

**THURSTON COUNTY
STORM AND SURFACE WATER ADVISORY BOARD MEETING**

**July 15, 2021
Meeting Summary**

Representative	Representing	Present (P) Not Present (NP) Excused (E)
Casey Kramer (Chair)	District 2	P
Phyllis Farrell	District 1	P
Clayton Hill (Vice Chair)	At Large	P
Paula Holroyde	District 3	P
Jaclynn Simmons	District 2	P
Britt Nederhood	District 3	P
Carla Sabotta	At Large	E
Nancy Winters	At Large	P

Staff:

Larry Schaffner Ami Peters Jane Mountjoy-Venning Shannon Peterson

Guests:

David Hartley Tris Carlson

Introductions/Process/Correspondence (Casey Kramer, Chair)

Introductions were made.

Public Comment

David Hartley briefly introduced himself and shared that he submitted an application for the vacant District 1 SSWAB position.

Amendments to the Agenda

None

Meeting Summary

Casey mentioned that Jaclynn led the meeting last time, so item one on the agenda should be updated to reflect that. Phyllis moved to approve the amended meeting minutes for the May 20, 2021 meeting to reflect the grammar and spelling edit suggestions from Nancy. Britt seconded the motion. Motion carried.

Prioritization-based Approach for Using WSDOT Utility Fees to address Stormwater Impacts (Shannon Peterson)

In 2020, a consultant was hired to look how the County can utilize stormwater fees collected from WSDOT to meet the recently enacted state laws governing how they may be spent. Prior to the law's change, WSDOT fees could be used like any other rate payer; however, in 2019 there

was legislative change that stated jurisdictions need to use these funds only to address discharges associated with runoff from state highways. The legislation also requires submittal of an annual plan stating how jurisdictions will use the fees and a progress report on how the fees were used in the prior year.

The consultant helped the County look at potential project opportunities. They began by looking at all state highways and then narrowed in on ones that were in sensitive areas, cross streams, and near wetlands. They also looked at ones that were concerns of the County. Based on that review, 21 priorities and 11 lower priorities sites were identified. They looked at retrofit feasibility with a ranking system of high, medium, and low. Eleven sites ended up ranking high. These sites were further ranked based on the following weightings:

- Water quality – 35%
- Flooding and flow control – 25%
- Implementation – 20%
- Cost and maintenance - 10%
- Community benefit – 5%
- Habitat benefit – 5%

Implementation refers whether or not the project is feasible to complete.

The 11 sites were narrowed down to five sites. Madrona Beach was two sites that were combined into one due to their proximity. The other sites are Schnieder Creek, State Route 8 (Kennedy Creek) and two in Nisqually area. The projects looked at are in WSDOT right of way. Once the projects are completed, WSDOT would maintain them. WSDOT will allow the County to build up the fees collected and roll them over in sequential years to be able to build up monies to fund the completion of the larger projects.

Since the County only collects fees in the areas of unincorporated Thurston County, the sites looked at were ones that are within the County's jurisdiction (i.e., not within city limits).

Do we have enough money to do all these projects?

- No, we do not. The new legislative requirement started in 2020, so we will have to accumulate WSDOT fees collected to fund them.

Since the utility fees have to do something to mitigate for the discharges from WSDOT roads, isn't it always going to be a right of way? What are the other options?

- The Madrona Beach project addresses runoff coming off the WSDOT right of way into the County's ditch. There is an issue with the ditch overflowing and creating flooding on a County road. That work will be in the County's right of way.

The five projects were put in the Capital Facility rating program to see which ones should be completed first.

Typically, there is a subcommittee that SSWAB participates in that reviews proposed SW capital facility project rankings and brings their recommendations to the full SSWAB meeting. Since

there were no new projects proposed previous, the subcommittee wasn't convened last year. It isn't clear whether there will be a need to convene the subcommittee later in 2021.

The rankings ended up with Madrona Beach ranking highest (rating aside, it was determined to be the highest priority) then McAlister, Nisqually River, Schnieder Creek, and then Kennedy Creek.

