



# Clallam Conservation District

228 W. First Street, Suite H Port Angeles, WA 98362 www.clallamcd.org 360-775-3747 Fax: 360-775-3749

## Regular Board Meeting

July 11, 2023

Armory Square, OlyCAP Conference Room, and via Zoom  
228 W. First St., Ste. G, Port Angeles, WA

## MINUTES

**Supervisors Present:** Christy Cox, Chair; Bennett Smith, Vice-Chair; Lori DeLorm, Auditor; Nicole Rasmussen

**Supervisors Absent:** Wendy Rae Johnson

### Associate Supervisors Present:

**Staff Present:** Kim Williams, District Manager; Jennifer Bond and Meghan Adamire, Conservation Planners; Kevin Merrigan, Salmon Riparian Field Technician

**Others Present:** Jean Fike, SCC; Aaron Oman, NRCS Soil Conservationist; Cole Steeby, Jim Steeby, Judy Larson, Virginia Shogren; Joe Holtrop, Jefferson County Conservation District

**Presiding Officer:** Christy Cox, Chair

**Secretary:** Meghan Adamire

**Meeting called to order at 3:02 PM.**

### Public Comment

Virginia Shogren, county resident and Sequim Prairie Tri Irrigation Association (SPTIA) shareholder, spoke against and submitted a written comment regarding a project proposal to pipe an open irrigation ditch that runs through her property.

Judy Larson, county resident and Sequim Prairie Tri Irrigation Association (SPTIA) shareholder, spoke against and submitted a written comment regarding a project proposal to pipe an open irrigation ditch that runs through her property.

Jim and Cole Stevie, county residents and Sequim Prairie Tri Irrigation Association (SPTIA) shareholders, spoke against a project proposal to pipe an open irrigation ditch that runs through their property.

The Board plans to gather more information on the SPTIA piping project and hold a further discussion at the August 8, 2023 regular meeting.

### Approval of Minutes

Nicole Rasmussen moved to approve the minutes from June 20, 2023 Regular Board Meeting.

Ben Smith seconded the motion. Motion approved unanimously.

## REPORTS

### District

*Kim Williams* – Reported she spent much of her month onboarding the new bookkeeper, and a new office administrator that is no longer with us. The new bookkeeper has been incredibly helpful. She also mentioned Ron Shultz, policy advisor with SCC passed away. He will be greatly missed and was a huge benefit to all the Districts. She mentioned SCC Salmon Recovery Funds won't cover education and outreach until early 2024, which was used to cover Kevin Merrigan's time last year, so he will be assisting with the well metering program and replacement of meters. The office rent will be increasing \$700 over the next five years, with a stepped up amount every year. Kim would like to hold off on locking into a 5-year contract, and the Board was in agreement since the District needs a different facility if there is intention to grow. It was suggested Kim write a letter back to the owner requesting a couple more months to review our options, ask if there is wiggle room to negotiate, then use that time to consider options and prices. Kim is also considering having Judy Minnoch come in at \$35 an hour to assist with composite rates and some other office duties, the Board was in support.

Ben Smith moved to approve hiring Judy Minnoch as a consultant as needed to assist with bookkeeping and administration duties not to exceed \$2,500 at a rate of \$35 an hour.  
Nicole Rasmussen seconded the motion. Motion approved unanimously.

*Jennifer Bond* – Reported she and Meghan had a pasture workshop in June with over 20 attendees. She also got a draft agreement with Angeles Millwork to rent out a manure spreader and will be putting in a Sustainable Farm and Field grant application for the purchase of a new manure spreader. She received news from DOE regarding funding of the On-Site Septic grant and is currently working with the DOE grant manager to get an agreement in place.

*Kevin Merrigan* – Reported back in May he and Meghan generated a list of riparian landowners in the Dungeness watershed and mailed a postcard to around 125 individuals with information on the District's riparian buffer programs and promoting a workshop on Matriotti Creek to interested landowners.

*Meghan Adamire* – Reported she had a site visit with DNR, WDFW, RCO and an engineer on a FFFPP project on a tributary to Big River to talk about the options for replacing the current culvert which is acting as a barrier to fish passage. She also reported a farm in Joyce completed 425' of exclusion fencing on a tributary to Salt Creek and would like to apply for SCC Salmon Recovery Funding to implement exclusion fencing and riparian fencing in a pasture they have along Salt Creek as well.

