

# Ag Water Board

## Minutes of Regular Meeting June 15, 2022, 12:30 pm

Ag Water Board office, 204 Hawley Street, Lynden

<https://us02web.zoom.us/j/81521418672?pwd=bWp5dkI3RFZZTDk2S2krNjdjUGZldz09>

Meeting ID: 815 2141 8672 Passcode: 411511

<u>AWB Board:</u>	<input checked="" type="checkbox"/> Andy Enfield	<input checked="" type="checkbox"/> Marty Maberry	<input type="checkbox"/> Brad Rader
	<input type="checkbox"/> Mike Boxx	<input type="checkbox"/> Jeff De Jong	<input checked="" type="checkbox"/> Greg Ebe
<u>Alternates:</u>	<input type="checkbox"/> Vern Vande Garde	<input type="checkbox"/> Terry Lenssen	<input type="checkbox"/> Scott Bedlington
	<input checked="" type="checkbox"/> Rich Appel	<input checked="" type="checkbox"/> Landon Van Dyk	<input type="checkbox"/> Rod Tjoelker
	<input type="checkbox"/> Jon Maberry	<input type="checkbox"/> Kevin Te Velde	<input type="checkbox"/> Keith Boon
	<input type="checkbox"/> Rod Vande Hoef	<input type="checkbox"/> Pablo Esquivel	<input type="checkbox"/> Larry Stap
	<input type="checkbox"/> Ed Blok	<input type="checkbox"/> Pete Vlas	<input type="checkbox"/> Harmon Brar
<u>Others:</u>	<input checked="" type="checkbox"/> Fred Likkel	<input type="checkbox"/> Chris Elder	<input checked="" type="checkbox"/> Henry Bierlink
	<input type="checkbox"/> Bill Clarke	<input type="checkbox"/> David Haggith	<input type="checkbox"/> Steve Jilk
	<input type="checkbox"/> Gary Stoyka	<input type="checkbox"/> Paula Harris	<input checked="" type="checkbox"/> Dillon Honcoop
	<input type="checkbox"/> Jay Chennault	<input type="checkbox"/> Nichole Fink	<input type="checkbox"/> Corina Cheever
	<input type="checkbox"/> Kelly Hamilton	<input type="checkbox"/> Ramsey Kroft	<input type="checkbox"/> Brandy Reed
	<input type="checkbox"/> Katie Faber	<input type="checkbox"/> Brandy Reed	<input type="checkbox"/> Kasey Cykler
	<input type="checkbox"/> Caleb Cole	<input checked="" type="checkbox"/> Cynthia May	<input checked="" type="checkbox"/> Dakota Stranik

*x = present*                      *o = absent with notice*

Brad called the meeting to order at 12:32.

- I. Minutes - Review & Approve – [March 16, 2022](#) meeting – Andy moved approval of the minutes, Marty seconded, motion carried unanimously.
- II. Financial/Administrative
  - A. Financial Reports - Henry presented the Balance sheet and the Budget Profit and Loss report. He noted we are sound financially but by the end of the year the Legal Reserve Fund used to fund the AESI and Somach Law contracts would be exhausted. Brad asked about our history of having third party oversight over our financial records. It was noted we had not had an audit since AWB began. Henry will look into some options for a financial review and present them at the September meeting. Rich moved approval of the current reports, Andy seconded, motion passed unanimously.
- III. Water Quantity/Supply
  - A. Bill Clarke report
    - i. Legislature strategy for 2023 - Bill noted the Legislature is unlikely to be able to prohibit Ecology from filing the adjudication. A clear idea of how much money the State will have to invest in an adjudication as opposed to a negotiated settlement may be of interest to key legislators.
    - ii. Somach Law – [scope of work , coordination with Legal Team](#) – Ramsey is preparing a memo of options for the AWB to consider. She senses the WaterSmart grants under the BOR may be applicable to several of the projects we've developed. Finding common ground with all local partners is a prerequisite for getting these grants. She stressed calling on Ecology to honor their commitment to advance settlement discussions rather than litigation.