Nancy rated these by taking the grams per year removed of each of the three pollutants and divided that by the cost of the project. The highest priority in her ranking technique was Schneider Creek, Kennedy Creek, and then Nisqually. With flood potential taken into account, Madrona Beach would be first. Nancy would like to be on the subcommittee when it reconvenes.

How did these ratings overlap with WSDOT's existing ratings?

- There were sites that were taken out of this rating system because WSDOT already had planned projects on the sites they ranked.

What is considered a retrofit? Are they going to be meeting the manual's full design standards for newly constructed BMPs?

- Shannon has not discussed this with WSDOT, but requirements for one or both of the WSDOT or Thurston County stormwater design manual requirements will be met.

There was a hearing this morning about the tire substance that is killing salmon. Where are we on monitoring this?

- Shannon explained that this is outside of the purview of the Water Resources Technical Services group.
- Larry added that Ecology is talking about developing monitoring protocols to evaluate this issue. It's a new conversation, so there are details still being discussed. The exploration of BMP treatment options is still happening. There may be other existing water quality BMPs that could be effective in treating this pollutant, but it hasn't been evaluated yet.

Are there any other property owners in Thurston County who can tie strings to how their stormwater fees can be used the same way WSDOT can?

- No, WSDOT is unique in this regard. They also get a fee reduction break per state law.

Is it possible that one could make the argument that the state is leveraging the fees they pay to clean up their own mess; is it taking liability off the state's budget and putting it on the County's budget?

- Larry added that this legislation wasn't initiated by WSDOT, it was brought up by one of the legislative members.
- This may be something that we could bring to the attention of the County Commissioners. Are we doing projects on WSDOT's right of way or in our County? We should pose the question are the rest of the rate payers getting the most for their dollars? If we are cleaning up something the state should be responsible for, it means less of the rate payers' money to go around.

How do we get the information on a consistent basis in the way of monitoring road run off into the Deschutes for example?

- Larry mentioned that highway and road runoff is monitored. WSDOT does have a monitoring program themselves.

Shannon mentioned that her team did a presentation with the consultants at the recent MuniCon conference and Larry has provided a link to that presentation. It does dive a little deeper than the presentation given today.

Pollution Identification and Correction (*Jane Mountjoy-Venning*)

The County's Pollution Identification and Correction program is primarily grant-funded, and the current focus is bacteria in the shellfish growing areas. The County uses ambient water monitoring data to look at where there are consistently high bacteria results. Then, they further evaluate those areas to identify the cause(s). Right now, they are working in Green Cove and McLane Creeks which flow into Eld Inlet, and the County is starting in Nisqually Reach. They take samples of stream segments and compare where they get higher and lower readings. Once they find the pollutant hotspot, they conduct windshield surveys (to see if they can identify potential pollutant sources from the roadway). They look at septic system data then compile and analyze the data to sort properties by risk level. Letters are sent to property owners regarding the water quality and asking for permission to conduct clean water site visits. During site visits the resident or owner is coached and provided referrals to implement best management practices. The current grant runs out the end of next year and is limited to conducting work in just the shellfish growing area. This grant was \$500,000 spread out over two years.

Phyllis mentioned her involvement in the Shoreline Master Program (SMP). What kind of water quality monitoring is happening in the way of no net loss? Is there not a County-wide comprehensive water quality monitoring program?

- There are a variety of water quality monitoring efforts. One is the ambient water monitoring program which is a long-term trend monitoring. 36 stream sites across the County are monitored once a month, usually near the mouth of the stream. This monitoring measures a variety of parameters (i.e., bacteria, nitrogen, phosphorus, temperature, dissolved oxygen, pH, etc.). There isn't a lot of chemical monitoring happening.

Is there a report on this trend monitoring?

- Yes, it is posted on Environmental Health's webpage:
<https://www.thurstoncountywa.gov/phss/Pages/wq-monitor-reports.aspx>. Larry added that SSWAB has previously received presentations on this topic.

The budget for ambient monitoring annually is about \$250,000 which includes lakes streams and groundwater. (*Specifically, the 2021 MOA for monitoring is \$272,807*)

What is the everyday value of preventing a closure of a shellfish bed?