*Joe Holtrop (Irrigation)* – Reported that Agnew Irrigation District piped the first two laterals in two years and is working on the third lateral on Barr Road. They will seek more funding to continue the third lateral project. The WaterSMART grant from the Bureau of Reclamation has been on hold for a year, the grant manager has been very unresponsive, but then last Friday an agreement was emailed with a deadline of returning it on Tuesday. They did not change the timeline to reflect the new start date. Joe requested the dates be pushed out a year since there was no progress for a year SPTIA is working with WDFW to design a headgate, construction would likely occur fall 2025 at the latest.

### Supervisor Reports

Ben Smith reported the Dungeness Reservoir project is moving from 30% design to 60% design. Clallam County is optimistic they will come to an agreement with DNR that is within their budget to purchase the property.

Lori DeLorm gave an update on Jamestown S'Klallam Tribe's (JSKT) Pollution Identification and Correction (PIC) partnership with Clallam County. Clallam County Environmental Health (CCEH) plans

to make changes to sampling and management of PIC projects including discontinuing hot spot sampling, which is what really drives pollution source identification. JSKT is not supportive of the proposed changes and feels it is important to continue collecting that data, including hot spot sampling, and performing parcel assessments to help identify pollution sources. JSKT is looking at options to ensure full implementation of the PIC plan, including taking over activities that CCEH is not performing.

Nicole Rasmussen mentioned Wild Salmon Center is moving forward to submit a grant application for culvert replacement on the west end of the County and will be in discussion with District staff for development of budgets to see if District staff could help implement the project.

**NRCS Report** – Aaron Oman reported he has been learning about the current local projects and taking them over as staff from other counties are training him on them. A resource conservationist position should be filled in the Port Angeles office soon, but until then he is out in the field for a significant amount of time; reaching him by phone or email is the best option as opposed to in the office.

**WSCC Report** – Jean Fike reported SCC is working hard to close-out all the grants that ended on June 30th, and adapt to the loss of Ron Schultz. She also mentioned a firm is working through the candidates for SCC's Executive Director position, and they hope by September to have it narrowed down to just a few candidates.

#### **Treasurer's Report**

Ben Smith requested a few more details on future Treasurer's Reports. Kim will request the bookkeeper implement those requests.

Ben Smith moved to approve the June 2023 Treasurer's report.

Lori DeLorm seconded the motion. Motion approved unanimously.

#### **NEW BUSINESS**

##### **Election of Board Officers**

Ben Smith moved to nominate Christy Cox as Chair of the Board. Christy accepted the nomination. Nicole Rasmussen seconded the motion. Motion approved unanimously.

Christy Cox moved to nominate Nicole Rasmussen as Vice-Chair. Nicole accepted the nomination. Ben Smith seconded the motion. Motion approved unanimously.

Ben Smith moved to nominate Wendy Rae Johnson as Auditor. Wendy Rae was absent but had previously accepted any position nominations during discussion at the June meeting. Nicole Rasmussen seconded the motion. Motion approved unanimously.

##### **Letter of Support for Wild Salmon Center's *America the Beautiful Challenge* grant application**

Ben Smith moved to approve the letter of support for Wild Salmon Center's *America the Beautiful Challenge* grant application.

Lori DeLorm seconded the motion. Nicole Rasmussen abstained from voting, motion approved.

##### **Resolution 2023-03, Cost Share and Landowner Labor Rates for 23-25 biennium**

Ben Smith moved to approve Resolution 2023-03, Cost Share and Landowner Labor Rates for 23-25 biennium.

Nicole Rasmussen seconded the motion. Motion approved unanimously.

**Addendums for SCC Implementation, CREP and Irrigation Efficiencies grant programs**

Ben Smith moved to approve addendums for the SCC Implementation, CREP, and Irrigation Efficiencies grant programs.

Lori DeLorm seconded the motion. Motion approved unanimously.

**Agreements**

**Cooperator Agreement**

Nicole Rasmussen moved to approve a cooperator agreement with client #23-005.

Lori DeLorm seconded the motion. Ben Smith abstained from voting, motion approved.

**Cost-Share Application**

Nicole Rasmussen moved to approve the cost-share application with client #23-005 to cover 100% of the engineering costs, not to exceed \$56,176, to create a design for connecting the community to the City of Sequim's sewer system.