- B. Ecology Meeting – [response draft](#) – the initial draft of a response letter was reviewed. Several suggestions will be offered with a goal of sending it to Ecology, cc'd to local and state partners, by Friday. Referencing the letter to Ecology recently sent by the small cities was recommended.
- C. Solutions Table or alternative
- i. Relook at Watershed Management structure – Henry displayed the structure of the Watershed Management Board and made the point that if the tribes don't come to the Solutions Table we should take our concerns to where they are engaged – the WMB process. Fred noted the unequal nature of this process with ag's role not nearly as represented.
  - ii. Project list for both WIDs and AWB to be presented – at whatever process is gaining traction!
- D. [Resolution to County](#) to ensure ag lands have water - @ Planning Unit – the draft Resolution being considered builds on the argument that if land is protected for ag it needs the infrastructure to be viable. This means land use polices need to be integrated with Flood management, Ag Protection Strategies, Watershed Management Plan. Fred asked the board if they would be bothered by this approach which may provide water to farms that have ignored water rights. It may set up a situation where those that have spent significant dollars and countless hours would see neighbors who have not invested being provided with water despite their inattention. Each of the Board members noted this would be bothersome but that the bigger picture of ensuring we maintain a viable ag land base with the water and drainage needed to remain viable was the larger goal and they were supportive of any work that could ensure farms, with or without current water rights, would have the reasonable opportunity to keep their land in productive ag.
- E. AESI support
- Water rights list for each WID – targets ID'd by WIDs
    - [Menu of options and strategy to contact water right holders](#)Bill and Jay outlined the approach the WIDs are preparing to ensure we keep as much legal water in ag as we can should the adjudication be filed. Bill noted the “burden and benefit of having a water right in an adjudication”. Some will see the benefit and carry the burden to defend it. Others will see only the burden of defending it and likely lose it. AWB and the WIDs seek to be the backstop to ensure that rights not defended are moved to the WIDs or to other farmers through an exchange.
- F. Drainage Based Management
- i. South Fork Targets and Actions report – storage is top priority
  - ii. Workshop in Bertrand – May – overview and lists of potential projects
- Fred and Henry are hopeful that actual project ideas that are generated by these pilot DBM programs are aggressively promoted through the Watershed Management Board or Solutions Table leading to a more functional system that actually accomplishes needed projects.

- G. Streamflow Restoration Grant application – surface to ground conversions, gw model testing – Jay expects we will here word of potential funding in late July or August.
- H. Stream Augmentation project in Dakota Creek – finish current Streamflow grant – Jay reported that Ecology seems mixed about the need for mitigation for this project. He will keep pursuing the needed permits to do this next fall.

IV. Water Quality/Drainage/Flood

- A. Quality update – Fred reported these are being dealt with by each WID. Generally good news on monitoring results.
- B. DNA Project – funds approved by WIDs for more sampling – David has submitted a dozen samples and is preparing a report. He is generally optimistic that this can be a useful tool in identifying fecal sources.
- C. Update 5-year programmatic HPA permits – Frank is preparing them for each WID.
- D. [Interlocal Agreement on stormwater](#) – BWID, NLWID, Lynden – Willamette Partnership is helping to facilitate. It seems to be a logical model for cooperation on stormwater management.
- E. Update on Floodplains by Design discussions and potential projects – Fred felt the late April meeting was productive. A bypass channel in the Strandell area is getting support.
- F. WCD update – Dakota introduced Cynthia May as the new water quality monitoring database coordinator. She also noted the \$300k disaster assistance program being administered through the district and the potential for more support in the future. The District is also seeking cooperators for \$10m statewide for habitat improvements. These funds should be obligated by June 2023.

V. Communication/Education

- A. Media Relations report provided by Fred and Dillon.
- B. REAL campaign ongoing
- C. WFF May 25<sup>th</sup> event review – good comments. 80 present for the afternoon talks and 220 for the evening program.

VI. Adjournment - Next Meetings

Marty adjourned the meeting at 1:50. Next meeting is September 21.

Respectfully submitted by Henry Bierlink, Ag Water Board

**Approved by** \_\_\_\_\_