- Per Tris, the Department of Health does water quality monitoring for fecal coliform and they set the standards for the shellfish farmers. The County looks at more of the sources of the bacteria via these monitoring efforts. For example, in Dobbs Creek, if they are seeing bacteria hotspots, then they can concentrate on them. Ambient monitoring conducted by the County supplements what Ecology and the State Department of Health are doing.

It sounds like we need \$250,000 to keep the PIC program going. How do we convince others that this funding is needed? Clay suggests trying to describe the value in terms of the economic benefit being provided by the shellfish industry.

- Jane added that the value of the program is that we do get to the correction piece. The trends monitoring shows what is happening long term but doesn't tell us where it is coming from. The PIC program can look at that data and help us focus on the hotspot.
- Sometimes there is a big lag in getting grant funding which complicates effective program implementation.

If the County were to use non-grant funds for areas that aren't in the shellfish district, wouldn't you need at least \$250,000 per year, right?

- Yes, Jane added that most of the expenses are staff salaries and other costs like laboratory costs, outreach-related media, flyers, and mailings.

There are about 44,000 utility rate payers. Nancy mentioned that to cover the funding for this, it would cost rate payers \$5.68 more per year.

There are two main parts to the PIC program; one is the sampling piece to narrow in on the pollutant hotspot; and the second piece is the community outreach to do site visits related to correcting the pollutant source problems.

Casey asked for a one-pager on the program and how it works. Jane mentioned she doesn't have something like that created, but she could send the grant description or a public outreach piece to Larry. Casey was wondering whether we could add something like a graphic or information for the SPLASH newsletter.

What would the PIC program look like if there was stable ongoing funding for this program?

- Stable funding means longer term plans. Writing grants is time consuming and there could be more dedicated staff to keep going with PIC program implementation. On the program development side, we currently rely on residents to allow the County staff to come onto their property to inspect on a voluntary basis. The County would like to develop a protocol or criteria to go onto a site with a warrant if needed. Right now, the County makes five attempts to seek voluntary cooperation and then moves on. There are currently nine lakes and 36 other sites that the County monitors (i.e., many lakes and streams aren't monitored). It would be helpful to start a rotation monitoring cycle if there were funds for that.

Phyllis asked about Marine shoreline monitoring, is that happening for water quality?

- Yes, there are a combination of things that happen. The state shellfish program is sampling the drainages. If they find problems, they contact the County which looks into it further. Most of our shoreline areas were assessed recently. That report is called Shoreline Sanitary Survey conducted by the State Health Shellfish program. The national standard for shellfish growing is when the mean of the last 30 fecal coliform samples is less than 14 organisms per 100 ml, with an estimate of 90th percentile not greater than 43 organisms. The survey is updated monthly, and they publish a [shellfish growing report annually](#).

Paula mentioned that when we find an issue it could be three years before we are knocking on someone's door to address it. What can we do to fix this lag time?

- Jane mentioned that it is a funding issue.

BoCC Briefing Overview

On pages 12 and 13 of the draft board briefing are the metrics that were provided to the BoCC last briefing. Item E is related to the shellfish portion.

Clay reminded everyone that we have already asked the BoCC to adopt these metrics. The point of linking it to shellfish is that it speaks to people who care about how this relates to jobs and the economy. Those who think supporting environmental benefits is justification enough, is probably only “half the room” in Thurston County.

Jane added that the shellfish industry is only one industry that is affected by water quality, but marinas, fishing, boat rentals, etc. are other examples of affected industries.

Should we amend Item E to include other industries? Nancy suggested that we need to tell the BoCC how much of an investment it is in comparison to what rate payers are paying now. If we pay \$8.30 per month now, that is \$99.00 per year. It would be a 5%-6% increase for the year.

Casey asked Larry about the status of the rate study.