Lori DeLorm seconded the motion. Ben Smith abstained from voting, motion approved.

**Interlocal Agreement for shared employee, Joe Holtrop, with Jefferson County Conservation District**

Ben Smith moved to approve the Interlocal Agreement with Jefferson County Conservation District for a shared employee, Joe Holtrop.

Lori DeLorm seconded the motion. Motion approved unanimously.

**Meghan Adamire- Full Time employment, effective July 1- September 30, 2023**

Ben Smith moved to approve Meghan Adamire's continued full-time employment effective July 1 through September 30, 2023.

Nicole Rasmussen seconded the motion. Motion approved unanimously.

**Executive Session: Performance evaluation for Kimberly Williams, District Manager**

Executive Session Began at 4:57PM

Regular Meeting Resumed at 5:22PM

Ben Smith moved to approve a one-step increase for Kim Williams from Range H Step 76 to Range I Step 67 effective July 1, 2023. Kim Williams.

Lori DeLorm seconded the motion. Motion approved unanimously.

**Meeting adjourned at 5:23 PM.**



# Clallam Conservation District

228 W. First Street, Suite H Port Angeles, WA 98362 [www.clallamcd.org](http://www.clallamcd.org) 360-775-3747 Fax: 360-775-3749

## Acronyms

1	AFO / CAFO	Animal Feed Operation / Concentrated Animal Feeding Operation	39	NOSC	North Olympic Salmon Coalition
2	Ag/GMA	Agriculture / Growth Management Act	40	NPCLE	North Pacific Coast Lead Entity
3	BARS	Budget, Accounting and Reporting System	41	NPS	National Park Service
4	BMPs	Best Management Practices	42	NRCS	Natural Resource Conservation Services
5	BOCC	Board of County Commissioners	43	NRI	Natural Resources Investment
6	CAO	Critical Areas Ordinance	44	OlyCAP	Olympic Community Action Program
7	CASP	Critical Areas Stewardship Plan	45	OSS	Onsite Septic System
8	CCD	Clallam Conservation District	46	PFM	Pacific Forest Management
9	CREP	Conservation Reserve Enhancement Program	47	PIC	Pollution and Identification Control
10	CY/FY	Calendar Year/Fiscal Year	48	PSCD Caucus	Puget Sound Conservation Caucus
11	DEI	Diversity, Equity, and Inclusion	49	RCO	Recreation and Conservation Office
12	DIP	District Implemented Project	50	RFP	Request for Proposal
13	DNR	Department of Natural Resources	51	SAO	State Auditor's Office
14	DOE	Department of Ecology	52	SMP	Shoreline Management Plan
15	DOH NTA	Department of Health, Near Term Action	53	SRF	Salmon Recovery Funding
16	DOT	Department of Transportation	54	SRFB	Salmon Recovery Funding Board
17	EIS	Environmental Impact Statement	55	TA	Technical Assistance
18	EPA	Environmental Protection Agency	56	TSP	Technical Service Provider (with NRCS)
19	EQIP	Environmental Quality Incentive Program	57	USDA	United States Department of Agriculture
20	ERTS	Environmental Report Tracking System (DOE)	58	VSP	Voluntary Stewardship Program
21	FFFPP	Family Forest Fish Passage Program	59	WACD	Washington Association of Conservation Districts
22	FSA CED	Farm Service Agency, County Executive Director	60	WACD PMC	Washington Association of Conservation Districts Plant Materials Center
23	FSA COC	Farm Service Agency, County Office Committee	61	WADE	Washington Association of District Employees
24	IE	Irrigation Efficiencies	62	WCC Crew	Washington Conservation Corps Crew
25	IEGP	Irrigation Efficiencies Grant Program	63	WDFW	Washington Department of Fish and Wildlife
26	IGDO	Intra Gravel Dissolved Oxygen	64	WHIP	Wildlife Habitat Incentive Program
27	IM	Implementation	65	WRP	Wetland Reserve Program
28	JSKT	Jamestown S'Klallam Tribe	66	WRIA	Watershed Resource Inventory Area
29	LEKT	Lower Elwha Klallam Tribe	67	WSC	Wild Salmon Center
30	LID & Habitat TA	Low Impact Development and Habitat Technical Assistance	68	WSU	Washington State University
31	MOA/MOU	Memo of Agreement/Memo of Understanding	69	WWT	Washington Water Trust
32	MRSC	Municipal Research and Services Center of Washington			
33	MST	Microbial Source Tracking			
34	NACD	National Association of Conservation Districts			
35	NFWF	National Fish and Wildlife Foundation			
36	NOLT	North Olympic Land Trust			
37	NOPR C&D	North Olympic Peninsula Resource, Conservation and Development			
38	NOPL	North Olympic Peninsula Lead Entity for Salmon			

