

PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY
BOARD OF COMMISSIONERS

AGENDA
APRIL 23, 2024
4:30 PM

The public is invited to attend in person or via Zoom.

Join the meeting via Zoom: <https://skagitpud.zoom.us/j/82082590753?pwd=ZkUrVGE4T2xXK3NUV1ZRK2pxUDlxdz09>

Meeting ID: 820 8259 0753
Passcode: 009457
Or dial: 1-253-215-8782

Please turn your audio and video off during the meeting. Use the "Raise Hand" feature if you would like to speak during Audience Comments.

If you have a question or comment for the Board, please submit it by 5 p.m. the Monday prior to the meeting by calling (360) 848-4460 or send an email to pud@skagitpud.org

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. Approval of Agenda 4/23/24
2. Approval of Minutes 4/9/24 Regular Meeting
3. Ratification of Voucher 4/16/24
4. Voucher Approval 4/23/24

SKAGITNET FINANCIALS

1ST QUARTER FINANCIALS

AUDIENCE COMMENTS

OLD BUSINESS

5. General Managers Report
6. Operations Department Update
7. [Water Policy Manual Discussion for High Consumption Events - Discussion](#)

NEW BUSINESS

INFORMATION

8. Judy Reservoir Data Report
9. Recent News Articles

COMMISSIONER COMMENTS

EXECUTIVE SESSION

- *To consider the sale of property - Per RCW 42.30.110(1)(c): Approx. 30-40 minute duration.*

ADJOURNMENT

MINUTES OF THE REGULAR MEETING OF THE COMMISSION
PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON

April 9, 2024

The regular meeting of the Commission of Public Utility District No. 1 was held in the Aqua Room of the utility located at 1415 Freeway Drive, Mount Vernon, Washington.

The meeting was called to order at 4:30 p.m. Commissioners Joe Lindquist, president, and Corrin Hamburg, secretary, were in attendance.

Commissioner Andrew Miller, vice president, arrived after the approval of the consent agenda at approximately 4:32 p.m.

In attendance were George Sidhu, Shannon Patiño, Nick Semrau, Mike Fox, Kathy White, Brian Henshaw, Mark Handzlik, Bill Trueman, Kevin Tate, Mark Semrau, Jenna Friebel, Emma Fletcher-Frazer, Nick Moga, Dave Hughes, and Wendy LaRocque

No one participated remotely.

Commissioner Lindquist led the Pledge of Allegiance.

CONSENT AGENDA

Commissioner Hamburg moved to approve the Consent Agenda for March 12, 2024, as presented.

1. Approval of Agenda 4/9/24
2. Approval of Minutes: 3/26/24 Regular Meeting
3. Ratification of Voucher 4/2/2024 No. 3129 (\$453,657.24)
Accounts Payable Voucher No. 28855 - 28904 (\$448,891.33)
Electronic Funds Transfer (\$4,765.91)
4. Voucher Approval 4/9/24 No. 3130 (\$2,367,143.79)
Accounts Payable Voucher No. 28905 - 28952 (\$373,735.61)
Electronic Funds Transfer (\$1,755,962.81)
Payroll Electronic Funds Transfers No. 043571 - 043655

Commissioner Lindquist seconded the motion, and the motion passed.

AUDIENCE COMMENTS

None

OLD BUSINESS

5. Manager's Report: General Manager Sidhu provided an update on the following:
 - The Washington PUD Association annual conference is taking place in Skamania County from April 17-19.
 - The PUD's Top Ops team, consisting of Water Treatment Plant Operators Riley Smith and Mark Edwards and Meter Technician Matt Walker, will compete in the AWWA Pacific Northwest Section Conference, which is being held May 1-3 in Spokane, WA.
 - Human Resources Manager White presented on the topic of human resources at the City of Sedro-Woolley Council work session on April 3, 2024.
6. Engineering Department Update: Engineering Handzlik gave an Engineering Department update on:
 - Capital projects, including the Skagit Country Club Pipeline Replacement, SR9 and SR20 Fish Passage, West Mount Vernon Pipeline Replacement, and PUD Campus Replacement projects.
 - Projects in design, such as the Water System Plan, WTP Generator Replacement, W1 Pump System Upgrade, Disinfection Study, Alger Fish Passage, and Burlington East-West Connector.

- Asset Management work to determine the impacts of the PUD’s pipeline replacement program and costs based on the length of pipeline installed year to year, pipe reaching end of life, a 10-year moving average, and the simple average.

7. Temporary Seasonal Water Right Transfers: Manager Sidhu summarized the steps taken to draft the agreements presented for approval. Applications for seasonal water rights transfers have been submitted to the Department of Ecology and will be processed as soon as the interlocal agreements are executed. The applications are expected to be processed by mid-to-late May. The agreements are specific to the year 2024, with the flexibility to extend for 2025 and 2026. The agreements had already been presented and approved by the Irrigation Districts (districts) at the recent districts’ meetings.

