



SPOKANE AQUIFER JOINT BOARD MEETING MINUTES

December 16, 2021

SAJB Officers:

President Jeremy Jenkins, VP Shane Sheppard, Secretary Todd Henry, Treasurer Doug Greenlund

Part of the meeting was recorded and can be viewed at <https://youtu.be/J3BXVdCiYqk>

1. CALL TO ORDER

The Board of Directors of the Spokane Aquifer Joint Board (SAJB) met in Regular Session in-person at Spokane County Water District #3, 1225 N. Yardley Road, Spokane, WA 99212 and via Zoom. A total of twenty-eight (28) attended the meeting including eleven (11) SAJB voting representatives. Others in attendance included zero (0) non-voting members, one (1) voting alternate, Program Manager Hanson, and fifteen (15) guests. The sign-in sheet of SAJB members and guests is available upon request. The meeting was called to order at 1:41 pm once a quorum was present.

Consideration of Regular Meeting Minutes

President Jeremy Jenkins called for any additions, corrections, or deletions to the Minutes of November 18, 2021. Shane Sheppard moved to approve the November minutes and BiJay Adams seconded the motion. President Jenkins called for a vote and the motion carried unanimously.

2. FINANCIAL REPORT

Treasurer Doug Greenlund requested approval to pay \$875.00 to Gregory Geologic for preparing SEPA comments for the City of Airway Heights proposed transfer of water rights. This invoice had not been approved by the full Board prior to the work due to the short comment period. There were no question or objections to paying the invoice.

Administration and WIP Bill Payment Summary

Treasurer Greenlund presented the **December Bill Payment Summary** which totaled \$22,177.42 and was paid with checks numbered 2565-2569. The December summary detailed SAJB Administration bills of 0.00 and Wellhead Implementation Bills of \$16,202.50. The Program Manager Consulting Services including mileage and reimbursements for the month of December amounted to \$5,974.92.

Those present reviewed the bill payment summaries. Justin VanDyke moved to approve the December Bill Payment Summary as submitted. Scott Inch seconded the motion. President Jenkins called for the vote and the motion carried unanimously.

SAJB Wellhead Implementation Plan (WIP) Funds

The SAJB Administrative checking balance for December, 2021 is \$3,593.09

The SAJB WIP checking balance for December, 2021 is \$44,797.68

The Spokane County Investment Pool (WIP) balance is \$47,503.51

2022 Assessments

The 2022 WIP request for connection numbers will be sent in early January. Assessments are calculated from the Water Facilities Inventory (WFI) form submitted to DOH for active services by adding boxes:

- 25A (Full-Time Single-Family Residences) and
- 26A (Apartment Buildings, Condos, Duplexes, Barracks, Dorms)

If you do not have a recent WFI form, please calculate your connection number based on the types of connections listed above. The assessment rate is \$0.72 per connection per 6 months, or \$1.44 per connection per year. Please send your connection numbers to sajbinfo@gmail.com by 1/21/22.

3. OLD BUSINESS

Aggregate Quarry Sub-Committee and Source Water Protection (SWP) Grant

President Jenkins and PM Hanson met with Deborah Johnson, DOH, on 12/6/21 via Zoom to discuss the GSI SOW and a Source Water Protection Grant. Deborah Johnson felt the SOW was an eligible project for funding with a few minor additions to the mapping deliverable. However, she was not certain that SAJB would be eligible to receive federal funds. One of the SAJB members might need to apply for the grant and manage the funds. Ten percent of the grant could be allocated for administrative services. Doug Greenlund reported that the City of Spokane partnered with SAJB in 2011 to apply for a SWP grant. Doug said he thought the City of Spokane would be willing to manage a new SWP grant.

Engagement Letter for Legal Services – In November, a draft engagement letter for Norm Semanko was introduced. The letter would establish client attorney privileges and guarantees pro bono services for all work done regarding the aggregate quarries. Todd Henry made a motion to approve the Letter of Engagement and Doug Greenlund seconded the motion. President Jenkins called for discussion regarding the engagement letter. Hearing none, President Jenkins called for the vote and the motion carried unanimously.

4. NEW BUSINESS

City of Airway Heights Water Rights Transfer SEPA – Ecology Process & Timeline

[SAJB Meeting Recording](#) 01:23 – 31:48

Ecology representatives included Jaime Short, Daniel Tolleson, and Patrick Cabbage. Dan Tolleson, Permitting Supervisor for the Department of Ecology (ECY) gave a summary of the issues, solutions, and planning with City of Airway Heights (CAWH) mitigated water rights application. SEPA comments are expected from CAWH in January of 2022. Ecology will review the SEPA comments and responses and prepare a Report of Examination (ROE). Interested parties will have 30 days to comment on the ROE. ECY will review the comments and issue a final decision. Anyone with standing has 30 days to appeal the decision by sending their appeal to the Pollution Controls Hearing Board. **Video time code 01:23 to 6:16.**

In an effort to correctly report the responses provide by Ecology staff, the questions have been summarized below with the recording time code for Ecology responses.

