

MASON COUNTY CLEAN WATER DISTRICT ADVISORY COMMITTEE

Meeting Minutes for December 14th, 2023 (via Zoom)

12/14/2023 – CTO 1:03 pm by Commissioner Shuttly

Welcome & Introductions: Roll Call

Members: Erica Marbet - SIT, Glenn Landram – Citizen, Nick Schneider – MCD, Kevin Shuttly – BOCC, Evan Bauder – MCD, Art Whitson – Port of Grapeview, Constance Ibsen – Citizen

Other Agencies/ Public: Barbara Ann Smolko– South Sound Shellfish Recovery Project coordinator, Jean Frost – WSDOH, Jason Ragan – Shellfish Industry, Molly Paige – WSDOE, Seth Book – Citizen

County Staff: Ian Tracy MCEH, Vladimir Nekrutenko MCEH, JJ Stepan MCEH, Cheryl Craig MCPH

Review Agenda: No changes, approved.

Review & Approval of Meeting Minutes: Motion to approve revised September meeting minutes as presented made by Erica Marbet, seconded by Vladimir Nekrutenko. September meeting minutes approved, unanimously.

Public Comments: None

Program Overview:

- JJ updated the group on his ambient monitoring progress. In the last 3 months, there were no major concerns – an atmospheric event came through on December 5th and we were pleasantly surprised to see less higher hits than expected. Once data is finalized, I will be working to getting this updated on the ambient monitoring [web map](#).
- Vlad w/ New Bylaws – I can imagine another review of this topic for approval at the next meeting, so at this point it's a great opportunity to discuss and get feedback on New Bylaws. We have received 2 pieces of feedback so far. Constance said, I sent a memo over yesterday, we want to make sure that founding documents and under 9072 Shellfish Protection districts is in the new bylaws so that those 20 years from now will know why it was founded. I want rules and responsibilities for the officers, it was our understanding that a Commissioner would be assigned to this committee always and be the chair, and if they weren't there, then county staff would do it. That's how it has been – we wanted to have the cleared up, and we would like a public comment period after, in the set agenda you have put out. After they show reports and people get the information is when we would like to see the public comment come in. We would like the committee to – we have a provision for hybrid meeting, in person or online. Vlad asked, founding documents, would you like to see them directly incorporated in bylaws or just referred to? Constance said, in the purpose, (mandates 9072) “and the creation of the committee in 2021-052” it allows the county legislature to appoint local advisory council to advise on implementation on shellfish protection programs, I want shellfish protection to be shown in the purpose, as people have many uses for clean water. Barabara agreed that this is important to cover, in other counties if you're collecting a clean water fee for shellfish protection, you cannot also collect a surface water management fee, so clarifying which authority and state authorizing documents, its very helpful to have that.

Erica shared her screen looking for acknowledgment of tribes in the bylaws due to the role they have always played in this committee. Right now, this document has no tribes in it so I propose the addition of this language, as those not educated about tribes will see this and not include tribes, and in some way this document should acknowledge that in doing this work and creating this shellfish protection district, they are protecting tribal treaty rights and that they have access to clean fish and shellfish, those are my proposed edits. Constance said, when you say a committee will meet regularly, monthly or quarterly, maybe we can say at a minimum 4x a year. I'd like down the line to consider meeting every other month.

So, major bullet points to emphasize – shellfish protection district, mention tribes and what district represents for them, and officers – how will we decide? Officers, chair? For regular meetings you may want to mention or provide yourself with an option, we started doing this after covid hit, in person or hybrid, we should acknowledge that remote meetings still count for a meeting. Jason said, where it talks about committee meeting regularly on monthly or quarterly schedule, I think the committee can determine how often, a while back we had urgent situations and we ended up meeting weekly/biweekly for a while due to serious things going on, so in general we can make it more vague and less descriptive.

Constance added one more thing, I'd like to have something that gives right around where the approval of minutes is, just a budget to tell us how much money was used, what we have left, and what's going on. I have no idea the cost of money associated with each task, something like a treasurer's report would be nice. I spoke to Casey Bingham, our finance manager Monday, he said he can generate a quarterly report but you must keep in mind with this funding before massive inflation we budgeted for 2 staff to do 30 ambient samples per month and then 200 per year for investigation/pick work, since then, everything has not gone so well financially when it came to the cost of things. We can really support about 1.5 staff; it will not be a really clean relationship of how much we have and what's left to spend. Right now, we have around \$230k in funds but we are slated to collect around \$190k per year, the excess is due to staff turnover throughout 2023. If we were fully staffed, we'd be spending more than we are taking in through the year. At times, Vlad or JJ will be shifted to other work in the time. If we are going to report that, are we using it to make budgetary decisions to change the work we are doing? It could be said Constance, I think it's very good to just follow the money and see where it is. Seth asked, Will subgroups be allowed to meet outside of regular meetings? Ian said we can have meetings any time we have meetings. It depends on OPMA says Barabara if there's too many people it can become an issue. Seth said, I don't know if you want it in bylaws for OPMA, sometimes there can be a subgroup about a specific issue like drainage, Kevin said if there's a quorum in that subgroup it would be problematic, if Seth wants to have a conversation for example with Erica, Art and Ian offline, that's fine, but if there's quorum it would be subject to OPMA. Evan said, I think it would be a good idea for committee members to take this training: <https://www.atg.wa.gov/open-government-training> - the group had no further on the subject.

