

Whatcom County Council Water Work Session

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



Minutes - Final

Tuesday, June 13, 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, 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

Council Chair Barry Buchanan called the meeting to order at 10:31 a.m. in a hybrid meeting.

Roll Call

Present: 7 - Tyler Byrd, Barry Buchanan, Ben Elenbaas, Carol Frazey, Kaylee Galloway, Kathy Kershner, and Todd Donovan

Announcements**Watershed Planning Update**

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

- State appropriations to the Department of Ecology and Whatcom County for adjudication
- Technical studies the County is moving forward with, and funding to finish the next phases of the Groundwater/Surface Water Interaction Study and the Instream Flow Extrapolation Study
- Closure of and reimbursement for the purchase of the Acme floodplain property (124 acres) on June 5, 2023
- A new public-facing watershed viewer about which Chris Elder, Public Works, will do a presentation to Council at a later date
- Topics of the last Watershed Management Board (WMB) meeting, the reinstatement of the Local Government Caucus meetings, and discussions about whether they should bring other issues such as flooding or land use under the WMB
- Work on a new climate action work plan which should be presented to Council within the next month or so
- The next meeting date (July 18) for the Water Work Session
- Funding provided to the County and the Department of Ecology for river and flood programs and capital projects
- Current capital projects and related contracts and cooperative agreements
- Property buyouts and anticipated FEMA funding

He answered why the Local Government Caucus of the Watershed Management Board stopped meeting, how many properties are part of the buyout, whether all those properties have houses on them, whether people know where the official floodplain is, whether the County is using the new FEMA floodplain maps, whether people are buying properties knowing they are in a floodplain, and whether the small cities are required to use the

official maps.

He continued his update on:

- The progress of the Floodplain Integrated Planning (FLIP) process
- The International Trans-Boundary Flood Initiative and a collaborative framework, to be presented to Council soon, which outlines how this international cooperation is going to work

Proposal for Changes to Regulations Related to the Use of Limb-propelled Floatation Devices on the Nooksack River

The following people spoke:

- Treva Coe, Assistant Natural Resources Director and Habitat Program Manager with the Nooksack Tribe
- Setrina Wilson, Lummi Tribal Member

Wilson spoke about the importance of having this ban extended, the need for making even small changes, the effects of stress on salmon, and salmon's importance in the ecosystem.

Coe presented on natural-origin Chinook in the South Fork of the Nooksack River and how far we are from recovery, pre-spawn mortality statistics and causes, impacts of recreation on Chinook and studies of other rivers that documented those impacts, examples of how salmon startle from disturbances, the wide distribution of tubing on the South Fork, a model showing the cumulative impacts of tubing, concerns with salmon redd trampling, prioritization of and investment in restoration on the Nooksack, locations and number of log jams that have been constructed for restoration, what the construction of the Homesteader project will entail and how recreators will be directed to get out of the river in that area and routed around it, and the request to extend the existing ban to the lower South Fork.

Councilmembers discussed what the change would be for this request, whether any of the State funding will cover additional patrols from the Sheriff's Department to help with enforcement, concerns about economic impacts to the Acme Diner if recreation has to move elsewhere, making sure people have access to recreation and whether they would be interested in promoting the Pacific Northwest Trail so people can still go to the Acme Diner, whether there is a way for the Council to collaborate with our Parks Department to develop a guidebook for how and where to recreate responsibly, and looking at the whole picture of the goal for increasing

salmon as well as making sure recreation opportunities are available.

Wilson stated they are not saying that all recreation is not good, but we all encourage to take our fun elsewhere where we will not have a negative impact on the salmon. We can make sure it is understood that people can still have opportunity to be out and enjoy nature. We are on the same page and fighting the same fight.

Gary Stoyka, Public Works Department, answered whether there are any next steps.

Galloway stated her next steps are to introduce a revised version of an Ordinance (similar to last year) for consideration for introduction at the Council's June 20th meeting.

Councilmembers discussed what the language would be in that Ordinance regarding the starting and finish points and the dates, the differences between this and the former Ordinance, whether canoes and kayaks should be included in the ban as well, and whether the Ordinance's threshold of 50 percent of the recovery goal of 9,900 applies to both hatchery and natural-origin or only natural-origin fish.

Coe answered what happens if the ban does not result in any increase in salmon back to the river, whether there are any other rivers on the west coast that have had experience with this kind of a ban and whether they have any data to show subsequent recovery of salmon, whether there are any salmon in the Fraser River, and whether that river has a problem with salmon populations.

Ned Currence, Nooksack Tribe, stated pre-spawn mortality in the Fraser River is an annual issue and spoke about how that is managed.

Frazey stated she would like to support this and we can work together on this as well as that fifty additional miles of trail.

Discussion with WRIA 1 Planning Unit

Alexander Harris, Land and Water Policy Manager at RE Sources and WRIA 1 Planning Unit, spoke about recent conversations in the Planning Unit about floods. He stated the unique role the Planning Unit can play in the conversation is tying the technical flood work to our land use conversations. He referenced a study completed by Dr. Bob Mitchell of Western Washington University and a graduate student and stated his modeling points to a 38 percent increase in peak flows fifty years from

now. That shows that types of events like the 2021 flood event will become more frequent and severe, so the question is how we plan and prepare for those impacts. Our flood map will likely change and our land use planning should reflect that and it currently does not. The planning Unit will be sending a letter to the Council in the next month or so.

Chris Elder, Public Works Department, showed and spoke about the new watershed portal. It is now live on the website.

Dan Eisses, Birch Bay Water and Sewer District and WRIA 1 Planning Unit, gave a Planning Unit update and stated Elder presented the watershed maps to them and it was a primer for getting people thinking about the areas that the Comprehensive Plan has a voice in, and hopefully gets people thinking about what they want to come out of the process.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 11:48 a.m.

The County Council approved these minutes on July 11, 2023.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE