

Ag Water Board

Minutes for Quarterly Meeting September 23, 2015, 2-3:30 pm Whatcom Family Farmers conference room

AWB Board: Keith Boon Marty Maberry Scott Bedlington
 Mike Boxx Ed Blok

Alternates: _____ Vern Vande Garde _____ Terry Lenssen _____ Greg Ebe
 _____ Rich Appel _____ Landon Van Dyk _____ Rod Tjoelker
 _____ Jon Maberry Brad Rader _____ Andy Enfield
 Jeff De Jong _____ Rolf Haugen

Others: Fred Likkel Gerald Baron Henry Bierlink
 _____ Bill Clarke _____ David Haggith Chuck Antholt

I. Review & Approve June 17th , July 27th , and August 26th Minutes
 Mike moved to approve the three sets of minutes, Keith seconded, motion carried.

II. Financial

A. Budget Report presented for information.

<u>WID</u>	<u>%</u>	<u>Insurance</u>	<u>Adm/W.</u> <u>Qt.</u>	<u>Legal</u>	<u>W.</u> <u>Qual/Dr.</u>	<u>Public</u> <u>Affairs</u>	<u>TOTAL</u>	<u>Expended</u>	<u>Balance</u>	<u>%</u>
Bertrand	24%	\$876	\$3,600	\$6,480	\$3,802	\$10,560	25,318	\$16,680.23	\$8,637.37	65.9%
S.Lynden	21%	\$767	\$3,150	\$5,670	\$3,326	\$9,240	22,153	\$9,360.00	\$12,792.90	42.3%
Drayton	11%	\$402	\$1,650	\$2,970	\$1,742	\$4,840	11,604	\$6,120.00	\$5,483.90	52.7%
Laurel	13%	\$475	\$1,950	\$3,510	\$2,059	\$5,720	13,714	\$9,934.91	\$3,778.79	72.4%
Sumas	31%	\$1,132	\$4,650	\$8,370	\$4,910	\$13,640	32,702	\$15,526.53	\$17,175.37	47.5%
		3,650	15,000	27,000	15,840	44,000	105,490	\$57,621.67	\$47,868.33	54.6%

<u>WID</u>	<u>May-15</u>	<u>June-15</u>	<u>July-15</u>	<u>Aug-15</u>	<u>Sep-15</u>	<u>Oct-15</u>	<u>Nov-15</u>	<u>Dec-15</u>
Bertrand			\$16,680.23					
S.Lynden	\$3,000.00				\$6,360.00			
Drayton		\$3,120.00			\$3,000.00			
Laurel	\$2,289.91	\$1,760.00			\$5,885.00			
Sumas	\$1,760.00	\$3,000.00			\$10,766.53			
	\$7,049.91	\$7,880.00	\$16,680.23	\$0.00	\$26,011.53	\$0.00	\$0.00	\$0.00

Henry noted that the AWB had spent 55% of its 2015 Budget.

B. Director Insurance – in place through Lesa Boxx. Bill Knutzen is willing to review the numerous insurance policies for the ag groups to see if there could be some cost savings.

III. Next Meeting with Lummi – October 7th

A. Purpose as proposed by the Lummis – *“The purpose of the meeting is to follow-up on our meeting on June 3rd. Basically we are developing a settlement tracking table that has four columns: Entity, Issues/Needs, Solutions, Next Steps/Notes. The Agricultural Community is broadly defined as one of the “entities”. We have an initial draft where we have started to fill in the table and have discussed an earlier draft of the table with Ecology and the AG office.”*

- B. Discussion of an October 1st meeting which would cover much of the same agenda and prepare for the full meeting on the 7th. Marty is unavailable for the meeting on the 7th. This would accommodate his schedule and allow a smaller group to get a better sense of the Lummi's ideas and get us better prepared for the 7th meeting. Greg, Marty, Ed, Bill, and Henry will be there. The AWB will schedule a 1pm meeting on October 6th to incorporate what is learned at the meeting on the 1st as preparation for the ag response to the Lummis on the 7th.
 - C. 9 to noon in Lynden, at the Family Farmers office.
 - D. Consensus was to try to keep the group to under 10 with a clear focus. All AWB members, alternates, and contractors will be contacted and asked to RSVP.
 - E. Table of Issues – Bill and Henry began preparation of a table of issues and potential actions from Ag's perspective in the format the Lummis have proposed. The Board will consider additions and changes, incorporate the ideas from the October 1st meeting, and approve an updated version at the Special Meeting on the 6th. Jeff noted that we need to make them aware that the same management tools do not work in all areas. Each area has its unique challenges which is why we have six separate WIDs. For example, surface to groundwater conversion may be a great tool but it doesn't make much sense in areas like portions of the South Lynden WID where groundwater is not available.
 - F. Scope of Issues – We are not certain if we want to advocate for the Sumas and Drayton WIDs to be included in the negotiations or not. Item for further discussion.
 - G. Mutual Goals/Interests – Fred and Gerald reminded the board that without establishing mutual goals and interests first, jumping to solutions may be premature. These need to be defined quite early in this process and this may take some expert facilitation to accomplish.
- IV. Communication/Education – to be discussed under the Family Farmers agenda.
- V. Water Quality
- A. NPDES/CAFO permits – comments are still being received by Ecology. Dairy sees this as an existential issue. If it goes through as drafted a third to a half the dairies will have costs that will make their futures unsustainable. The State Dairy Federation is a clear partner but it is unclear to what degree they will be able to carry the fight. Family Farmers is arranging a visit with