Clallam Conservation District  
228 W. First Street, Suite H  
Port Angeles, WA 98362

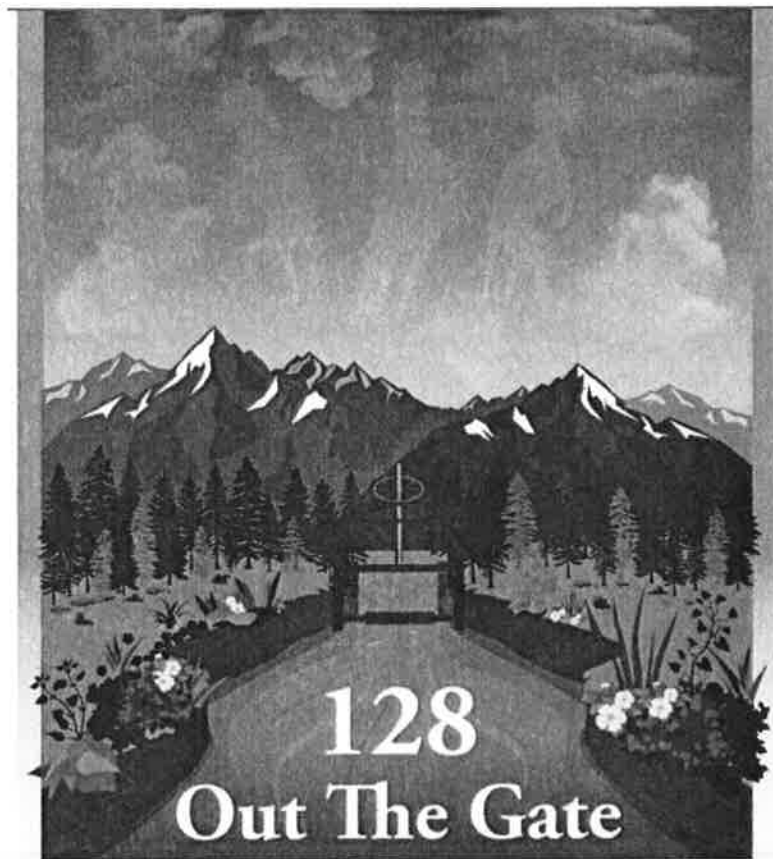
July 10, 2023  
Via email to:  
kim.williams@clallamcd.org  
jholtrop@jeffersoncd.org  
info@clallamcd.org

**PUBLIC COMMENT FOR CCD BOARD MEETING JULY 11, 2023**

Dear Clallam Conservation District,

Please accept this letter as public comment for the CCD Board Meeting scheduled for July 11, 2023 and please include this letter in the minutes for the meeting on July 11, 2023.

My husband and I reside at 961 W. Oak Court in Sequim and have been Sequim Prairie Tri-Irrigation Association (“SPTIA”) shareholders since 2002. The original Sequim prairie ditch (dating back 128 years) runs through our land through an irrigation ditch maintenance easement. The ditch forms the basis for Washington State’s oldest celebration, the Irrigation Festival. It is a key component of the pioneer farming history that makes Sequim unique and forms the basis for Sequim’s timeless motto: “Where Water Is Wealth.”



**Sequim Irrigation Festival 2023**

The ditch has established an approximately 8,900 foot wildlife corridor with tree canopy and wildlife habitat for many species including, without limitation, frogs, bats, birds, owls, waterfowl, eagles, birds of prey, foxes, deer, and bobcats.



I attended the annual SPTIA shareholder meeting on January 30, 2023. During the meeting, SPTIA made an initial announcement to the shareholders that SPTIA purportedly plans to proceed with a three phased project to fill in the original historic ditch and replace it with an underground piping system of undisclosed nature. We were informed by SPTIA that the plan already had been adopted (with no documentation provided) and was being pursued without shareholder notice or opportunity to respond or consent.

