

SUMMIT LAKE WATER LEVELS A BRIEF HISTORY

Have you ever wondered why and how Summit Lake water levels are maintained throughout the year? Here is a brief history of how water levels were established and how they are maintained to this day.

In a letter dated July 27, 1954 the law firm Brodie and Fristoe notified the Summit Lake property owners that the Washington State Department of Fisheries had suggested to the Summit Lake Community Club that they be a part of a lake rehabilitation program to install an outlet structure which would eliminate the drastic fluctuations in the lake levels which had been experienced in the past years, the cost of which would be bore by the Washington Department of Game (now the Washington Department of Fish and Wildlife (WDFW)).

Prior to construction of the outlet structure, it was decided that the level of the lake must be decided, that this level must be instructed by a court order and that a lake level gauge be installed. Subsequently, at a special meeting of the Summit Lake Community Club, **the level of the lake on June 28, 1954, was selected** as that which best served the interests of all property owners.

Then, on November 29, 1954, a Thurston County Superior Court Judgement and Decree (No. 28006) was filed titled In the matter of the fixing of the level of Lake Summit, Situate in Thurston County, State of Washington. This judgement and decree stipulated that:

In accordance with Chapter 90.24 of the Revised Code of Washington it is hereby:

ORDERED, ADJUDGED AND DECREED that the proper and certain water level of Lake Summit is the level reaching 1.5 feet on the stadia gauge located on the piling forming a portion of the pier abutting on Government Lot 3, Section 13, Township 18 North, Range 4 West of the Willamette Meridian, which said Government Lot 3 is now owned by the Tumwater Council, Boy Scouts of America. It is further

ORDERED, ADJUDGED AND DECREED that the State of Washington, Department of Game, is hereby authorized to construct a dam, spillway and fish screens at the outlet to Lake Summit in accordance with its present proposed plans. It is further

ORDERED, ADJUDGED AND DECREED that the Supervisor of Water Resources of the Department of Conservation and Development of the State of Washington is hereby authorized and directed to regulate and control the outflow of Lake Summit to maintain the herein determined proper and certain level of said lake after the dam, spillway and fish screen to which reference has been made have been constructed.

DONE IN OPEN COURT this 29th day of November, 1954

Signed: Judge Charles T. Wright
Superior Court Judge of Thurston and Mason counties

In more recent times, in a March 12, 1976 letter from Mr. Bruce Cameron, Assistant Director, Office of Operations, Washington State Department of Ecology to the Summit Lake resident who volunteered to act as watermaster for the lake and who would be responsible for operating the water control outlet structure Mr. Cameron states that:

“the proper and certain water level is the level reaching 1.5 feet on a stadia gage located on the piling forming a portion of a certain described pier. This pier and the attached stadia gage have been destroyed. However, the 1.5 feet elevation referred to in the decree is the elevation of the top of the concrete center pier at the outlet structure. Therefore, the elevation to be maintained is the top of the center pier of the outlet structure, which constitutes a depth of water of 3 feet through the flashboard section of said structure.”

Mr. Cameron goes on to say that:

“The order establishing the desired level is interpreted to mean that during the winter months this level is not to be exceeded and during the summer months the level is to be maintained, as much as practicable. Therefore, you are directed to gradually remove all flash-boards from the outlet structure once fall rains have begun and the outlet discharge has materially increased. The flash-boards are to be restored to the structure such that the decreed level will be reached and maintained by April 1. The flash-boards shall remain in place throughout the summer months.”

Since 1976 we have had just 3 members of our community, Gary Piercey (1976 – 2006), Charlie Collins (2006 – 2020) and currently Larry Raedel (2020 – today) who have served as our SLCA appointed volunteer to operate the water control structure (adding and removing boards), which is located at the west end of the lake on Pacific Harbors Council (PHC) of the Boy Scouts of America (BSA) property (Camp Thunderbird), in accordance with the 1954 court order and the 1976 letter from the Department of Ecology.

Based on lake level data maintained here

<https://www.thurstoncountywa.gov/departments/community-planning-and-economic-development-cped/community-planning/water-dashboard> Summit Lake shows that it is well controlled in comparison to other lakes in Thurston County. In fact, only Pattison Lake has a smaller range of annual variance in levels (by 3~4 inches) than Summit Lake. This is a testament to our three watermaster's efforts as well as the technical foresight of the Department of Ecology in defining the management methodology. In addition the SLCA has routinely held a Hydraulic Project Approval (HPA) from WDFW⁽¹⁾ for ensuring the outflow channel is clear from beaver dams and other floating debris. Volunteer work parties actively manage the clearing and maintenance of the channel as they have for years.

There had been no issues with the management of the dam in all those years until recently. In 2023, due to dock damages attributed to high lake levels and wave action, a suit was filed by an SLCA member against the SLCA volunteer watermaster in small claims court of Thurston County. This suit was summarily dismissed, however it did set in motion a thorough review of the procedures and process that had been in place for over 50 years.

Leading up to the lawsuit, concerns had been brought to the attention of the SLCA board as well as directly to Ecology. A response was drafted by Jacquelyn Metcalfe, Watermaster, WA Dept. of Ecology to one of our neighbors on November 22, 2022 that stated:

“With the unpredictability of the climate the past few years water shortages/overages have become more common place. Unfortunately, despite best efforts to manage the outflow structure to meet the water level requirements there will be years/times when natural water scarcity/excesses will override the outflow structure, thus causing the lake to rise higher than or drop below the specified level.”