- Septic O/M Updates – We are planning to have 1,220 letters go out to all deficient septic systems within the county, I pulled that list all the way back from 2019 and we will start sending out letters today on the schedule of 100 letters per week. We can only do 100 per week due to limited resources and due to the fact that we are spending some extra time on each letter to also have an ORME report printed so they know exactly what needs addressed. In addition, the total permits for 2023 including all within OSS came up to be 521. Teri emailed earlier asking for information on failures and rebates, the total that has been used for rebates has been \$9,535 and we do have a remaining \$2715. The remaining total we have will be just enough to cover 8 more systems, and at this point of time we have applied rebates for 28 septic systems. For pumping O/M inspections and a couple retro fits as well. When asked if the fund comes out of MCCWD fund or a grant, Ian explained that it is a WSDOH grant. It is a state general fund septic rebate and maintenance program, the grant period is July to December and December to June, \$9k has been used in 6 months. We only get a small portion, its allocated to us as 35 \$350 dollar rebates, if someone gets a service more than \$350, they get the max of \$350, if it's less, then they will get that exact amount, though it's rare to cost less than \$350 now. All in all, 521 total permits were issued in Mason County over the last year, and this also includes repairs.
- Deficient Septic System Surveys w/ JJ – Vlad has also begun hitting the road and talking to people about getting their septic fixed as well, my quick number crunch is we currently have 139 known septic deficiencies near surface water, shoreline or adjacent. Since we last met, I have visited 24 properties in Hood Canal, new properties, and Totten, Little Skookum watersheds, followed up with 12 that I left doorhangers with in the past. I have been able to confirm that 10 have been repaired, a mix of both a repair we didn't know about, or they have gotten a repair as a direct result of our contact. Vlad has been in the Oakland Bay watershed as you guys know we loosely divide our work, Hood Canal is my focus and Oakland bay for Vlad, he visited 34 properties in last 3 months, just in Oakland bay watershed. We have identified one active septic failure near surface water in Union, the ball is rolling on new tank install and inspection, it has been handed off to code enforcement for follow up on repairs being made. In response to that failure, it's closed a number of shellfish harvest parcels in Union, affecting one commercial grower, we could only locate a permit from 2020 so it's unclear if it's still being harvested. There is a minimal effect on commercial growth in the area, however. JJ shared a map showing all the places they have visited. Jean asked when Union onsite is repaired, will you go back and sample drainage it's impacting, JJ confirmed, yes, and we've been continually monitoring and sampling – results are still hitting high as of this week. Ian added, we also have a FT OSS code enforcement, we have really been able to knock down a lot of our OSS failures, down to just 33 cases now. There was a large backlog when I started said JJ, I feel we are caught up now for the most part on that, we went from unaddressed issues from 2019 to now where Vlad and I and Andrea our code enforcement is able to visit as they pop up now, rather than going back through the list. Glenn asked, how are the failures discovered? JJ said, when we go out and do septic surveys, we rely on deficient reports in ORME, the letdown is you're relying on an actual inspection to identify, I've been relying on that. Now that we are caught up, we can focus on looking at our focal areas, Anna's Bay, Oakland bay and new closure areas in Tahuya and Liliwaup we can see who has never had their septic inspected and visit them. We have started this in Oakland bay, haven't identified any failures that way just yet. The other way is through

the various investigating sampling, whether ambient, shoreline survey, etc. We got a high hit and traced it back up to a failing system on a shoreline as well. Also, we go by complaints that come in.