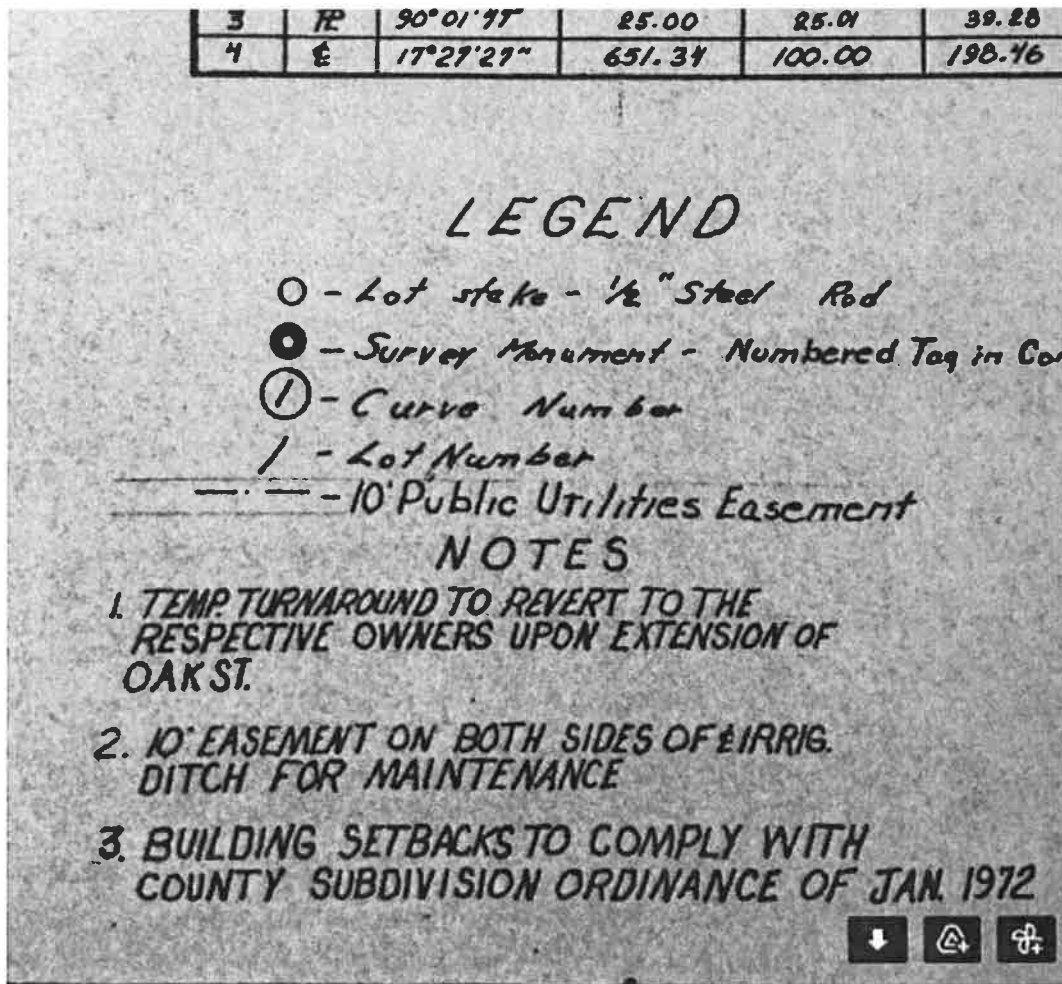
On March 21, 2023, I requested SPTIA records. My review of the records includes the following findings:

According to SPTIA's bylaws, the company "was formed for the purpose of diverting water from the Dungeness River and carrying the same **in its ditch** and distributing the water to its shareholders for the purpose of irrigating their lands." Bylaws, Article VIII, §2 (emphasis added). "**The ditch is an open ditch**, except for several siphons and culverts." *Id.* (emphasis added).

The job of SPTIA's directors is to maintain the ditch for the shareholders: "The Directors, through their agents and servants, **shall keep the main ditch** and facilities used in connection

with diverting and transporting water in repair so as to efficiently carry water diverted from the river, and shall each year on or before March 15 remove all obstructions from the main ditch and clean same, and repair all flumes or other devices used in diverting the water from the main ditch." Bylaws, Article VIII, §6.

