

Work Session

Guemes Island Seawater Intrusion Amendment

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Introduction and Background

- November 28, 2023, Planning Commission recommended denial of C23-1 – Seawater Intrusion Area Well Drilling Amendment.
- December 19, 2023, the Board of County Commissioners (BOCC) remanded C23-1 Seawater Intrusion Area Well Drilling Amendment for further analysis (Ordinance O20230007).
- March 4, 2024, the BOCC established the 2024 Legislative Work Plan (Resolution R20240047).
- BOCC separated amendment from the 2024 docket and requested the amendment be completed by Q3 of 2024.



Growth Management Act (GMA)

- The Growth Management Act ([RCW 36.70A.172](#)) requires designation and protection of critical areas using best available science.
- [RCW 36.70A.060\(2\)](#) requires that each county and city planning under GMA develop regulations that protect critical areas.
- [RCW 36.70A.030\(11\)](#) includes “areas with a critical recharging effect on aquifers used for potable water” in critical areas definition.
- Review of environmental impact to groundwater, including potential impacts related to seawater intrusion, are unrelated to water rights (which are regulated by Ecology).



Aquifer Recharge Areas Intent

SCC 14.24.300(1)

- (a) Define minimum regulatory requirements to protect groundwater quality and quantity for existing and future use; and
- (b) Identify practices, alternatives, and mitigation measures that can minimize the adverse impacts of proposed projects; and
- (c) Ensure adequate design, construction, management, and operations to protect groundwater quality and quantity.



Sole Source Aquifer (SSA)

- Guemes Island was designated a SSA by the EPA in 1997.
- The EPA defines a SSA as “an aquifer that supplies at least 50 percent of drinking water for it’s service area; and has no reasonably available drinking water sources, should the aquifer become contaminated”

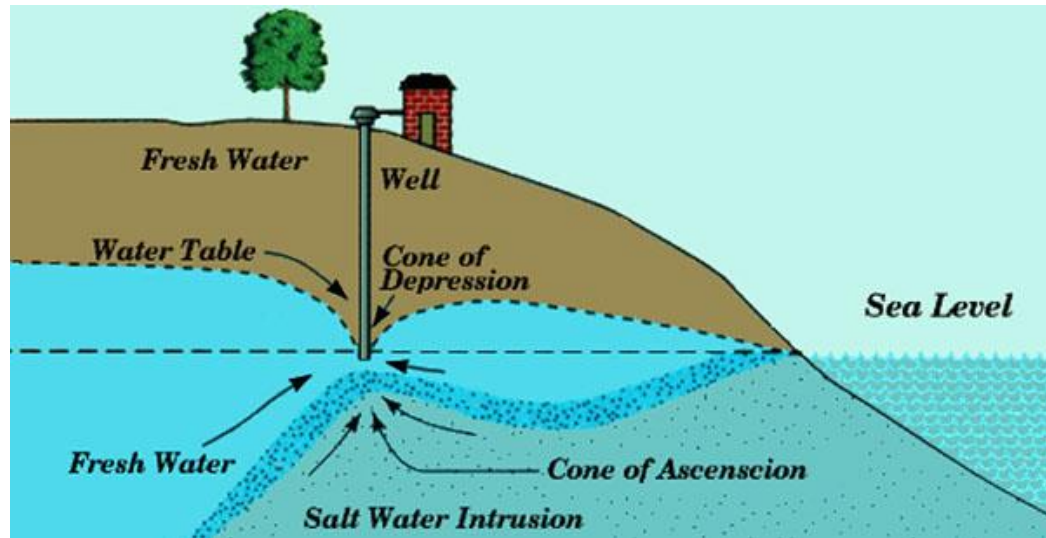


Sole Source Aquifer (SSA)

SSAs and sea water intrusion areas are considered **Category I aquifer recharge areas** and are identified by the County, State or Federal government as areas in need of aquifer protection where a proposed land use may pose a potential risk which increases aquifer vulnerability.



Seawater Intrusion



Source: <https://myguemes.org/2021/09/03/be-a-good-neighbor- conserve-water/>

- Beneath coastal land fresh water “floats” on seawater. Pumping from wells causes the fresh/saltwater boundary to rise. Seawater renders water not potable.
- Permanently pumping down the aquifer one foot causes the seawater boundary to rise 40 feet.



Current Seawater Intrusion Requirements

- Currently, per SCC 14.24.380(2), an application proposing use of a well must include the following:
 - A site plan (including inland well site location)
 - Estimated depth of well
 - Estimated land elevation of the well
 - Depth and chloride levels of surrounding wells
 - Drilling plan
 - Applicable fees



Current Seawater Intrusion Requirements

- Currently, SCC 14.24.380 is only applicable when a development application is submitted which includes the use of a well on site.
- As a result, a well can be drilled without any county review if it is not associated with a development permit.
- Then later when a development permit is requested, because the well is not “new”, there is no review under SCC 14.24.380.



Proposed Seawater Intrusion Requirements

- The petition would add language to SCC 14.24.380(2) to require the following information to be submitted prior to drilling in a SSA:
 - A site plan (including inland well site location)
 - Estimated depth of well
 - Estimated land elevation of the well
 - Depth and chloride levels of surrounding wells
 - Drilling plan
 - Applicable fees



Proposed Seawater Intrusion Requirements

- The new proposed language would require an applicant who wishes to drill a well in a SSA to submit an application regardless of the type of development application.
- Siting, depth and other information can protect the applicant and neighboring properties against seawater intrusion



BOCC Information Requests

- BOCC requested the Department contact the Department of Ecology to see if their staff can review wells for saltwater intrusion.
 - Ecology is not able to offer review or advise on seawater intrusion.
- BOCC requested more information regarding possibility of review for expansion of uses on existing wells that require additional water usage.
 - SCC 14.24.330(3) already provides authorization.



Staff Recommendation

- As the proposed amendment meets the consistency criteria listed in SCC 14.08, the Department **recommends approval** of this proposed amendment.



How to Comment

- Public comment period opens Thursday May 2nd, 2024 and will close on Thursday, May 30th, 2024 at 4:30pm
- Three options – mailing, emailing, or attending the public hearing on May 28th, 2024 at 6:00 PM.
- Mail to 1800 Continental Place, Mount Vernon, WA
 - Email to pdscomments@co.skagit.wa.us
- Please provide your full name and address for any submitted comments



Next Steps

- May 2nd – May 30th Written Comment Period
- May 28th – Public Hearing
- June 11th – Deliberations

Supporting Documents can be found at:

<https://www.skagitcounty.net/Departments/PlanningCommission/PCminutes.htm>