Ecology Director Maia Bellon in Lynden October 29th. Proof that dairies are not “discharging to the waters of the State” is being gathered.

- B. Monitoring report – presented at each WID. Overall results are generally positive. The testing has helped the regulators realize that other sources than just dairies are significant contributors to the problems.

VI. Legal – Joint Defense Team, Litigation Management Committee

- A. Legal Memos available – Henry developed a distribution chart to ensure that all LMC members receive each of the memos as they are developed.
 - i. Treaty Issues – 8/4
 - ii. Ecology positions – 8/6
 - iii. 8/26 Update memo
 - iv. 9/21 Standing and WID funding memo
- B. Report on State/Tribal Meeting over Negotiation Scope – Bill hasn’t been able to discuss with Ecology yet.
- C. New members to AWB, LMC
 - i. North Lynden – Brad, Ed, and Rich attended their meeting and encouraged them to join both the AWB and the LMC. They will decide in October.
 - ii. South Fork – Ed talked to Jeff Rainey. They hope to have a community meeting in the next weeks where this is discussed. Sumas and South Lynden WIDs are both open to annexing them.

VII. Water Quantity

- A. Out of Stream Water Users Group – Lynden, PUD, Bellingham, and AWB are developing the idea.
- B. Planning Unit – There remains strong community disagreement over the utility of the Planning Unit. While ag is skeptical about what it can accomplish Henry was encouraged to remain a contributor and not be seen as the leader in eliminating it.
- C. Meeting with Hirst re: metering – 2pm on Sept 28th – Chuck, Greg, Gerald, and hopefully Chuck Lindsay and Scott will attend. We will gather the ag representatives at 1:30.
- D. Application for Drought Funds for Water Banking – An application is being prepared and partnership with the PUD and Cities being discussed.
- E. Opportunity for County grant support for developing WID Plans - \$90k – Henry noted the potential for using these dollars to help the WIDs with mapping work that could be incorporated as a part of our developing management plans for each WID.

- F. Letters calling for Enforcement – Lummi sent 39 separate letters to Ecology this summer detailing potential water right violations on the River. Henry will forward them to the AWB. In addition the Environmental caucus of the Planning Unit has sent a letter to Ecology supporting the Lummis call for more enforcement. Gerald will prepare response letters to indicate our perspective on these calls for enforcement.
- G. Jeff asked about the citation in the Environmental letter asserting over 70% of irrigation water was in some manner illegal. Marty responded that this was an old number that the Ag Preservation Committee used in the early 1990's to make sure both farmers and the public new about the urgency of address the concern. While technically accurate, it is misleading in some respects in that it includes some relatively easy fixes like changing the point of diversion and some spreading that would drive that percentage down significantly. We have been discovering that in most areas the “paper” water and the actual use are not that different. The problem is that they don't match.

VIII. Farmer and Ag Business Engagement

- A. Fall Farmer meeting – to be discussed at Family Farmers
- B. Website – Gerald urged the Board to get familiar with the material on the Family Farmers website.

IX. New Business

- A. Tony Larson – not able to attend to discuss cooperation with Business Alliance.
- B. Gerald alerted the Board to the Charter Review amendments on the ballot and their potential effect on how agriculture's voice may be heard in the future.
- C. Jeff noted that the Flood Advisory Committee should be considered as another area where the WIDs and the AWB should be invested. Ag has good representation there but the amount of material to be reviewed is daunting and too important to rely on volunteers to provide all that effort. It was noted that Henry was working on water access and Fred on quality but no one was attending the Flood meetings at this time.

VIII. Adjournment - Next Meeting – December 16th

Special Meetings may be needed. Short Executive Session to discuss negotiations leading to potential litigation is scheduled for 1 pm October 6th.