The ditch easement for our property reads as follows: "10' EASEMENT ON BOTH SIDES OF & IRRIG. DITCH FOR MAINTENANCE":



Clallam County Plat Map, Palo Verde Vista, Vol. 7, pg. 47, 420764. The word "maintenance" is defined as "the act of keeping property or equipment in good condition" and "the act of causing something to exist or continue without changing." Brittanica Dictionary.

The terms of the easement are plain and unambiguous. *Sunnyside Valley Irrigation District v. Dickie*, 149 Wash.2d 873, 73 P.3d 369, 372-74 (Wash. 2003) ("We . . . hold that an easement can be expanded over time [only] if the express terms of the easement manifest a clear intention by the original parties to modify the initial scope based on future demands.").



The terms of our easement do not show "a clear intention by the original parties to modify the initial scope based on future demands." *Id.* Therefore, under *Sunnyside*, the easement is for maintenance of an irrigation ditch, only, and may not be converted to accommodate future technology or additional demands.

In other words, the easement does not reflect any intention to pipe in, and hence eliminate, the irrigation ditch or fill the ditch with pipes and in-fill which would periodically need to be dug up and replaced. Nor does the easement permit pressurized pipes (that pose a safety hazard) to run through the property, said pipes readily capable of being infiltrated and blocked by silt, tree roots and root balls. The easement does not permit the entry of heavy machinery to dig up a wide swath of our property to lay pipes, clear pipes, or replace pipes.

We now also know that the plan originated in approximately December 2021 (mid pandemic) without notice to us or our consent and would include the destruction of the associated century-plus old wildlife corridor. In the Jennie's Meadow development, the irrigation ditch runs through dedicated open space and a designated wildlife buffer:



On January 30, 2023, SPTIA announced that in proceeding with the piping plan, SPTIA was relying on an admittedly "outdated" EIS from the County with conflicting environmental studies done by a third party.

We are not aware of a current environmental study addressing the impact of the piping plan, including with respect to the impact on area aquifers, regional wells, or elimination of the century old wildlife corridor.

In sum, we do not consent to breach of the easement granted for purposes of maintaining an irrigation ditch on our property. SPTIA has been advised of this fact, and we are providing this formal notice to CCD as the Category B applicant working in partnership with SPTIA.

Thank you,

A handwritten signature in cursive script that reads "Virginia P. Shogren".

Virginia Shogren  
961 W. Oak Court  
Sequim, WA 98382  
360-461-5551  
vshogren@gmail.com

**Re: Comments for the record RE: 07-11-23 Clallam Conservation District (CCD) Board Meeting**

My name is Judy Larson and I live at 1070 W. Palo Verde Loop in Sequim, WA, which is a property for which I own 10 shares for the beneficial use of the Sequim Prairie Tri-Irrigation (SPTI) ditch that runs along the north boundary of my lot with a 10' easement.

I have submitted comments for the record to both SPTIA and CCD about some of my concerns regarding the partnered 12-9-21 application that involves piping the open ditch (the 1896 first irrigation ditch in Sequim Valley). I was unsuccessful despite several attempts to attend by zoom/telephone the CCD 6-20-23 meeting, so I am uncharacteristically (COVID concerns) attending in person today. Following is an update of concerns.

On July 1, 2023 Virginia Shogren and I walked to and talked with several of our neighboring properties that also have the SPTI original ditch easements. We learned that- like us- most were not provided with timely, significant details about the piping project. Also-like us- most expressed having concerns for piping the ditch. Having noted in your agenda the "Activities" summary table provided by Joe Holtrop, who is also named as the project manager for this project, I read: ...additional information provided to addressing landowner objections to piping..."

We found no confirmation that additional information efforts have been provided, even though in my 1-30-23 comments at the SPTIA Annual Meeting, I had suggested that shareholders AND stakeholders (those impacted by piping the ditch) should be made aware of the application details.

In reading the details of the 12-9-21 application, I observe some pertinent items/issues were scratched out, and some provided a dubious YES for acceptance by shareholders- who due to COVID - were not timely presented with information for making inputs.

The proposal for the project seems to be a follow-on for piping that was outlined in the 1999 DRAWUA's Comprehensive Water Conservation Plan -which to date no entity has seemed able to provide me. A FEIS regarding this was issued in November, 2003; I was provided with help to find this AND have read it. It states on page 3-1: "...this EIS does not identify a preferred alternative ..." and it gives reference to a 7-31-2002 suggestion "...for an alternative...with less impact on habitat in irrigation augmented..." areas. (I again reiterate the need for attention to Clallam County Codes (~27.12...) for CARA protections.)