In addition, Ms. Metcalfe confirmed that the actions of our SLCA watermaster were aligned with the defined role stating:

“Additionally, based on conversations and photographs submitted to date I do not see any indication of mismanagement of the outlet structure or violation of the requirements set forth in the 1954 Court Order and the 1976 Agreement.”

Because we have, in recent years, experienced larger fluctuations in the lake levels due to more extreme and concentrated levels of rain (e.g. Jan '21) and longer periods without significant rainfall (e.g. Aug/Sept '23), it became clear that an update to the 1976 letter was in order. Our contacts and experts at both Ecology and the WDFW have issued reports that they anticipate that these impacts will continue to be more acute in the future.

After taking into account many resident comments and working with the Department of Ecology for over a year, we have a new updated document that supersedes the letter from 1976. It more clearly states what we are to do in regard to managing the lake levels, it increases lake level monitoring, it requires more communication with stakeholders, and it designates the SLCA to name the watermaster and monitor compliance. That new document is included at the end of this overview.

Of interest to our residents may be what is the “proper and certain water level” referred to in the Ecology letter; that level called out as equal to the top of the center concrete pier at the dam. While the dam is on the private property of PHC, we have roughly correlated this pier height to a height of 1.00 feet at the WDFW boat launch depth gauge. We also remind readers that this is the target; no one should expect that level to be precisely held. As referenced above, our nearly best-in-county lake level control has a range of 2 to 3 feet of seasonal variability.

Our watermaster is regularly inspecting the dam and channel, organizing work parties with PHC and SLCA volunteers, and diligently following the prescribed board management. In 2023 the watermaster reported directly to the SLCA President and Ecology on a bi-weekly basis, giving the status of our waterworks with photos and a brief debris report as well as updates at member meetings. The Association looks forward to working in cooperation with the Department of Ecology, PHC, WDFW, and other state and county agencies on lake water levels and other issues that affect our beautiful lake.

Submitted by: David Dishman, SLCA board member
Updated 2/3/2023 by: Audrey Richards, SLCA President
Updated 1/4/2024 by: Michael Patterson, SLCA board member

- (1) Our current HPA Permit Number: 2022-6-462+01 is effective through 2027, and will be renewed at its expiration.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Southwest Region Office

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December 13, 2023

Audrey Richards, President
Summit Lake Community Association
11545 Summit Lake Rd,
Olympia, WA 98502

Summitlakeca.pres@gmail.com

Dear Audrey Richards:

As the Summit Lake Community Association is aware, Court Order 28006 (November 29, 1954) decrees the proper and certain water level is the level reaching 1.5 feet on a stadia gage located on the piling forming a portion of a certain described pier located at the Kennedy Creek outlet from Summit Lake.

While the pier and the attached stadia gage have since been destroyed, the **1.5 feet elevation referred to in the decree is the elevation of the top of the concrete center pier at the outlet structure currently present at this location.**

- This order establishing the desired level is interpreted to mean that during the winter months this level is not to be exceeded through any active management of flow and during the summer months the level is to be maintained, as much as practicable by retention of water in the lake with the dam flashboards.
- This means that on an annual basis, gradually removing flashboards from the outlet structure once fall rains have begun and the outlet discharge has materially increased, typically by October 1st.
- Conversely, as water levels drop the flashboards are to be reinstalled in the structure, such that the decreed level will be reached and maintained by April 1, again as much as practicable.
- Once installed, the boards shall remain in place throughout the summer months (June through August) to help assist with sustaining the decreed water level in the lake.

A letter from the Department of Ecology to Mr. Gary Piercy, dated March 12, 1976, designated Mr. Piercy as the "volunteer watermaster" for dam operation for the Summit Lake Community Association (SLCA).

Since 1976 the SLCA, through an SLCA volunteer member, has been removing and replacing the boards in April and October per the 1976 Department of Ecology letter.



This letter from the Department of Ecology – Water Resources Program – Southwest Region to SLCA serves to supersede that letter as well as to provide additional clarifications.

Under RCW 90.24.050, Ecology and the SLCA agree that the SLCA will find a minimum of one member of the community to volunteer and be appointed to manage the Summit Lake outflow structure. This person must be a volunteer and reside on or near the lake a minimum of 50% of the year.

Responsibilities will include:

- operating the water control outlet structure,
- supervise and obtain appropriate permits/permissions to conduct maintenance of the water works, and
- make such necessary adjustments to maintain the water elevation in accordance with this letter.

In addition, the SLCA will obtain, and keep current, a Hydraulic Project Authorization (HPA) from Washington Department of Fish and Wildlife (WDFW) to ensure the water flow over the dam is not impeded by beaver dams or woodlands debris. The SLCA designated volunteer will work cooperatively with the Pacific Harbors Council (PHC) of the Boy Scouts of America (BSA), the property owners where the dam is located, to accomplish these activities.

SLCA is directed to regularly communicate with community residents and lakeshore property owners on its management of water levels and specifically on planned actions to adjust the water outlet structure. This communication shall be accomplished through regular written updates, verbal reports at all regularly scheduled SLCA General Meetings, as well as being published on the public SLCA website.

Finally, SLCA is directed to submit to the Department of Ecology Water Resources Program an annual letter by January 31 of each calendar year reporting on the actions taken regarding the operation of the dam and maintenance of lake levels for the previous calendar year.

This appointment will continue in effect until further notice. This appointment may be revoked at any time by either Ecology or SLCA with 120 days' notice.

Sincerely,



Michael J. Gallagher
Southwest Region Section Manager
Water Resources Program
Department of Ecology

cc: Rich Doenges, Regional Director, Southwest Region, Department of Ecology