Engineering Manager Handzlik mentioned that the Skagit Valley Farm agreement needs some edits, including the deletion of recital items C, D, E, L, and M, which refer to municipal and special purpose districts.

A brief discussion ensued. Commissioner questions were answered during the discussion.

Commission Hamburg moved to authorize the general manager to enter into an interlocal agreement with Consolidated Diking Improvement District #22, Drainage and Irrigation Improvement District #15, and a Water Service Agreement with Skagit Valley Farm for the transfer of certain surplus water rights.

The motion passed unanimously.

NEW BUSINESS

None.

INFORMATION

7. Judy Reservoir Data Report
8. Recent News Articles

COMMISSIONER COMMENTS

Commissioner Hamburg commented that she would like to follow up with Finance Manager Henshaw regarding the leak adjustment request made during the March 26, 2024, board meeting by Nick Cecotti.

ADJOURNMENT

Having no further business to come before the board, Commissioner Lindquist moved for adjournment. The motion passed, and the April 9, 2024, meeting adjourned at 5:08 p.m.

ATTEST

Joe Lindquist, President

Corrin Hamburg, Secretary

Andrew Miller, Vice President

As of April 16, 2024

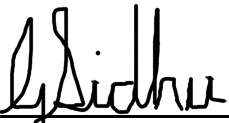
No. 3131

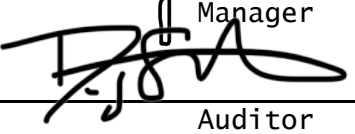
We, the undersigned Board of Commissioners of Public Utility District No. 1 of Skagit County, Washington, do hereby certify that the merchandise and /or services hereinafter specified have been received and are hereby approved for payment in the amount of \$620,476.33 this 16th day of April, 2024.

The total is comprised of the following:

Accounts Payable voucher No. from 28953 through 29016 in the amount of \$454,298.80, Electronic Funds Transfer in the amount of \$166,177.53. Payroll Electronic Funds Transfers and checks No. through in the amount of \$0.00.

Attest:



Manager


Auditor

President

Vice - President

Secretary

Date: 04/12/2024

Page - 1

| Voucher | Claimant | Amount |
|-------------|---------------------------------|-----------|
| 28953 | ABSCO SOLUTIONS | 162.57 |
| 28954 | ADT COMMERCIAL LLC | 259.76 |
| 28955 | ASPECT CONSULTING LLC | 20,574.87 |
| 28956 | AUTOMOTIVE TESTING & DEVELOPME | 166.83 |
| 28957 - EDI | BANNER BANK | 523.37 |
| 28958 | BEAVER LAKE QUARRY INC | 252.98 |
| 28959 | CAMERON BAILEY | 3,000.00 |
| 28960 | CAROLLO ENGINEERS INC | 30,093.65 |
| 28961 | CASCADE NATURAL GAS | 1,926.83 |
| 28962 | Cities Digital Inc | 909.32 |
| 28963 | CSD ATTORNEYS AT LAW | 32.00 |
| 28964 | Choice Grounds Care | 2,263.08 |
| 28965 | DENNIS PEARSON | 97.33 |
| 28966 | DEPT OF RETIREMENT SYSTEMS | 41.36 |
| 28967 | E&E LUMBER INC | 325.98 |
| 28968 | EDMUNDO CORRALES II | 178.74 |
| 28969 | ENTERPRISE FM TRUST | 1,040.70 |
| 28970 | EXPRESS EMPLOYMNT PROFESSIONALS | 1,422.80 |
| 28971 | FASTENAL COMPANY | 24.99 |
| 28972 | FERGUSON ENTERPRISES INC | 4,107.20 |
| 28973 | GENERAL PACIFIC, INC. | 8,007.68 |
| 28974 | HACH COMPANY | 3,894.64 |
| 28975 | HD FOWLER COMPANY INC | 21,649.74 |
| 28976 | ICONIX WATERWORKS (US) INC | 278.53 |
| 28977 | INTEGRA CLEAR CO | 3,546.34 |
| 28978 | JESSERAY PARKER | 31.34 |