- SAJB: How does Ecology frame mitigation? **Ecology Response 6:58 – 8:24**
- SAJB: How would development and additional permit exempt wells impact the mitigated water? Is the water memorialized to ensure that it reaches the SVRP aquifer? **Ecology Response 9:06 – 10:04**
- SAJB: Growth will continue. Does this become a closed basin for permit exempt wells like in the Little Spokane or is this just business as usual in the basin? **Ecology Response 11:04 – 12:16**
- Mike Hermanson: How do you reconcile the timing differences with the water right that is serving as mitigation? Is the distance from the river such that the impacts from that well are annualized and steady state whereas putting something very near the river will the impacts will be felt immediately? So basically, your benefits from ceasing pumping on the West Plains is not commensurate with initiating summertime withdrawals right near the river. Is there some kind of discount in the mitigation for that? **Ecology Response 13:07 – 14:15**
- Mike Hermanson: Would you agree that the impacts to the river are very different from a well that is near the river compared to well that is six miles away? **Ecology Response 14:27 – 14:49**
- Guy Gregory: How do you intend to protect that mitigation water in space between CAWH old point of withdrawal and the new point of withdrawal in perpetuity? Are you going to close it to entry after relinquishment, so the water is protected? **Ecology Response 15:20 – 15:54**
- Doug Greenlund: What is the priority date of the mitigated water right? **Ecology Response 16:26-16:45 The priority date will be June 2021.**
- Doug Greenlund: Does that make it a junior water right? **Ecology Response 16:53-17:11.**
- SAJB: There is a potential for precedent setting in this basin and beyond. Other water rights applications have been filed in the past and are currently pending. How is CAWH jumping to the front of the line? **Ecology Response 17:53-18:38**
- SAJB: In your process do you consult with the State Drinking Water Agency in consideration of this municipal water right or does DOH come in during comment process? **Ecology Response 19:15 – 19:55.**
- Mike Hermanson: Is it your opinion that this mitigation meets the standard that was put forth in the Foster decision? Is evaluation of the seasonal impact included in the hydrologic report. Does the mitigation line up with the seasonal impacts. If not, why not? **Ecology Response 21:20 – 24:56**
- Mike Hermanson: Would the water right be conditioned on using water from the City of Spokane during summer river impairment? **Ecology Response 24:58 – 25:08 “It is not currently conditioned that way.”**

- SAJB: Does Ecology take into account other out of basin transfer procedures (e.g., Methow Valley) in their decision-making process here? **Ecology Response 25:42-26:23**
- Beryl Fredrickson: I didn't see very much discussion on the known contamination at the CAWH well source and that same water is contributing to the SVRP aquifer. What's being done to address that the contamination would be drawn faster down to the SVRP aquifer if the well is pulling at the new location? **Ecology Response 27:38 – 30:13.**
- Beryl Fredrickson: Are there sample (monitoring) wells out there right now watching the PFAS contamination? **Ecology Response 30:26-30:50**

The 2022 DRAFT Budget with December Actuals was shared by Program Manager Tonilee Hanson. The draft budget was reviewed in November. A line item to allocate funds for a consultant to prepare responses to the Department of Ecology Report of Examination (ROE) for the CAWH Water Rights application was added since the November review. Following discussion members decided that \$2,000 would be allocated in the 2022 budget. The not to exceed amount of \$2,000 can be amended by the Board as needed.

Matt Wright made a motion to approve the 2022 Budget and Rick Neal seconded the motion. President Jenkins called for discussion regarding the 2022 Budget. Hearing none, President Jenkins called for the vote and the motion carried unanimously.

REMINDER by December 30, 2021, please send your 6-Year Comprehensive Plan to Austin Morrell, Spokane Valley Fire Department, as part of the Washington State Ratings Bureau Review. Mail or deliver to 2120 N. Wilbur Rd. For questions contact MorrellA@spokanevalleyfire.com.



(WSRB)

5. WELLHEAD PROGRAM IMPLEMENTATION PLAN - [Program Manager's Report](#)

Education & Awareness – Spokane River forum Outdoor Water Conservation Website Update. The website is still in the paper development format and will take most of 2022 to complete. It is roughly a \$40,000 project and funds are being leveraged across multiple agencies. Below and on the following page is a draft of the landing page and overarching content areas. See the PM Report linked above for more details. Please send any comments to sajbinfo@gmail.com.

DRAFT **Nerds for Outdoor Watering (NOW)**



Looking for outdoor watering solutions?
 Let the **Nerds for Outdoor Watering (NOW)** connect you to leak detection, sprinkler repair and landscape professionals, DIY resources, how to videos, water saving tips, rebates, classes, and events in Kootenai and Spokane Counties. **Saving Water Outdoors Protects** your pocketbook, the SVRP aquifer, the Spokane River, and economic growth. **Good for you, even better for future generations.**

Menu Bar and Side Bars
 Find a Professional
 DIY Resources
 How to Videos
 Watering Restrictions
 Rebates, Coupons, Contests
 Events and Classes
 Water Need Calculator
 Why Saving Water Matters
 Media Library & Photo Gallery

Outdoor Leak Detection



How to Videos and Water Saving Tips



Find a Professional
 DIY Resources
 How to Videos
 Watering Restrictions
 Rebates, Coupons, Contests
 Events and [Classes](#)
 Water Need Calculator
 Why Saving Water Matters
 Media Library
 Photo Gallery

Landscape Design



Sprinkler Repair and Retrofit



The next SAJB meeting will be held on **January 27, 2022**.

6. ADJOURN There being no further business this 16th day of December 2021, President Jeremy Jenkins adjourned the meeting at 3:10 PM.

 President, Jeremy Jenkins

 VP, Shane Sheppard