

# Ag Water Board

## Regular Meeting March 21, 2018, 1-3 pm

Ag Water Board office, 1796 Front Street, Lynden  
Teleconference – 712-451-0200, Passcode: 254192#

<u>AWB Board:</u>	<input type="radio"/> Andy Enfield	<input checked="" type="checkbox"/> Marty Maberry	<input type="radio"/> Scott Bedlington
	<input checked="" type="checkbox"/> Mike Boxx	<input checked="" type="checkbox"/> Jeff De Jong	<input type="radio"/> Kevin Te Velde
<u>Alternates:</u>	<input checked="" type="checkbox"/> Vern Vande Garde	<input type="checkbox"/> Terry Lenssen	<input checked="" type="checkbox"/> Greg Ebe
	<input type="checkbox"/> Jon Maberry	<input checked="" type="checkbox"/> Brad Rader	<input type="checkbox"/> Keith Boon
	<input type="checkbox"/> Rod Vande Hoef	<input type="checkbox"/> Rolf Haugen	<input checked="" type="checkbox"/> Larry Stap
<u>Others:</u>	<input checked="" type="checkbox"/> Fred Likkel	<input checked="" type="checkbox"/> Dan Eisses	<input checked="" type="checkbox"/> Henry Bierlink
	<input type="checkbox"/> Bill Clarke	<input checked="" type="checkbox"/> Chuck Lindsay	<input checked="" type="checkbox"/> Steve Jilk
	<input type="checkbox"/> Gary Stoyka	<input type="checkbox"/> Paula Harris	<input checked="" type="checkbox"/> Cal Bratt
	<i>x = present</i>	<i>o = absent with notice</i>	<i>t = teleconference</i>

- I. Review & Approve December 20 Minutes – peruse January 30 and February 21 Planning meeting notes. A review of the minutes and planning session notes highlighting topics pertinent to the current agenda was conducted. Vern moved to approve the minutes, Jeff seconded, motion carried unanimously.
- II. Financial/Administrative
  - A. Financial Reports – Henry reviewed the balance and Profit and Loss Statement. He noted the \$25k that was building in the Legal Fund. A 2017 tax payment had been made in early 2018 putting the payroll line item over budget. Larry moved to accept the financial report, Vern seconded, motion carried unanimously.
  - B. Bank signers – The new account at Peoples need formal designation of the allowed signers. Vern moved to have three – Rod, Scott, Jeff, Larry seconded, motion carried unanimously.
  - C. AWB office – The move to 204 Hawley will occur March 22-24. Enfield’s helped with the carpet removal and mailbox installation, Rader’s are helping move the large items. Ebe’s are providing some carpentry. Scott is still fundraising for office equipment.
- III. Old Business
  - A. CAO appeal update – Farm Bureau and Family Farmers have a suit against the County which the County has offered to settle. More details on that in the future.
- IV. Water Quantity/Supply
  - A. Bill Clarke Report – The state budget contains funds for stepped up water enforcement actions. The Hirst Legislation, ESSB 6091, puts the County on a fast track towards amending and updating the Watershed Plan. Bill sees opportunities in the plan update which will require mitigation for domestic wells to open up rule making that could allow for the seasonal transfers that the Bertrand requests 3-5 years ago.
  - B. Foster Task Force and Pilot Programs

