

**BEFORE THE WASHINGTON
UTILITIES & TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,

Complainant,

v.

CASCADIA WATER, LLC

Respondent.

DOCKET UW-240151

**CROSS-EXAMINATION EXHIBIT OF MATTHEW J. ROWELL AND
CULLEY J. LEHMAN
ON BEHALF OF THE
WASHINGTON STATE OFFICE OF THE ATTORNEY GENERAL
PUBLIC COUNSEL UNIT**

EXHIBIT MJR-CJL-__X

Island County Code 8.09.009, Seawater Intrusion Protection

February 6, 2025

8.09.099 Seawater intrusion protection.

- A. The following section applies to all existing and proposed groundwater wells and associated water systems used as a potable water source in Island County. All project actions that have a potential to cause, contribute or exacerbate seawater intrusion shall be evaluated by the health officer to determine their impacts on the groundwater resource.
- B. The Island County Health Department will classify areas of the county into seawater intrusion risk categories based upon groundwater elevation information and proximity to existing groundwater wells with chloride data. The seawater intrusion risk categorization is provided in Table 1.

Table 1: Seawater Intrusion Risk Categories

Risk Category	Water Level Elevation¹	Chloride Concentration²
Low	Greater than 8.4	Any ³
Medium	Less than or equal to 8.4	Less than 100
High	Less than or equal to 8.4	Between 100 and 250
Very high	Less than or equal to 8.4	Greater than 250

¹Water level elevation in feet above NAVD 88. For tidally influenced wells, water level elevation will be determined by specific methods as identified by the health officer.

²Chloride concentration in milligrams per liter (mg/L) or parts per million (ppm).

³Where water level elevations are greater than 8.4 feet, chloride concentrations are irrelevant.

C. Application.

- 1. Project actions: Project actions will be evaluated for seawater intrusion risk analysis based upon the applicable risk category and proposed activity. Projects that may deleteriously impact groundwater quality by inducing or contributing to seawater intrusion will undergo a comprehensive evaluation by the health officer prior to approval. Projects that are subject to this review are listed in Table 2. Project actions not subject to seawater intrusion risk analysis (as defined by N/A below) and involving a new or expanding public water system shall collect a water level elevation from the proposed groundwater source as part of project approval where specifically required by the health officer in areas where water level elevations are not known or are insufficient.

Table 2: Projects Subject to Seawater Intrusion Risk Analysis

Risk Category	Land Subdivision	New or Expanding Public Water Systems	Individual Water System
Low	N/A	N/A	N/A
Medium	More than 6 lots	More than 6 connections/year	N/A
High	All	More than 1 connection/year (<=1.5 acre lot size)	< 1.5 acre lot size
Very High	All	All	< 5 acre lot size

2. Non-project actions:

- a. Sampling. All active public water system sources serving more than two (2) residential connections that are located in the medium, high, or very high risk areas shall be sampled for chloride and conductivity in April and August of each year. Deviations from this sampling requirement may be considered by the Health Officer. Water quality results, analyzed by a Washington State Department of Ecology certified laboratory, shall be provided to the Health Officer.
- D. A hydrogeologic site evaluation, as defined in section 8.09.097, may be required as a result of seawater intrusion risk analysis prior to project review as determined by the health officer. Projects will be reviewed on a case-by-case basis to determine the extent of the hydrogeologic evaluation requirements.
- E. Based upon available information including that provided by the applicant pursuant to the requirements of this section, the health officer shall have discretion to impose conditions designed to prevent degradation of groundwater quality or quantity. Such conditions may include groundwater monitoring and the development of groundwater quantity management plans. All conditions shall be based on all known, available, and reasonable methods of prevention, control, and treatment.
- F. Projects that cannot mitigate potential impacts to groundwater resources by inducing or contributing to seawater intrusion may be modified, altered or denied by the health officer.

(Res. C-59-05, June 20, 2005)

(Ord. No. HD-01-15, Exh. A, 1-20-2015)