve Hiester	Warren Iverson	Rhys Sterling	Sue Neuner
Peter Rimbos	Adam Sterling	Mike Thompson	Stephen Deutschman
	Luke Hansen		Hendrick Haynes
			Celia Parker

### Members Absent:

LarKen Buchanan  
Lorraine Blacklock, late 5 minutes.  
Susan Harvey, proxy to Peter Rimbos, late ~ 8:25 PM.

**Approve Agenda:** Moved, seconded, approved.

### Public Comments – 7:10 PM

**Bonnie Curran:** I have not heard back yet on plea regarding a trespassing incident.

### Val Paganelli, Tahoma School District:

- Engage Tahoma sessions about finance and technology.
- Softball Boys and Girls District Chapter wins
- Robotics Team, Bear Metal, won regional to go to Huston in top 6.
- Les Miserables, Drama team production \$10 Adults, less for students and seniors.
- Track and Field teams State Champions.
- We The People, Debate team won 23rd year WA State Civics Championship at WA D.C.

**Warren:** baseball coach Russ Hayden retiring in June after 25 years.

**Warren:** Does Roads pay anything on surface water management? **John Taylor:** Yes, roads is the biggest part.

### Cedar Hills Landfill, Kim & Rick Brighton:

**Kim:** We live right on the border. We got a message from Hank. I'm doing this all volunteer. I'm getting interviewed. I want to help everyone. We want to get the landfill shut down, turn waste to energy, and make it safe. **Peter:** we do have an Environmental committee.

**Bonnie Curran:** did you know we paid money for the smelt?

### Hirst Decision update – 7:18 PM

**Dan Von Seggern,** Attorney for the Center for Environmental Law & Policy – CELP  
**Karen Wolf,** Sr. Policy Analyst, KC Office of Performance, Strategy, and Budget  
**Stephanie Potts,** WRIA 8 & 9 Streamflow Restoration Implementation Lead for the WaDOE  
**Eric Ferguson,** Water Quality Planner III, DNRP/WLRD/STS - KC Water Quality & Quantity  
**John Taylor,** Director Dept. of Local Services

**Dan, Center for Environmental Law & Policy:** We are an environmental non-profit. Our thing is water, to keep the streams and fish healthy, to keep streams flowing. Cedar River Watershed WIRA 8 is next to WIRA 9. We are here to tell you about water and the **Hirst saga** (see PowerPoint). Water is over appropriated. We have an issue of timing in summer later. It is a disaster for fish because the flow goes away. The record low was in 2015. The cities were concerned. Law: within the State the water belongs to the public as a public resource. You can establish the right to use, but not own water. You can acquire the right for appropriation for beneficial use such as agriculture, recreation, etc. You make a **Claim:** statement that water will be put to use. You get a **Permit:** permission from Ecology Dept. to start appropriating its use. A **Certificate** is issued after it is demonstrated that water has been appropriated. To get a permit, apply and identify where. Ecology has 4 questions:

1. Water must be available (both physically and legally)
2. Water must be used beneficially
3. Water use must be in the public's interest
4. Water use must not impair another existing use

**Scenario:** what if there is not enough water to go around? The first time it is first right. 200 cfs (cubic feet per second) – 7 ½ gallons

1 <sup>st</sup>	100 cfs	1950
2 <sup>nd</sup>	50 cfs	1960
3 <sup>rd</sup>	50 cfs	(=200cfs) what's left for fish?

100 cfs

1 <sup>st</sup>	100 cfs	
2 <sup>nd</sup>	0 cfs	
3 <sup>rd</sup>	0 cfs	what's left for fish?

**Hirst fix bill** – for new wells – addresses impairment to in-stream flows. The Spokane river was sucked dry in 2009. An agreement fixed it.

**Water Resources Development Act (WRDA)** How is instream flow determined?

- Ecology Dept determines
- Generally, set to protect fish habitat
- In-stream flows are set after water has been appropriated

Senior rights can withdraw water. The right stays with them. Those with junior rights must curtail usage. Permit exempt will not be affected. ... Any water take out from wells (aggregated) affects stream flows. A well depresses the water table locally. Eventually it affects stream flows. Hirst is a Growth Management Act case.

**ESSB 6091 - Recommendations for Water Use Estimates**, is a new scheme.

<https://fortress.wa.gov/ecy/publications/SummaryPages/1811007.html>

**Questions from Council – 7:40 PM**

**Warren:** Eastern WA we don't care. In our rural area sewer into ground re-percolates. In a 5-acre lot there is a lot of recharge. In ½ acre not so much. ... They are not gaining to make you mitigate individually. They look for other water to mitigate means.

**Hank:** On water quality Issaquah Creek and Cedar River water is monitored. What about Cedar Hills Landfill? **Kim Brighton:** There is an aquifer under the Cedar Hills Landfill.

**Dan:** We've been looking at the Asphalt plant.

### **Stephanie Potts, WaDOE – 7:50 PM**

WRIA 8 & 9 Streamflow Restoration Implementation Watershed Enhancement Committee.

See handout on ESSB 6091. What is impacted? High-end use 60 gal. per day per person only affects new wells after Jan. 19, 2018. Various interest groups participate on the committee. June 30, 2021 the plan is renewed and adopted. We are predicting growth, the number of homes where wells are drilled. See website for data, papers, meeting notices, agendas, etc.

### **Karen Wolf, Sr. Policy Analyst – 8:05 PM**

There are comprehensive planning issues making the link between land use and water. We are working on our process and to provide a hierarchy of possible sources of water. The forecast is based on previous ...

### **Eric Ferguson, KC Water Quality Planner III – 8:10 PM**

The new **ESSB 6091** bill determines how many wells in King County. About 1206 wells were installed from 2007 to 2017, a 10-year span. We are looking at individual home wells installed before they were directed to water service areas that are within in water service area boundaries. See online flow chart in PDF from website. Service area boundaries aren't always clear to home builders. **Hank:** on water availability, can you put in an exempt well? **Eric:** Yes, but you are not supposed to. There are 73% of wells within water service areas. Some are valid. No more than 10%. There are 160 or so wells in the Cedar River corridor (WIRA 8). In WIRA 9 almost half of wells are in water service areas. **Warren:** One of my customers lives on Tiger Mountain and has 2 existing lots. He wanted to drill a well and asked but was told we have plans to go there. So, he can't drill a well. It is \$130,000 for hookup.

### **Questions from Public – 8:20 PM**

**Q:** Are your regulations for buildings based on local County? It's quite a burden for individuals.

**LarKen:** I built a home 9 years ago with a well. I had to re-drill the well. I was required to have a backflow valve.

**Q:** We have to choose between a sprinkler at 20 cfs/minute vs. driveway required for impervious surface.

**Rhys:** All are triggered by a building permit. What if you need a building permit to put an addition on a house?

**John Taylor:** our goal should be to make the permitting process as simple and easy as possible. My bet is that it was cheaper to dig a well than to hook up to the water service.

**Dane Scarimbolo:** Well, what if it was installed for washing crushed rock? Industrial wells are not covered.

**Dan:** Statute says grandfathered in. I'm not sure if that is limited to domestic or not.

**Q:** I have 2 lots next to each other. I could drill one well for both at 950/gal./day per connection. When low water drops to 350/gal./day, nobody is using that much water in the house. The question is indoor or outdoor use? **Dan:** Seattle has lowered its water use.

**Warren:** side by side up to 6 connections per one well already existing lots drill. How much paperwork is involved for a community well? See Dept. of Health. City of Seattle gets its water from the Cedar River. If it runs low will Seattle stop usage? City and rural?

**Dan:** When somebody goes to use water there's nobody looking to see how much is used. There is no meter on these wells. Spokane County neighbors are drilling wells that make their neighbor's well go dry.

**Peter:** You're saying it's all based on senior water rights.

**Dan:** Nobody is looking to see if a new well is a problem. Nobody has unlimited water usage. Most cities have much more water rights than they are using. Different cities have different rights. Only cities are exempt from selling their right.

**Break – 8:48 PM**

**Council Business – 8:55 PM**

**Survey – Rhys:** Mike arranged with the MV Voice and Reporter to publish notice. Paper copies are available in stores, but primarily online. We need the form to be finalized as to the questions. The survey will be 2 months in the Voice and Reporter. **Warren:** That would be July 7<sup>th</sup>. **Steve** gets the (paper) mail and gives it to **Rhys** who adds it to the online set. We'll have paper copies.

**Peter:** the survey is too long. **Rhys:** give me something I can do in 9 questions. **Peter:** small business should be set aside. **Larken:** move small business to the end. **Adam:** reorder non-business to the top.

**Q#14 How often do you pump your septic? Warren:** State law says to have it inspected every 3<sup>rd</sup> year on a drip system. The reason is the system is so complicated it can fail. How many do that? **Mike:** I do.

**Hank:** Do you have a question about telecommuting from home for a job? (#17) **Rhys:** How do you want to phrase it? **LarKen:** How many days per week do you telecommute? It affects traffic on bad Thursdays. **Dane:** the way it is worded you are creating bias.

**Warren:** move 3-6 to bottom.

**Mike:** The question on winery is not stated correctly, "winery" vs. "tasting room only" – growing 60% of grapes on property includes a tasting room.

**Hank:** The question on WA State noise code averaging quality – noise quality affects health aspects. That's the hole in the law. By ordinance or by human impact science. **Steve:** It means different things to different people

**Motion to adopt changes, second, passed.**

**Executive Council Meeting – 9:20 PM**

**Meeting Schedule – Steve:** Mike will come up with a meeting schedule. 1 of 3 is no presentation and do council work with a little business. We do committee work.

**June 3<sup>rd</sup> meeting** – King County meeting on beverage, task force to review STRIKER on Adult Beverage. Mike, Rhys, Dane, and Peter to come up with a draft set of comments for the committee to approve. **Mike:** it's a 300-page document. **Peter:** we usually send written comments.

**June 12<sup>th</sup>** is the King County Council Public Hearing.

**Adjourn – 9:28 PM**