- Larry talked with Tim today, and they still intend to propose restoration capital facilities plan elements, but there have been some staffing/workload challenges which has delayed bringing the conversations with the Board. Development of the Stormwater Comprehensive Business Plan is still planned, but it has been deferred to 2022. (There is \$200,000 in the budget for that but there will be additional \$100,000 funding request in 2023). The rate study will be a component of that planning exercise. There will be a consultant hired to do the work, but it has to go out to bid and a contract has to be administered. In response to the question of whether or not more positions are needed, Larry explained that there are vacancies that would be overseeing this work. There are efforts underway to fill these vacancies. There is a proposal to add an additional FTE for an engineer to support stormwater plan review.

Nancy suggested that she thought it would be a good idea to ask the Commissioners to fund the PIC program sooner rather than waiting for the rate study to be completed.

Clay mentioned his concerns about how this request would be worded. His concern is around recommending a funding amount or where that funding would come from might not be the right route.

Paula mentioned we don't have all the information.

Clay added that a rate increase might not be supported when there might be another rate increase when they do the rate study. He would like to just ask for finding a way to create stable funding as a priority.

Paula mentioned that we might want to provide a picture of what Thurston County's water quality looks like compared to Puget Sound. Nancy noted that that are different kinds of

pollution monitoring; we might confuse the BoCC if we want to do everything at once. We could propose a bigger monitoring program to include heavy metals.

Based on our last briefing, the BoCC did approve the Business Plan Development funding, which includes the rate study. This is the foundation of what we are talking about. If anyone has any bullet points, we could include the briefing that would be great.

Who will be able to attend the briefing? July 28th at 11:30am. Larry will start his part at 11:00am and the SSWAB portion starts at 11:30am.

- Casey, Nancy, Phyllis, Clay, Jaclynn (maybe), and Britt

Casey asked for more information from Jane about the benefits in the PIC program besides shellfish protection.

Clay and Casey will work on creating a script for the BoCC briefing. The final briefing package needs to be turned in by July 22nd.

Jane suggested not asking to replace the PIC grant funding but rather to provide local funding to be more responsive to immediate issues.

Clay reiterated that we are amending what we are recommending to the Board to say that we are now going to say that when they do the rate study, they should include consideration of providing stable funding for PIC. Clay is in agreement with this change.

SSWAB Member Transition Planning

Clay's SSWAB term is ending November 2021. Casey's 2nd term will be expiring in April 2022. Clay and Casey have worked with Jaclynn in creating an agenda subcommittee. If we could add more SSWAB members to this subcommittee this would help spread the knowledge when current member terms expire. The time commitment is about one hour each meeting to discuss the meeting agenda. There is a template that shows what is planned for the year to help guide the agendas. Nancy volunteered to be on this subcommittee, but she may not be able to make all the meetings.

Currently the term limit is two 3-year terms, but an applicant could request the BoCC extend the limits for a third term. [*Incorrect information was conveyed during the meeting. Members can request reappointment beyond two terms.*]

Clay doesn't plan on seeking reappointment to serve another term on the SSWAB.

The next Agenda Subcommittee meeting should be mid-August. Jaclynn is on vacation August 2nd – 16th. Nancy is available on the 24th or after that day.

Tim asked Larry about whether SSWAB is interested in another fiscal report.

- Yes, it is already a place holder for the September meeting.

Larry and Casey have both worked with David in the past. He is currently a member on the Boston Harbor Utility Advisory Committee that is operated by the County. His career has been focused on water quality.

Phyllis moved to recommend to the BoCC to appoint David Hartley for District 1; Britt seconded the motion. Motioned carried.

SSWAB General Discussion

- Nothing urgent to discuss in this category for this meeting.

Action Items

- Ami to send May meeting notes to Nancy in a MSWord document format for her to add some grammar and spelling edits.
- Clay will set up a time for the Agenda Subcommittee to meet after August 24th and include Nancy in that meeting.
- Casey will write a letter on behalf of SSWAB to recommend to the BoCC to appoint David Hartley as a SSWAB member for District 1. As part of this, Casey will ask the BoCC whether they have any recommendations for members.
- Larry will share a link to join the briefings when he receives it (expected to be about a week or so before)

The next meeting will be Sept 16, 2021.

Meeting adjourned at 7:32 pm