- i. The Statewide Task Force is forming. Bill is pleased with the appointments so far.
  - ii. Opportunity for all WIDs – the pilot projects to illustrate issues with *Foster* identifies “an irrigation district within Whatcom County.” This was planned to be Bertrand but Ecology is open to allowing all WIDs to be part of the pilot. Our goal is to identify farmers who may be interested in surface to ground water conversions or other water management improvements that are limited by *Foster*.
  - iii. We will try to generate a list of interested parties by June 1
  - iv. We would then apply for the necessary funds to cover water right transfer processing and cost share for the priority projects and keep working through the list.
- C. R-E/AESI proposal – Dale and Chuck submitted a proposal to help WIDs identify surface diversions that may be a candidate under the pilot program. Their proposal is summarized as:
- 1. Assist the WIDs in prioritizing which surface to water right transfers would have the most benefit to the water right holders and other beneficial uses.
  - 2. Attend a meeting arranged by the WIDs with the owners of the identified surface water rights to discuss the water right transfer process. The intent of the meeting will be to determine which of the owners would like to proceed with transferring their surface water right to groundwater.
  - 3. Meet individually with the water right owners that are interested in proceeding. The purpose of the individual meeting will be to learn more about the use of the water right and what infrastructure changes might be required to transfer the right.
  - 4. Assist in defining water right transfer, for each water right.
    - a. Assist in determining where the new ground water withdrawal location might be.
    - b. Assist in determining what the withdrawal method might be.
  - 5. Assist in the design, permitting, and construction of the required infrastructure.
- Vern moved to allow up to \$4000 from the Legal Fund to accomplish steps 1 and 2 and recalculate our next steps after that is completed. Mike seconded, motion carried unanimously. Chuck was challenged to have these reports ready for the April WID meeting schedule.
- D. Deep Aquifer project and development of a water exchange – Dan updated the board on what the BBWS deep aquifer project had achieved so far and what were the likely next steps. Drayton WID is seeking to make their involvement in this project more formal through an Interlocal Agreement. This project, along with the potential of using the Everson gravel pits as a resource for recharging surface and ground water, would be among ideas that would provide farmers opportunities to get water limitations addressed. The May Road wells near Sumas were also mentioned as a resource.
- E. Spring Workshop for farmers – A workshop designed specifically for farmers to make them aware of these tools will be planned for late May, early June. We are not sure who will sponsor it. Topics to be addressed and preferred speakers are:
- i. Surface to Ground Conversions –Chuck L.
  - ii. Spreading – Buck Smith

- iii. Seasonal transfers - Buck
- iv. Water exchanges for new water – deep aquifer, other sources – Dan Eisses, someone knowledgeable of using the gravel pits.

F. Water Management Board

- i. Planning Unit – the drainage positions are filled, a facilitator is about to be hired, the workplan is developing.
- ii. EESB 6091 Compliance Plan – Exempt wells must be dealt with but the members of the Management Board and the Planning Unit see the need to keep addressing all water issues and not just concentrate on exempt well issues. A timeline developed by the County was reviewed. Jeff noted that for all the talk of the importance of agriculture as managers of much of the lowlands there is only one mention of where ag is clearly involvement in the development and implementation of the Plans.
- iii. 5 year Workplan – Henry distributed an overview of the developing 5 – year Work Plan. He highlighted the “Drainage Based Management” item and asked how ready would we be for developing this further this fall. We are still committed to getting the Lummi Nation to a place where they see the opportunities in this type of collaboration.

- G. AWB “Next Steps” proposal and dialogue with Lummi – The Next Steps document is essentially a merger of the Lummi Settlement proposal and the Drainage Based Management approach outlined in the 2005 Watershed Plan. Our hope is to actually implement it beginning this fall. It builds on the effort to create the WIDs and the management plans that each of the WIDs have developed. The next step is to have farmers outline what water management unhindered by current laws and regulations could look like. This could be done in conjunction with Ecology, WDFW and the Tribes or have WIDs begin it and have these other parties engage in Phase 2. It was stressed that that Watershed Management Board needs this kind of leadership to move into active implementation of projects that make a difference for the environment, fisheries, and water users.

V. Water Quality/Drainage

- A. DNA project update – Fred reported that the SLWID heard the initial report from Exact Scientific. More testing would occur in April and a final report likely in May/June. The WCD is working with Exact to respond to an RFP for the \$125k in the State budget to advance this work. Fred is writing a support letter from AWB.
- B. Drainage – Programmatic 5 year permits being developed in all WIDs – South Lynden, Sumas, North Lynden have theirs completed and submitted to the County. Frank Corey is preparing them for us. He is working on Laurel and will begin on Bertrand and Drayton this spring.
- C. Floodplain Management Plan – Fred noted the County would be completing a study on the River examining how much gravel is actually accumulating in the lower reaches. He commended the Nature Conservancy for their help on flooding issues and on the CAFO permit.

VI. Communication/Education

A. AWB winter Newsletter was out in March.

B. Media Relations report – WFF distributed a report on the work they are engaged in including sections on:

- CAFO Permit Appeal
- REAL campaign, or Real Environmental Action and Leadership.
- What’s Upstream
- Seattle Public and Policy Outreach
- Farm Labor (Guest Worker program support)
- Supporting Salmon
- Long term Funding Strategies for Save Family Farming – an April 6 meeting in Mt Vernon was noted as an important place for farmers to engage in keeping this work moving.

VII. Adjournment - Next Meeting

June 20

Respectfully submitted by Henry Bierlink, Ag Water Board

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