| Voucher | Claimant | Amount |
|-------------|--------------------------------|------------|
| 28979 | JORDAN BARTLESON | 71.43 |
| 28980 | JP AUTOMOTIVE | 1,895.14 |
| 28981 | KAYE- SMITH ENTERPRISES INC | 11,871.13 |
| 28982 | MADELINE WEATHERBY | 264.80 |
| 28983 | MARILYN DOWELL | 87.44 |
| 28984 | MARTIN MARIETTA MATERIALS | 4,020.04 |
| 28985 | MILES SAND & GRAVEL | 182.45 |
| 28986 | HARRIS COMPUTER SYSTEMS | 41,692.16 |
| 28987 | NAPA AUTO PARTS | 1,588.29 |
| 28988 | NATIONAL SAFETY INC | 14,380.10 |
| 28989 | NORTH HILL RESOURCES | 554.08 |
| 28990 | NW CORROSION ENGINEERING LLC | 83,297.98 |
| 28991 | ORKIN LLC | 112.05 |
| 28992 | PAPE MACHINERY INC | 32.07 |
| 28993 | PLATT ELECTRIC SUPPLY | 1,999.86 |
| 28994 | POMP'S TIRE SERVICE INC | 34.60 |
| 28995 - EDI | PUD REVOLVING FUND | 269.97 |
| 28996 | PUGET SOUND ENERGY | 15,668.17 |
| 28997 | RH2 ENGINEERING INC | 20,240.09 |
| 28998 | ROSA ELENA RAMIREZ CONTRERAS | 191.69 |
| 28999 | SEDRO WOOLLEY AUTO PARTS INC | 335.94 |
| 29000 | SEMRAU ENG & SURVEYING PLLC | 5,588.00 |
| 29001 | SKAGIT COUNTY FIRE MARSHAL | 144.00 |
| 29002 - EDI | SKAGIT COUNTY PLANNING & | 270.57 |
| 29003 | SKAGIT FARMERS SUPPLY | 81.09 |
| 29004 | STOWE'S SHOES & CLOTHING | 212.27 |
| 29005 | SUSAN REDD | 1,315.33 |
| 29006 | TACOMA SCREW PRODUCTS INC | 59.99 |
| 29007 | THE DRIFTMIER ARCHITECTS P S | 113,070.65 |
| 29008 | TIMMONS GROUP INC | 3,889.50 |
| 29009 | TRANE US INC | 6,515.84 |
| 29010 | UNITED RENTALS (NORTH AMERICA) | 4,999.89 |
| 29011 | VANESSA COPE | 128.52 |
| 29012 | WA STATE DEPT OF LABOR & | 174.30 |
| 29013 - EDI | WA STATE DEPT OF RETIREMENT | 165,113.62 |
| 29014 | ASTOUND BUSINESS SOLUTIONS LLC | 2,268.04 |
| 29015 | WORK OUTFITTERS | 250.00 |
| 29016 | Wilson Engineering, LLC | 12,792.61 |
| | | 620,476.33 |



1415 Freeway Drive | Mount Vernon, Washington 98273 | (360) 424-7104 | SkagitPUD.org

April 23, 2024

MEMORANDUM

TO: Board of Commissioners
FROM: Brian Henshaw
SUBJECT: Water Policy Manual Discussion for High Consumption Events

Requested Action:
For discussion purposes only, no action required.

Background:
The Water Policy Manual was last updated in 2022 for high consumption events. The changes established new criteria for the types of events that would be eligible for an adjustment to the customer's bill as well as limiting the frequency of adjustments. The criteria utilized was based on staff experience and best practices from other PUDs. Since implementation in July of 2022, there has been a significant reduction in the number of events that qualify for an adjustment and the cost to the district in both time and resources.

This item is placed on the agenda at the request of the Board. Based on staff experience, the current policy is enforceable and consistent, and there are no specific recommendations for changes. Although there have been a few instances of large bills due to high consumption events, which are unfortunate, these cases are rare.

Updated information is included from prior meetings.

Fiscal Impact:
N/A

- Enclosures:
1. [2023 April Billing Adjustments](#)
 2. [Water Policy Manual.docx](#)

WPUDA – April 2023 - Billing adjustments for water leaks

| PUD | Does your PUD have a policy regarding billing adjustments for customer water leaks? (If so, please provide a copy of the policy.) | |
|-----------|--|--|
| Asotin | Does your PUD have a policy regarding billing adjustments for customer water leaks? (If so, please provide a copy of the policy.) | 8.1.1 <u>Abnormal Water Loss</u> should a customer incur an abnormal water loss caused by a condition deemed by the manager to be undetectable and not a result of lack of normal maintenance by the customer, an adjustment in the customer's account shall be made for that period of abnormal water loss. The adjustment shall consist of a determination by the manager or their representative of the customer's normal water consumption during the period of adjustment. For this estimated normal water consumption, the customer will be charged the District's normal rates. For any excess water consumption during the period of adjustment, the customer will be charged the District's costs for the water consumed plus fifteen percent of that cost. The difference between the adjusted charge and the billings to the customer during the period of adjustment shall be credited against the customer's future billings until entirely consumed. |
| | How is the amount of the credit determined? | Average from same timeframe in previous years. |
| | Is there a minimum or maximum bill adjustment? | No |
| | Is there a limit to the number of times a customer can request an adjustment within a specified period? | No |
| | Do you require proof that the leak has been repaired? | Yes |
| | Do you have an appeal process or other process for consideration of individual/extenuating circumstances? | Yes. There is an appeal to the board. |
| | Other information to share regarding your leak adjustment policy? | |
| Clark | Attached is Clark Public Utilities' leak adjustment resolution in response to the survey request. | |
| Jefferson | How is the amount of the credit determined (i.e. entire amount above the base charge; amount above average use for previous 3 years; etc)? | The amount above the three year average is adjusted down to our lowest tier rate. In effect the customer owner still pays for all of the water that goes through the meter, but at a lower cost point. Happy to discuss methodology if there are questions. |
| | Is there a minimum or maximum bill adjustment? | The gallons lost needs to be a minimum of 10,000 gallons, and the maximum adjustment amount is \$1,000 |
| | Is there a limit to the number of times a customer can request an adjustment within a specified period? | Once in a 24 month period for each location |
| | Do you require proof that the leak has been repaired? | Proof of repair and we wait for the consumption to return to normal usage |
| | Do you have an appeal process or other process for consideration of individual/extenuating circumstances? | We have our standard appeal process that is used for all billing appeals (Attachment: JPUD_CS Policy Sect 12_Customer Rights) |
| | Other information to share regarding your leak adjustment policy? | We charge a \$25 processing fee for the leak adjustment. |

| | | |
|-----------|---|--|
| Kitsap | <p>Customers who have found a water leak on their side of the water meter and have remedied the situation may be granted a water leak adjustment. The customer will need to provide a personal letter or email to the KPUD explaining the circumstances of the leak along with any available documentation of the repair, i.e. receipts, invoices or photographs. If the KPUD in its sole discretion decides to make an adjustment, the adjusted bill will be determined by averaging the last three (3) years consumption of the same billing period and this amount will be billed at the normal tiered water rates. The leak consumption over this average will be billed at the lowest cost water tier rate. Leak adjustments are not intended to be granted more than once every five (5) years without extraordinary circumstances.</p> <p>If the customer cannot find or explain where the water was used, KPUD staff will reread the water meter and do an on-site visit to investigate possible water loss. If water use is determined to be unexplainable or unaccounted for by KPUD, an adjustment to the water bill may be made. The customer will need to provide a personal letter or email to the KPUD requesting an adjustment. If the KPUD in its sole discretion decides to make an adjustment, the adjusted bill will be determined by averaging the last (3) three years consumption of the same billing period and this amount will be billed at the normal tier water rates. The leak consumption over this average will be billed at the lowest cost water tier rate.</p> <p>The credit is determined by looking at the previous three years of reads during the same time frame. Anything after the average will be what is charged at the first tier. (For example if the 3 previous reads were 1000 cf and the read with the leak or unaccounted for water usage was 7800 cf, they would get 6800 cf charged at the lowest tier.)</p> <p>There is not a minimum or maximum, however since we only allow one adjustment every five years, it wouldn't be beneficial to use the adjustment on something that isn't worth adjusting. We leave it up to the customer to decide. They get one adjustment per every five years, but there has been times exceptions have been made. We do go back out and read the meter to see if it is repaired. If a leak was discovered part way through the next billing, we will sometimes allow it for two billing cycles</p> | |
| Klickitat | How is the amount of the credit determined (i.e. entire amount above the base charge; amount above average use for previous 3 years; etc)? | Bill adjusted to 1.5 times the usage for the same period the previous year; usage over 1.5 times billed at appropriate block rate at 50% of the usage rate. Only the highest months bill is eligible for adjustment. |
| | Is there a minimum or maximum bill adjustment? | Minimum of 50% higher than previous year usage to qualify for adjustment. Not min/ max for threshold. |
| | Is there a limit to the number of times a customer can request an adjustment within a specified period? | Limited per incident, but insufficient repair would not qualify. |
| | Do you require proof that the leak has been repaired? | Customer required to notify utility upon detection, required to take immediate steps to correct and KPUD rep confirms repair. |
| | Other information to share regarding your leak adjustment policy? | Eligibility requirements include: full time residential service, no irrigation pipe leaks, no stock trough related leaks, no leaking toilets. |
| Pacific | <p>7.20.115 Adjustment for excess water use.</p> <p>In the event of excess water usage due to leaks on any water lines and/or connections that are the responsibility of the customer, the District shall charge the water user for one-half of the excess water recorded. The amount of excess water used is calculated by subtracting the average consumption of the two immediately past reading periods. The customer will be charged the past average amount plus one-half of the excess water use, according to the current fee and rate schedules. The adjustment is limited to one per each 12 months from the date of request to adjust; provided, that all leaks on the premises shall have been immediately repaired upon the customer or District discovering said leaks. All requests must be made in writing on a District-provided form. (Res. 1243, 2006)</p> | |

| | | |
|-----------|---|---|
| Skagit | How is the amount of the credit determined? | The adjustment amount will equal half the difference between the high water consumption and the normal average consumption. Prior 3 years |
| | Is there a minimum or maximum bill adjustment? | The water bill must be at least two (2) times the average usage for the same billing period over the past three (3) years. Max is \$1,000 |
| | Is there a limit to the number of times a customer can request an adjustment within a specified period? | Once every 5 years |
| | Do you require proof that the leak has been repaired? | Yes, photos, invoice etc |
| | Do you have an appeal process or other process for consideration of individual/extenuating circumstances? | Yes, they may appeal directly to the Board as part of our general policy. No separate appeal process for leaks |
| | Other information to share regarding your leak adjustment policy? | See attached |
| Stevens | How is the amount of the credit determined? | Comparison of overage for previous 2 years to determine average, then credit 50% of overage for the highest usage month during leak. |
| | Is there a minimum or maximum bill adjustment? | No. Credits over \$500 require GM approval. |
| | Is there a limit to the number of times a customer can request an adjustment within a specified period? | Yes. Once per 12 months. |
| | Do you require proof that the leak has been repaired? | We haven't, but we do as of this month. See attached. |
| | Do you have an appeal process or other process for consideration of individual/extenuating circumstances? | Nothing formal. Anyone can request another review. |
| | Other information to share regarding your leak adjustment policy? | Leak must be fixed within 6 mos. of first notice of leak which can be phone call, email, USPS or notice on bill. No irrigation meters will receive leak credit, account must be current, proof of fix required. |
| Wahkiakum | How is the amount of the credit determined? | Normally using a formula, 50% above average for previous year. |
| | Is there a minimum or maximum bill adjustment? | No |
| | Is there a limit to the number of times a customer can request an adjustment within a specified period? | Yes, once every 5 years |
| | Do you require proof that the leak has been repaired? | Yes – we normally take the customer's word that it has been repaired but we can verify based on the next meter reading |
| | Do you have an appeal process or other process for consideration of individual/extenuating circumstances? | Yes |
| Whatcom | How is the amount of the credit determined? | Determine average usage over the previous 4 months. Calculate how much above average. Leak Adjustment is up to 50% of the overage. |
| | Is there a minimum or maximum bill adjustment? | No, but commission will approve if over \$5,000 |
| | Is there a limit to the number of times a customer can request an adjustment within a specified period? | Not to exceed 1 per year, 2 over the life of the account |
| | Do you require proof that the leak has been repaired? | Yes, sometimes it is just normal usage the following month if the repairs were done in house. |
| | Do you have an appeal process for extenuating circumstances? | Not a formal process |

Water Policy Manual

3.6 High Consumption Events

3.6.1 Conditions

Customers may be eligible for an adjustment to their water bill subject to the following criteria:

- No adjustment will be made for any leaks or breaks beyond the external entrance to the primary structure. This includes leaks within or under the structure, internal or exterior fixtures, or irrigation lines.
- No adjustment will be made for any branches coming off the main service line.
- The water bill must be at least two (2) times the average usage for the same billing period over the past three (3) years.
- The leak or break must be repaired within thirty (30) days of notification by the District that a leak may exist or of the customer's actual discovery of the leak.
- A property is eligible to receive only one (1) leak adjustment every five years, regardless of changes in tenants or occupants.
- Adjustments are only available for residential customers including multi-family dwellings with two units or less.
- The adjustment will only apply to the leak period and shall not exceed four (4) consecutive months or two billing cycles.
- The break or service line leak and its repair must be documented in an acceptable manner to the District. Documentation may include a licensed plumber's itemized invoice, repair order, photos, receipts, or other documentation as necessary to support the adjustment request and document any repairs. A request for an adjustment shall be on an official form provided by the District.

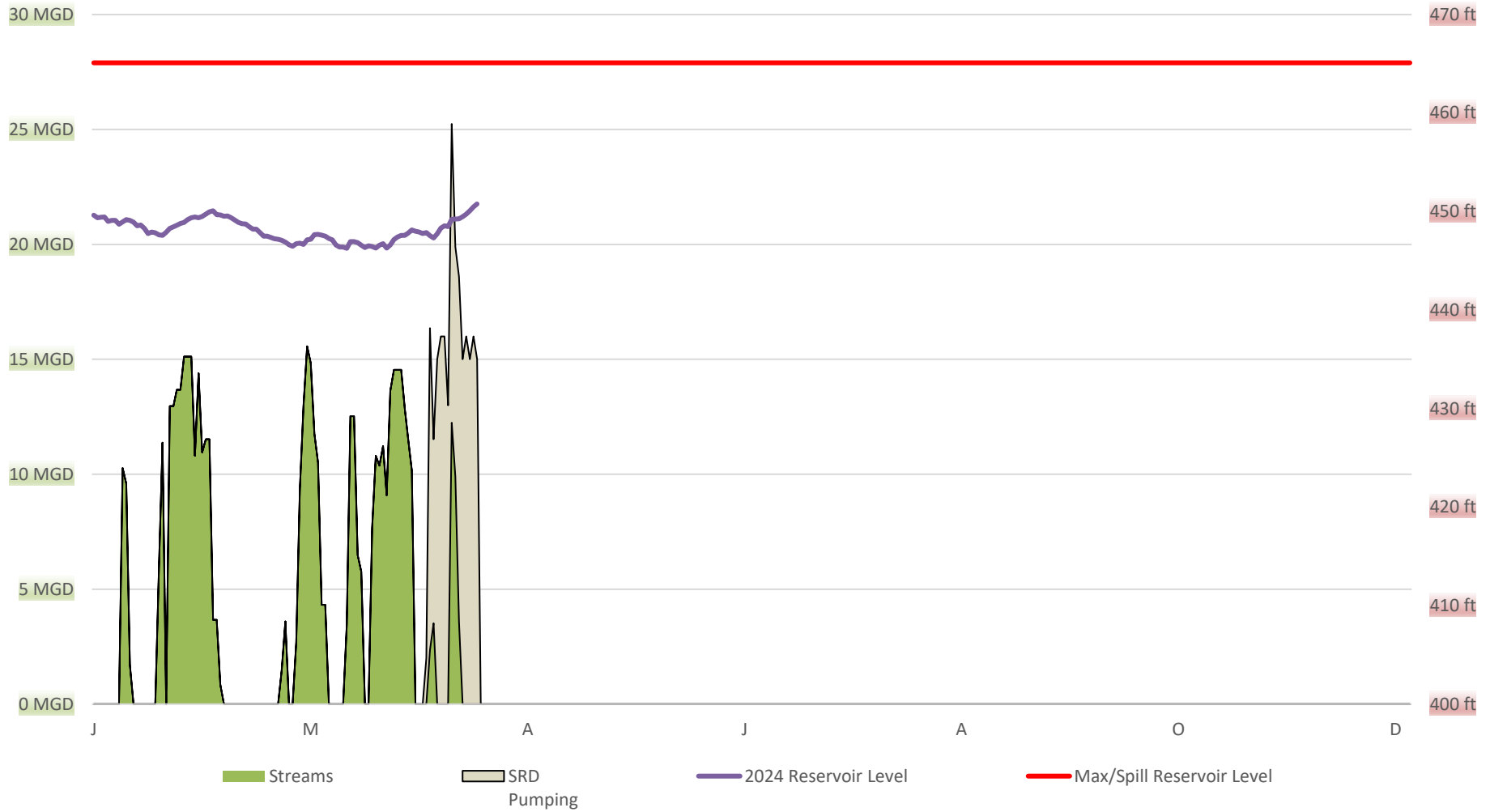
3.6.2 Adjustment Procedure

Should all these conditions be met, then staff will enter an adjustment on the customer's water bill as follows:

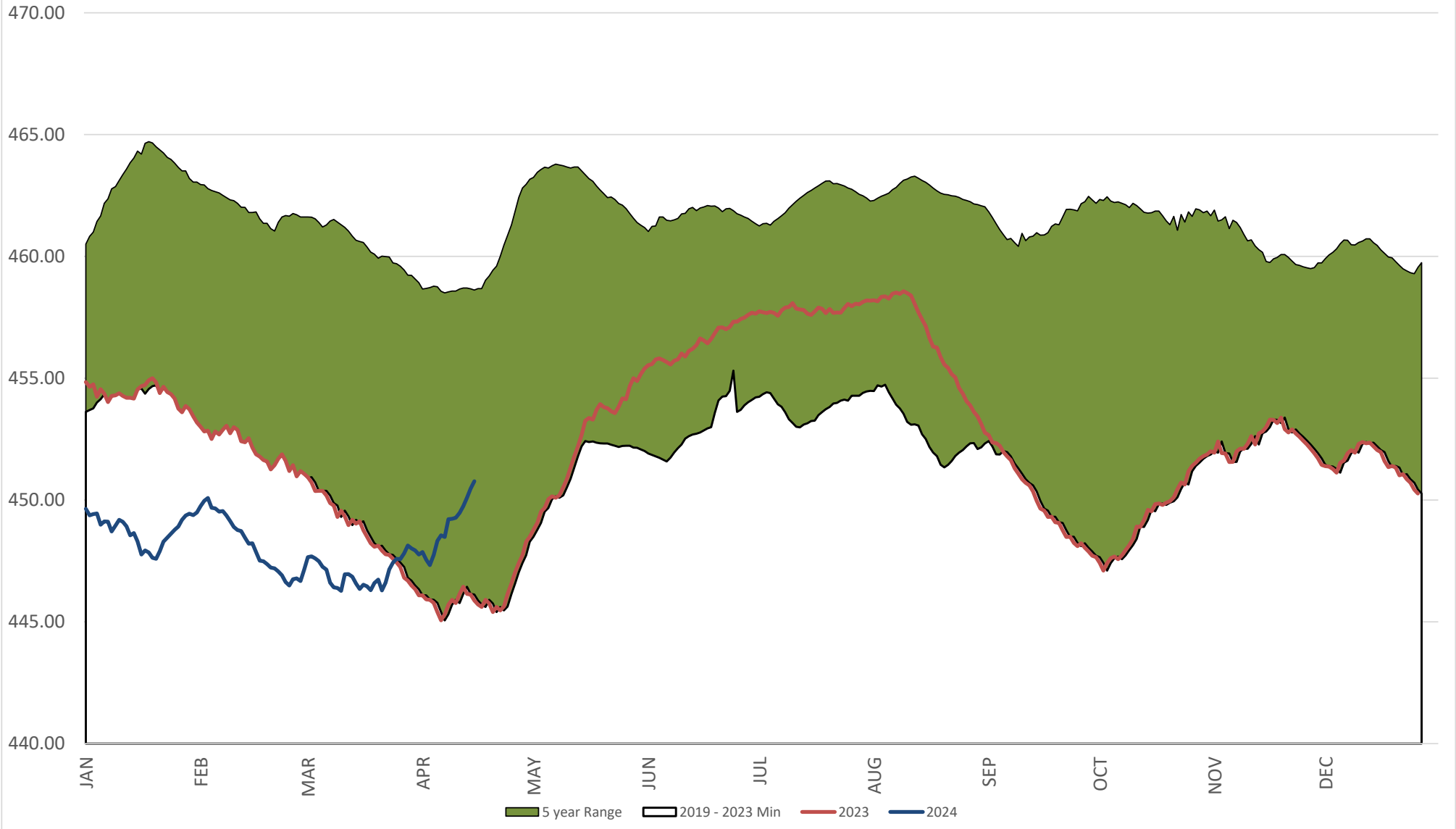
- The adjustment amount will equal half the difference between the high-water consumption and normal average consumption.
- Similar-sized dwelling on which to base an adjustment.
- All adjustments will be applied as a credit to the account balance. Leak adjustments will only be refunded to closed accounts with a credit balance.
- Adjustments are limited to \$1,000 maximum amount.

2024 Judy Reservoir Inflows & Elevation

| | |
|----------------------|----------------------|
| April 09 Elevation: | 449.21 (ft) |
| April 16 Elevation: | 450.77 (ft) |
| Change in Elevation: | 1.56 (+ 18.7 Inches) |
| Spillway Elevation: | 465.10 |
| Stream Inflow YTD: | 509.57 MG |
| Skagit River YTD: | 199.00 MG |



5-YEAR JUDY RESERVOIR ELEVATIONS



New agreement with Skagit PUD will let farmers irrigate all summer

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April 17, 2024



Craig Barber

SKAGIT TWOFER – Before the Skagit River can run to the sea, as its north fork does near the Rexville Grange, it starts off as snow on top of Mount Baker and other North Cascades peaks. A sparse 2024 snowpack means lower summer river levels.

With the snowpack at 69% of normal and spring precipitation uncertain, local farmers have one piece of good news: if a drought develops, they can count on water from the Skagit Public Utility District.

On April 9 the PUD approved a one-year interlocal, seasonal transfer for surplus water rights from the PUD to Skagit County Drainage and Irrigation Improvement Districts 15, which supplies water for 8,500 acres on the flats east of Best Road and Consolidated Diking Improvement District 22, which supplies water on Fir Island.

Most of the time, the two districts can pull water from the Skagit River under their own permits. But their water rights are "interruptible," which means the pumps are shut off when the

instream flow drops below 10,000 cubic feet of water per second – a metric for keeping fisheries healthy. Uninterruptible rights holders like the PUD and the oil refineries can keep drawing from the river.

Four times in the last nine years, including 2023, the PUD has responded to drought by temporarily transferring a portion of its water rights to the two districts. The time-consuming application and approval process through the Washington state Department of Ecology can delay needed irrigation just a little too long.

This year the PUD, the two districts, Skagit Valley Farms and the Skagit Drainage and Irrigation Districts Consortium worked together to put something in place before a drought is declared. Once approved by the DOE, this non-emergency agreement will establish a temporary water rights transfer period that will continue until Oct. 1. When the CFS drops below 10,000, farmers can pump water under the PUD's allocation. The districts and SVF will pay a water transfer fee. All parties hope that this agreement can lead to multiple-year arrangements in the future.

"We are surrounded by water, so people think we have a lot of it, but we can't pull ground or well water near La Conner because it's too salty," said John Thulen of Pioneer Potatoes. The same can be true for fields on Fir Island, especially at its south end near Skagit Bay.

Thulen and dairy farmer Jason Vander Kooy agree that a secure water supply is good for farmers and people who lease land to them.

"When you decide where to put crops, the first question you ask is, is there water available?" said Vander Kooy. "A potato is 90% water. Without water you don't get much of a potato. When any plant is drought

stressed, we start getting disease problems. The same thing is true when you and I are dehydrated."

Well-irrigated, high-quality potatoes and other crops mean less waste. The birds and insects that depend on the ditches for water are also happier. Even the farmworkers benefit. "When there's no harvest, there's no work," said Vander Kooy. "When there's lots of harvest, there's lots of work."

In District 15, water is pumped into a network of gravity-fed ditches that stretch from Kamb to Best Roads. Filling them is a two-day job and when the river level goes down, pumps shut down and the ditches empty, "we lose way too much water," said Vander Kooy. "Keeping the ditches full is much better. When the pumps are on, they don't even change the level of the river by the thickness of a piece of paper. In effect, we are pumping eight CFS out of the river that is flowing 10,000 CFS."

A public notice of the agreement will be published soon and PUD general manager George Sidhu believes the new agreement will be authorized by the end of May, long before the water in the Skagit River falls below 10,000 CFS.

"Even though the snow level is not the greatest, right now I'm not too worried about water, but who knows?" said Vander Kooy.

"The important thing is we all got together, the consortium, the PUD, the farmers and figured it out. Collaboration, that's important."

Skagit PUD approves water rights transfers to farmers for irrigation

EMMA FLETCHER-FRAZER Skagit Valley Herald
Apr 17, 2024



The Skagit Public Utility District Board of Commissioners has approved seasonal water rights transfers to two Skagit County dike and drainage districts and to Skagit Valley Farm.

The decision comes after past water rights transfers during four drought declarations within nine years. The water will be used for irrigation.

Most farmers in the Skagit Valley have what are called junior water rights. The Skagit PUD has senior water rights.

Due to the state's Instream Flow Rule, when the flow of the Skagit River dips below a certain level, those who hold junior water rights are cut off from diverting water from the river for irrigation.



The lack of water during certain periods of the year can hurt crop production, said Jenna Friebe, the executive director of the Skagit County Drainage and Irrigation Districts Consortium.

It also impacts the ability of farmers to plan or be flexible with future crops.

About one-third of Skagit County crops receive irrigation, said Friebe, especially higher-value crops.

Last year, some farmers spent several weeks without water for irrigation before the state Department of Ecology declared a drought.

As the only countywide organization with senior water rights, the PUD can transfer water rights for irrigation to certain farmers.

It has done so four times since 2015.

The transfer of water rights means that for a defined period of time, the farmers included in the transfers can draw water at a particular volume from nine diversion points.

On April 9, the PUD commissioners signed three agreements for seasonal transfers of water rights to Consolidated Diking Improvement District No. 22, Drainage and Irrigation Improvement District No. 15, and to Skagit Valley Farm.

The Skagit PUD can only sell water rights to those irrigating from certain locations along the Skagit River. The two districts and Skagit Valley Farm qualify.

Typically, the state declares a drought, then processes the paperwork for an emergency water rights transfer.

However, farmers' crops can suffer from a lack of water before a drought emergency is declared, said Skagit PUD General Manager George Sidhu.

Typically, a water rights transfer occurs after a drought declaration, and the transfer must end when the declaration ends.

The April 9 agreements, however, span from May to October, regardless of a drought declaration, including the statewide drought declared by Ecology on Tuesday.

Because the paperwork process for a seasonal, non-drought transfer typically takes longer than a drought-related transfer, the PUD began the transfer process early this spring.

Sidhu said that while the PUD has a need for all the water rights it has, it is able to change operations to save water in order to sell water to Skagit County farmers.

The PUD makes sure Judy Reservoir is full before the summer season begins, so it can pump less from the Skagit River later in the season.

The water rights transfers won't change the amount of water in the river, said Sidhu.

And in an emergency, the PUD still has the ability to shut off the farmers' access to water.

The PUD intends to continue the seasonal water rights transfers for at least three years, between May 15 and Oct. 1. The April 9 approval only OKs the transfers for 2024.

While the PUD isn't legally obligated to transfer the water rights, Sidhu said the utility wanted to work with those who could use the water.

"If we can change our operations a little bit and help the farmers and the irrigators with their business ... that's good for us," said Sidhu.

"Our water rights are a community resource."

The consortium also approved the agreements last week.

Friebel said this will be the first time in about 20 that Fir Island-area fields will have uninterrupted access to water during the summer.

Ecology will soon issue a public notice of the water rights transfers, and the public will have roughly a month and a half to make comments.

Sidhu said he hopes the farmers will be able to use their new water rights by the end of May.

"For your main industry in the county, to have a secure source of water, that's huge," said Sidhu.

This agreement also removes a condition from past transfer agreements that required farmers to pump water only at certain tidal levels.

Sidhu said the condition wasn't based on any hard science, just an intention to impact the river as little as possible.

Sidhu said that theoretically, without the tidal condition, the farmers will pump less heavily over a longer period of time. The Skagit PUD is reducing the volume that is allowed to be pumped instead of including the tidal condition.

The water rights will cost \$5,000 for every 300 acre-feet of water drawn from the river in 2024.

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