

# Ag Water Board

## Minutes of Regular Meeting December 13, 2023, 1 pm

Ag Water Board office, 204 Hawley Street, Lynden

<https://us02web.zoom.us/j/84187858817>

<u>AWB Board:</u>	<input checked="" type="checkbox"/> Andy Enfield	<input type="checkbox"/> Marty Maberry	<input type="checkbox"/> Brad Rader
	<input type="checkbox"/> Mike Boxx	<input checked="" 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 type="checkbox"/> Rich Appel	<input type="checkbox"/> Landon Van Dyk	<input type="checkbox"/> Rod Tjoelker
	<input type="checkbox"/> Jon Maberry	<input checked="" type="checkbox"/> Kevin Te Velde	<input type="checkbox"/> Keith Boon
	<input checked="" 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 checked="" type="checkbox"/> Gavin Willis	<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 checked="" type="checkbox"/> Jay Chennault	<input checked="" type="checkbox"/> Chris Heimgartner	<input checked="" type="checkbox"/> Corina Cheever
	<input type="checkbox"/> Alex Jeffers	<input type="checkbox"/> Chris Elder	<input checked="" type="checkbox"/> Trevor Gearhart
	<input type="checkbox"/> Kelly Hamilton	<input type="checkbox"/> Ramsey Kroft	<input type="checkbox"/> Brandy Reed
	<input checked="" type="checkbox"/> Katie Faber	<input type="checkbox"/> Alan Chapman	<input type="checkbox"/> Kasey Cykler

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

Marty called the meeting to order at 1:03.

- I. Minutes - Review & Approve – September 20, 2023 meeting – Greg moved approval of the minutes, Andy seconded, motion carried unanimously.
- II. Financial/Administrative
  - A. Financial Reports for the year were reviewed.
  - B. Andy moved to appoint Brad to AWB position on Family Farmers board, Greg seconded, motion approved unanimously.
  - C. 2024 Contract with Whatcom Family Farmers – the same as in 2023. Greg moved approval, Marty seconded, motion passed unanimously.
  - D. Administrator transition – adjustments to salaries and allowances for Gavin, Henry – Gavin will assume administrative responsibilities in January. Henry will assist as needed, stay as representative to the Water Management Board and Planning Unit, and be involved in grant applications supporting our mission. Andy moved to appoint Gavin as the AWB Executive Director, Greg seconded, motion carried unanimously. Gavin noted that the \$500/mo. contribution for health benefits wasn't needed for him. Jeff moved to apply this benefit to a car allowance instead, Andy seconded, motion carried unanimously.
  - E. Sumas WID loan repayments – Greg moved to approve repayment checks from AWB/WID Loan fund for:

Bertrand = \$50,000	Drayton = \$40,000	Laurel = \$25,000
North Lynden = \$25,000	South Lynden = \$50,000	

III. Water Quantity/Supply

- A. Bill Clarke Adjudication update
  - a. Seems on course for a draft claim form in January
  - b. The Legislature will be dealing with court issues surrounding the adjudication
  - c. talked to Ecology about a Public Records request for all water right documents for WID members, they seemed amenable to the idea. We can better track who is filing this way and we'd have documents available to better help our members.
- B. Somach Law – [alternative to adjudication](#) – federal settlement is being considered by Tribes but only after the adjudication is filed. Ramsey, Jon Sitkin, and the Tribal attorneys explored an Education/Action series of public forums including topics like:
  - a. Rules surrounding adjudication – Snake River model
  - b. Possible projects – build on Anchor report ideas
  - c. Settlement Concepts
  - d. Yakima Basin Plan model

This would be used to get the community more alert to the potential effects of the adjudication and the alternatives to be considered. The attorney group will be exploring this further.

- C. County
  - a. Local govt caucus – meetings haven't been occurring due to lack of agendas
  - b. Project list for both WIDs and AWB to be presented at some venue
  - c. Adjudication filing assistance funds are being discussed with Ecology – expect a contract and workplan in early January
- D. Streamflow Enhancement grant application – surface to ground conversions and wetland restoration – under the WRIA #1 Mgt. Board – this will be considered at the Watershed Management Board on Thursday.
- E. [West Ferndale pilot project](#) - led by a team from the Planning Unit including Dan Eisses, Alex Harris, Chris Elder, and Henry – Executive Sidhu has agreed to support it with \$40k. Goals is to make water and land use policies more consistent.
- F. Water Right adjudication assistance – the board reviewed and discussed an AESI proposed 2024 contract containing the following items:

Task	Cost
SW-GW Conversion List and Grant Application Support	\$3,000
On-Call Water Supply Consulting Services	\$10,000
Water Rights Information Portal	\$25,000
Individual Water Rights Consulting	\$12,000
<b>Total</b>	<b>\$50,000</b>

We anticipate hosted private meetings between AESI and WID members once we have more clarity on what needs to be filed for the adjudication. Greg moved support for the contract with AESI, Andy seconded, motion passed unanimously. The board encouraged good communication with the County so that we don't find ourselves duplicating services.

- G. Stream Augmentation project in Dakota Creek – finish current Streamflow grant next summer/fall.

- H. Storage Study – Gavin is on a committee looking at water storage options. Options range from beaver dams to traditional storage reservoirs.

IV. Water Quality/Drainage/Flood

- A. Update 5-year programmatic HPA permits – Frank expects to have all the remaining WID 5-year programmatic HPA’s completed by spring.
- B. Update on Floodplains by Design discussions and potential projects – Fred noted these reports had been provide at each WID meeting.
- C. Riparian Buffers – legislation, courts, EQIP opportunity - Fred expressed some optimism that the state may be allowing for some local management of buffer requirements and that the local partners (Tribes, NSEA, etc.) are more realistic than the State about what is good for both fish and farms. Brandy invited input on the NRCS funding priorities related to buffers. She also noted that there is substantial funding in the Infrastructure Recovery Act that may help address needs.
- D. FEMA projects – Sumas and Bertrand – Gavin reported that Sumas has 8 projects outlined and 4 are already federally obligated. Total value of the 8 projects approaches \$60m. Bertrand has 7 projects with only 1 obligated so far.
- E. [CLASS](#) – west Lynden stormwater – waiting for completion of an H & H study. There is concern over the Willamette’s Partnership ability to continue facilitating this as their NRCS grant funds have run out.

V. Communication/Education

- A. Media Relations report – Fred gave an overview of recent media/communications work including the very well attended WFF workshop and fundraising dinner in October. He also noted the large amount of media attention surrounding the cross-border water quality issues.
- B. Communications – Fred commended Ellie’s work on a variety of projects including labor issues.

VI. New Business

- A. Potential of assisting Drainage District #7 – Gavin was approached by the DD #7 commissioners exploring what a relationship with the AWB or Drayton WID might look like. DD #7 has a significant culvert project that was funded by EDI funds and the administration of this project is more than the basic assistance that County Public Works has provided for the drainage districts. The consensus of the board is that we should help where we can provide our costs are fully covered.

VII. Adjournment - Next Meetings

Marty adjourned the meeting at 2:57.

March 20, June 19, September 18, December 11

Respectfully submitted by Henry Bierlink, Ag Water Board

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