

# **Whatcom County Council Water Work Session**

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



## **Minutes - Draft Minutes**

**Tuesday, April 19, 2022  
10:30 AM  
Virtual Meeting**

**VIRTUAL MEETING - VIEW ONLINE**

### **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 Todd Donovan called the meeting to order at 10:30 a.m. in a virtual meeting.

**Roll Call**

**Present:** 5 - Barry Buchanan, Todd Donovan, Ben Elenbaas, Kaylee Galloway, and Kathy Kershner

**Absent:** 2 - Tyler Byrd, and Carol Frazey

**Announcements****Water Resources Update**

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

- The adjudication process: Cascadia Policy Solutions has developed a draft Solutions Table Charter proposal which is included in the agenda packet for this meeting
- Continued work on the Drainage Based Management process - they are coming close to wrapping up the South Fork/Nooksack River process and are about to embark on the Bertrand/Schneider Creek process
- They have selected a consultant to do the next phase of the Groundwater Model - a contract will be coming soon to Council
- They are moving forward on the domestic Water Use Efficiency (being done through the Whatcom Water Alliance) and the agricultural Water Use Efficiency process (being done internally)
- The next meeting of the Watershed Management Board is on April 28 with the topic being the Solutions Table Charter
- Work on the integrated monitoring and central data management project - they have a consultant doing phase 2 of that
- The next Water Work Session meeting date of May 17

**Water Solutions Table Proposed Charter**

Gary Stoyka, Public Works Department, briefed the Councilmembers on the Nooksack Watershed Solutions Table as presented in the agenda packet. He answered whether there is a sense that the Tribes are bought-in to being on the Executive Committee and the Solutions Table.

Kershner stated the proposal strikes her as being very similar to what we had hoped the Planning Unit would have accomplished or achieved.

Stoyka answered questions about whether there will be any public input on this, and the process for approval.

*Elenbaas* stated he would like to see this have a full public hearing at the Council level in order to have as many people weigh in as possible and *moved* to give the public an opportunity to provide input on a larger scale than in an obscure meeting that does not get noticed as well as other meetings do.

Councilmembers discussed how a hearing should take place and getting public input on who the public thinks should be seated at the table and how they are seated.

Elenbaas stated he would like to see a public hearing in a regular Council meeting and maybe schedule it in a committee at some point.

They requested that Stoyka come back with ideas of how we might get this on an evening meeting agenda to get input while it is still a proposed charter in order to have an informed decision on whether it is right or not.

Stoyka stated he could work on getting something sometime in May and will work with the Council Clerk.

Councilmembers did not vote on Elenbaas' motion.

Stoyka answered a question about the time of the upcoming Watershed Management Board Meeting.

### **Potential Drayton Harbor Shellfish Downgrade**

Erika Douglas, Public Works Department, presented and answered what the hypothesis is for what the sources of fecal matter are when they see these issues at the mouth of the harbor, what the prevailing thought is on the accuracy of DNA testing the fecal coliform we are seeing in the samples to help us better pin point where it is coming from, how many consecutive or months of clean readings we would need for the conditional approval on Station 413 to go back to green, whether they could get to the required 30 samples sooner if they take samples more than once a month, and what this means for Drayton Harbor oysters.

### **South Fork Acquisitions Update**

Chris Elder, Public Works Department, presented and answered what some of the funding sources might be for the Acme floodplain, how the acquisition of Stewart Mountain is going to support restoring the Nooksack,

what the goal is with the Whatcom Land Trust being the initial owner, whether this property will be public property and accessible to the public, what the plan is for the private property in the middle of the proposed Stewart Mountain Community Forest property, about how many acres in the watershed would be eligible for Lake Whatcom Acquisition Funds, and whether there would be acquisition from the Lake Whatcom side.

**Discussion with WRIA 1 Planning Unit**

Dan Eisses, WRIA 1 Planning Unit and Birch Bay Water and Sewer District, updated the Councilmembers on the following:

- Support for the March 22, 2022 memo from Councilmembers Frazey and Galloway regarding Comprehensive Plan priorities
- The priority in the above-mentioned memo to work towards eliminating fish passage barrier culverts
- The Whatcom Conservation District being very close to a soft opening of a conservation rebate program

**Other Business**

There was no other business.

**Adjournment**

The meeting adjourned at 11:48 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Dana Brown-Davis, Council Clerk

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Todd Donovan, Council Chair

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Kristi Felbinger, Minutes Transcription