Finally, I must note how the [scc.wa.gov](http://scc.wa.gov) website and its references state:"...the SCC and conservation districts provide voluntary, incentive-based programs that empower private landowners to implement conservation on their property.

I conclude with thanking you for your consideration and sharing my observation that many of the impacted landowners -shareholders AND stakeholders - object to the piping of our SPTI ditch.

## Kim Williams

---

**From:** Stephen Levine <stephen.levine1@gmail.com>  
**Sent:** Sunday, July 9, 2023 5:48 PM  
**To:** Kim Williams; Info@clallamcd.org; garsmith@nikolabroadband.com;  
secretary.spt@gmail.com  
**Cc:** Judy Larson  
**Subject:** keep the ditches open with life giving water

July 9, 2023

Attention Gentleman and Ladies

Clallam Conservation District (CCD): Kim Williams, Staff and Board Members

< [kim.williams@clallamcd.org](mailto:kim.williams@clallamcd.org) & [info@clallamcd.org](mailto:info@clallamcd.org) >

Sequim Prairie Tri-Irrigation Company/Association(SPTIA): Gary Smith and Board Members

< [garsmith@nikolabroadband.com](mailto:garsmith@nikolabroadband.com) &< [garsmith@nikolabroadband.com](mailto:garsmith@nikolabroadband.com) > [secretary.spt@gmail.com](mailto:secretary.spt@gmail.com) >

I, Stephen A. Levine, Ph.D., live at 1130 W. Alder Court and have another property right next to me, which I have subsequently developed as 1140 W. Alder Court. I am supposed to be a shareholder, but have not been conveyed pertinent paperwork or communications even though I purchased these Palo Verde Vista #2 properties in 2017 and a plat map shows a 10 foot easement for the irrigation ditch.

When I purchased the property, the stream/irrigation ditch was open and running and was a strong asset to the beauty and nourishment of the local plants, trees and wildlife.

Only when I attended the SPTIA 2023 Annual meeting, did I learn that there was a three-phase project which includes replacing the ditch with a piping system. I fully protest this action.

I believe that it's probably illegal on a number of counts. The irrigation ditches have been here for far longer than any of us. Our river takes up runoff from our mountain snows and then our ditch systems have used this water to enrich this community for farming, local vegetation, recharging wells, as well as add charm and beauty to the community. The safety of these plans, using plastic pipes, is far from certain. Plastic pipes may leach synthetic and toxic compounds. Indeed, the safety of plastic containers in general has become a matter of serious scientific concern.

We were told as a group that the plans had been adopted without our consent, and no safety data shown. I was under the impression, that SPTIA was formed to direct water from the Dungeness River for beneficial use and for shareholders to irrigate their land. I believe this is clearly stated in the bylaws that " the directors and their agents will keep the main ditch and facilities in repair and shall remove obstructions to the flow of this water."

We do not want pressurized pipes running throughout our property. We do not agree to having heavy machinery come on our property. Who will pay for the pressurized system and who would be responsible for perhaps serious mishaps? We are in a period right now where there is enormous loss of faith and trust in big government and big businesses such as pharmaceutical, medical, food, large farms and food distributors. The safety of our water supply is now in question with concerns for contamination by halogenated hydrocarbons and a wide variety of other toxins such as toxic metals, Roundup and other pesticides. There is contamination of our air with known and unknown ingredients in "chemtrails." Synthetic chemicals, such as plastics, will eventually leave toxic finger prints on our habitat.

Contaminated water food and air add up to contamination in our bodies which is now known to be a major cause of morbidity and mortality. There is now extensive information summarized by Children's Health Defense run by Robert F. Kennedy Jr. nephew of President John F Kennedy and Son of Senator Robert Kennedy. The volume of literature that he has put together is legendary, concerning environmental toxicity and its effects upon our health. He has won many lawsuits, some against huge companies for fraud, especially those who have knowingly proceeded to commercialize unsafe products and practices. His organization is well represented on the Internet. (His technical knowledge and abilities are stunning, his legal victories are more stunning, and he is now actively running for President of this county.)

I believe we, the public, must take a stand on important environmental and health issues. And in this case, there appears to already exist legal reasons to bring this project to an end.

Thank you for your attention.

Stephen A. Levine, Ph.D.