

# **Whatcom County Council Water Work Session**

**COUNTY COURTHOUSE  
311 Grand Avenue, Ste #105  
Bellingham, WA 98225-4038  
(360) 778-5010**



## **Minutes - Draft Minutes**

**Tuesday, November 14, 2023**

**10:30 AM**

**Civic Center Building Conference Room / Hybrid Meeting**

**HYBRID MEETING - (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil), OR CALL 360.778.5010)**

### **COUNCILMEMBERS**

Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Carol Frazey  
Kaylee Galloway  
Kathy Kershner

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## Call To Order

Councilmember Tyler Byrd called the meeting to order at 10:30 a.m. in a hybrid meeting.

## Roll Call

**Present:** 3 - Tyler Byrd, Carol Frazey, and Todd Donovan

**Absent:** 4 - Barry Buchanan, Ben Elenbaas, Kaylee Galloway, and Kathy Kershner

## Announcements

## Meeting Materials

[AB2023-493](#) Meeting Materials for the Water Work Session November 14, 2023

**This agenda item was RECEIVED.**

## Water Issues Update

Gary Stoyka, Public Works Department, updated the Councilmembers on the following:

- They are working on developing two grants that they got from the Legislature proviso money for adjudication. One is to develop technical assistance to water users in filing adjudication claims and reports.
- They are trying to finish the current phase of the groundwater model and are scheduled to have that done by the end of the year or the beginning of next year.
- They are still working on a multi-purpose water storage study and that is going to extend into 2024.
- They are working on an instream extrapolation study and getting an amendment to Council to keep that rolling.
- They are working on a grant agreement with the Department of Ecology for the purchase of the Stewart Mountain Community Forest. They got a grant for \$5.517 million and Whatcom Land Trust has also been awarded a grant for \$3 million. The full property will cost about \$16 million.

Chris Elder, Public Works Department, answered whether they were talking initially about only buying half of the Stewart Mountain Community Forest land.

Stoyka answered whether there is anything on the County's website to direct

people for adjudication and stated not yet. He continued his updates on the following:

- They are just about done with the boundary line adjustment for the Black Slough property in the South Fork. The plan is to sell about 40 acres of that.
- He gave dates for upcoming meetings of the Watershed Management Board.
- They recently received responses for two Requests for Proposal (RFPs) for a fleet electrification study and for a charging station installation study.
- Staff anticipates entering into a grant agreement with the Department of Commerce in early 2024 to develop the climate element of the Comprehensive Plan.
- The next Water Work Session is January 16, 2024.

Paula Harris, Public Works Department, stated there is a big hazard mitigation grant coming to Council and a large Ecology grant to continue the Floodplain Integrated Planning (FLIP) work. The contracts to do that work will be coming to Council too.

Stoyka and Harris spoke about the progress of the Nooksack Transboundary Flood Initiative.

### **Proposed 2024 Flood Control Zone District Budget**

Paula Harris, Public Works Department, reviewed the Flood Control Zone District 2024 Flood Program Budget (on file in the packet) and answered questions. She spoke about flood maintenance and operations, and flood construction repairs and improvements.

Elizabeth Kosa, Public Works Department Director, spoke about Councilmember tours so they can have a better picture of actual capital and maintenance projects rather than just seeing them on paper.

Gary Stoyka, Public Works Department, reviewed the Flood Control Zone District 2024 Natural Resources Budget (on file in the packet) and the new cost centers for 2024, and he answered questions. He then reviewed the Flood Control Zone District Proposed 2024 Budget. He and the other speakers answered whether grants received each year account for the difference in expenditures from year to year, whether the recent big flood events effected the reserve fund balance, and how the minimum amount is or should be calculated.

**Nooksack Salmon Enhancement Association River Stewards Report**

Sarah Brown, Nooksack Salmon Enhancement Association, read from a presentation (on file). She answered questions about time-lapse photos taken of activity on the south fork of the river, whether recreation on the river dropped after floating ban signage was posted, how many wild Chinook salmon the Nooksack Tribe harvested from the Nooksack river in 2022, and whether there was no change in turbidity before and after the float ban.

**WRIA 1 Planning Unit update**

Chris Elder, Public Works Department, stated the Planning Unit came together to discuss several water associations west of Ferndale with wells going dry, which launched them into the ongoing discussion about how to balance land use and water use. They decided the West Ferndale area was a good area in which to revisit a rural land study to assess water supply.

Gary Stoyka, Public Works Department, spoke about a request for administrative funding to fund the study.

Alexander Harris, Land and Water Policy Manager at Re Sources and WRIA 1 Planning Unit, stated they have taken a multi-stakeholder approach in developing this project and gave examples of the stakeholders. There are a lot of different interests that are at the table discussing and deliberating this, and they are all finding the common ground that preserving farmland and making sure that farmland has a legitimate water supply is in the interest of a lot of different people. It is up to the County to really make that happen, and they are hoping it will be part of the Comprehensive Plan update.

Dan Eisses, Birch Bay Water and Sewer District and WRIA 1 Planning Unit, stated in the current Comprehensive Plan, there are quite a few more five and ten-acre lots where an exempt well has not been drilled yet and which are in an aquifer that is having trouble. The more houses we allow to be built out there, the more wells we are going to have going dry over time. The Comprehensive Plan should line up with what the water supply is. They do think there are solutions in this area that can be looked at for water supply. They are hoping the pilot area shows that positive solutions can be done, that the model can be applied in the other rural study areas, and that the work can be incorporated into the upcoming Comprehensive Plan. He spoke about what the pilot project will cost.

**Other Business**

There was no other business.

**Adjournment**

The meeting adjourned at 11:58 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Dana Brown-Davis, Council Clerk

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Barry Buchanan, Council Chair

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Kristi Felbinger, Minutes Transcription