

TO ALL COUNCILMEMBERS:

Additional Information

For

January 8, 2019

SCOTW

1. Update on Engrossed Substitute Senate Bill (ESSB) 6091 in WRIA 1 (AB2018-290a)

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SUBMITTED BY: Councilmember Sidhu

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Whatcom County Council Member
January 8, 2019 County Council Meeting

I commend all the work Planning Unit has done not only in 2018 but for past couple of decades. Planning Unit is made up of most diverse stakeholders, where their interests compete with member groups. There have been great discussions and well thought out suggestions and ideas from all people involved in the process, including scathing remarks to bring home their points of view. In the end, this body has delivered plans for common good of all citizens.

The current discussions on 6091 are coming to close and I am very hopeful that we as Whatcom County residents will take charge of our own water planning and achieve better water self-management over next 50 years.

I would like to state some facts about the current matter on hand: Response to Ecology as prescribed by EB 6091 by WRIA 1.

1. 6091 is about the new domestic wells after January 2018, which are estimated to be 2150 over next 20 years.
2. The impact of these wells over next 20 years will require mitigation of 647 acre feet of water annually, which is under 600,000 gallons per day. Just to put this in perspective: Average daily morning dew on 1000 acres is 848,000 gallons.
3. 6091 does not address mitigation for the 15,000 domestic wells already installed in WRIA 1
4. Metering is a tool to consider if this can help mitigation, water conservation, and contribute to Net Ecological benefits.
5. Fees: This is a nominal fee to manage the permitting process and small contribution towards mitigation projects.

Once we get past the current discussion and submission of our Water Management Plan to Dept of Ecology, the following major water issues which are not addressed by 6091 are:

1. Agricultural water use
2. Low In-stream flows (other than NEW domestic water well)
3. Fish and Wildlife Habitat (other than NEW domestic water well)
4. Water Quality (other than NEW domestic water well)
5. Long term water management and ecological health of WRIA 1 watershed.

Another topic which has been raised in 2018 is the water management bodies in Whatcom County, their roles and responsibilities and above all lack of single body to manage our water, which is satisfactory to all stakeholders and interest groups. Sometimes, dysfunctional diverse organization working on the same topic may have some advantages, if we all reach an almost consensus in the end.

Keeping that discussion for 2019, I would like to address the decisions in front of the County Council today:

May I say that the current DRAFT document ready for approval and submission to DOE is only a start and not the end. We are discussing the Exempt Domestic Wells and water mitigation thereof. We are looking at the major water users, stakeholders and beneficiaries as the next biggest hill to climb. The uncertainties and real concerns have several manifestations:

Uncertainty of:

- What happens next if we come to an agreement or no agreement on response to 6091 document submittal to DOE
- What DOE rule making will look like?
- Which Projects will get implemented?
- What are the Net Ecological Benefits and how to measure them over time
- Where the money will come from how much and when?
- When implemented each project, what the impact will be?
- Will I be alive tomorrow!

While being real, let the uncertainties not stop us from moving forward.

The Perspective of Water Scarcity:

- Domestic well water use is less than 2% of all water uses in Whatcom County.
- Whatcom County faces water scarcity for only 4 months of the year. Please keep that in perspective.
- The estimated future domestic wells will be around 2150 over next 20 years.
- We currently have 15,000 domestic wells, which are not subject to 6091 rules.

I am aware that you know these facts. My intent is to bring your attention to keep these in perspective.

Water Mitigation Level: The 3000 gallons per day rights to withdrawal of water per well is realistic or arbitrary? I would propose that domestic water withdrawal limit shall be pegged at 500 GPD, with a right for each domestic well owner to apply for extra water, if needed, for 5 years at a time. This rule should apply to all domestic wells from the past and future. We can argue over this for years to come. So, I give up.

I believe the assumptions and calculations made by RH2 are a good start. As we learn more in next 3 - 5 years, we shall revise and improve to more realistic numbers.

Like I said before, daily morning dew on 1000 Acres = 848,000 Gallons of water. Nature deposits and disposes this almost on daily basis all over the land mass. The point I am making is that the water mitigation, currently planned, is not onerous, it is a good starting point.

Metering: This is like: "To be or not to be".

- The argument FOR Metering has its own flaw. Is "Metering" worth the investment? Especially when it covers very minuscule number of wells over next 20 years.
- The argument for NOT Metering is based on "fear": Your government is gobbling up your freedom. The domestic water consumption is not a secret worth keeping and has very little to do with "freedom".
- Some people are looking at "YES on metering" as a psychological success, that they are proud of standing firm on this issue.
- Some people are looking at "NO on metering" as a psychological success, that they are proud of standing firm on this issue.
- In reality, metering on new domestic wells (2150) over next 20 years hardly makes any difference on water conservation, water quality, impact on low in-stream flows or worthwhile data to extrapolate for policy making in future.
- May be, we should agree on a Pilot Project of say 10-20 domestic wells in each basin for 5 years. Develop a Model based on accurate information for future planning. Let DOE and County pay for the pilot project.

\$500 Fee: This is inconsequential, 2150 wells with \$500 fee will amount to \$1,075,000 over next 30 years. County gets only 30% i.e. \$322,000 over 20 years, which is just enough to manage the record keeping for the data on water on annual basis. I suggest to keep it as legislature has proposed.

I would once again challenge and request all the people engaged in this discussion during 2018 to continue their involvement in coming years to address the bigger issues of making all AG land should have vest water rights and enhance the in-stream flows, enhance the fish and wildlife habitat while improving the water quality. This all will lead to better quality of life for the future citizens of Whatcom County

Thanks,

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