- MC Lakework Discussion w/ Ian – Ian said, so this item is on there I think at the request of Art, but we were going to talk about our current lake work and response to complaints of algal blooms or harmful algal blooms. If there's a report, we will go out and sample if accessible, then we will send it to King County lab, funded by WSDOE wake program that is available mid-Spring until mid-Fall. We would like to expand the program in the future, and are considering offering a service where lakes can hire the County to do intermittent sampling, or those in lake district are charged a fee. Art was also going to investigate other funding sources. Art said, I always felt LMD2 Lake District for the lake should have water sampling as part of it, cause all they're doing is saying the horse left the barn and left a mess, in this case we moved all macrophytes for all invasive plant species, the president came after the meeting and said we are considering your idea about a water sampling program. Mason has a BLMD, a lot of issues with invasive plants, milfoil being the biggest, and so I suggested they also include Benson lake, it seems clean but it scared me when we had the large bloom in April, it was not found to be a toxic bloom, but right before that green diamond logged around ¾ of forest around the south sound of the lake and that could be a immediate release of nutrients, or a failing system. It would also increase water temperature too says Ian, but we don't know as no one was sampling, so we don't have a baseline said Art. In the late '80's, early '90's we had sampling on the lake, by a very good voluntary team, I think we should go that way moving forward. We could have volunteers trained to sample, have the equipment, take it to the County or to a lab. For my own personal use, I take it to spectra in Poulsbo. It'd be nice to have the county involved and maybe spot check us now and again in our results. I'm really going to encourage the LMB to take on the task. JJ said, for Mason Lake specifically, I prepped some numbers, I visited 6 lakeshore deficient properties and of those, 4 of them were cabins only occupied seasonally, 2 full time residences, 2 of those have confirmed repairs, the rest being monitored, I have 1 where the inspection wasn't fully done at time of property sale, so hopefully that will come out OK when reinspected. They said some parts were un-inspectable, I'm trying to figure out what that means. Most of the time they paved or built over it when it can't be inspected unfortunately, says Ian.

Partner updates:

- Mason conservation district funding has pulled through as of October says Vlad, since then we haven't had that much time to do planning, last week JJ and I sat down and started talking about topics to cover for it, I reached out to erica as she shared knowledge of potential venues, next step is to reach out to vendors and try to set up for education outreach in local communities. Evan said, reminder that when funds utilized we get it to EPA for approval, if funds are utilized. Nick, you're going to be doing Skookum specific meetings right? asked Erica. Yes, he confirmed, we are on 4th or 5th draft of our survey letter, hoping that goes out within the next couple of weeks. \$597973 implementation dollars says Evan, funding over 30 BMP's for farmers, it's good to see, NEP funds are crucial to develop those projects.
- Jean Frost updated – we are coming toward end of annual year, as we are ending annual year every January through April we draft annual reports for all 115 growing areas in our state, that's the time of year we re-evaluate any marine water quality data, that's the time we see changes

or changes in classification, upcoming and more information to come. Right now I'm outside of Anna's Bay, water quality ongoing concerns, not aware of any marine water stations failing the standard in Mason County at this time. Anna's Bay takes data crunching and we have not had a chance to do that in last couple of months, so there is more to come on that. A couple other big reports we are writing the 12 year classification report with Anna's Bay, ongoing with hopes of drafting in early 2024. Hood Canal 9 is being drafted, that classification, 12 year sanitary classification report, no concerning OSS or WQ data both from Mason and from our shoreline sampling. We are looking to declassify that prohibited area near Belfair, which I know has been an ask and request from many. We didn't find any reason to keep it prohibited, nor concerns for water quality in that area. Look for that as well in first quarter of 2024. The report will go out to the County and Tribes for external review. I don't think there are any upcoming shoreline surveys or sanitary reports in first quarter of 2024 in any Mason County growing areas, the only other update is for my national estuary program, they are just wrapping up funding recommendations for the most recent national estuary grant RFP that was this fall, a team of reviewers reviewed projects and have made recommendations about funding, likely by end of year our NET or NEP team will announce funding around \$4.5 million dollars of grants for this year.

- Barbara updated – Subrecipient agreement is finalized, will have to rename, I'm trying to get the next round of funding to Mason Health and Squaxin Tribe. Mason is down for \$233,000 over 3 years and Squaxin \$41000 over 3-year period. I was also going to mention some of the funding for this is going toward mobile pump out services in the South Sound so that may be a conversation to have down the road, determining best locations for mobile pump out to visit.
- Erica updated that our GIS guy Bryan moved on, then she shared her screen to update on fecal coliform hits in Skookum Valley. She shared that they have switched from using Manchester lab to Vanguard lab, concluding the update.
- Molly shared an update from WSDOE. I have been busy in Mason County over the last few months, admin order on property on Oakland bay has since been closed. In the Skok Valley region we have 2 warning letters out on separate properties, one of which will go to admin order pretty quickly, likely within beginning of 2024. We are also in the area doing watershed evaluations.

Public Comment:

- Seth said to keep up the good work, and Constance expressed being very happy with the progress we are seeing, and glad that we have staff.

Adjourned: 2:56 by Commissioner Shetty

Next Meeting: March 14th, 2024