

Ag Water Board

Regular Meeting December 16, 2020, 1 pm

Ag Water Board office, 204 Hawley Street, Lynden

Zoom Meeting ID 862 0467 2615 Passcode: 977276

<u>AWB Board:</u>	<input type="radio"/> Andy Enfield	<input type="radio"/> Marty Maberry	<input checked="" type="radio"/> Scott Bedlington
	<input checked="" type="radio"/> Mike Boxx	<input checked="" type="radio"/> Jeff De Jong	<input checked="" type="radio"/> Kevin Te Velde
<u>Alternates:</u>	<input checked="" type="radio"/> Vern Vande Garde	<input type="radio"/> Terry Lenssen	<input type="radio"/> Greg Ebe
	<input type="radio"/> Rich Appel	<input type="radio"/> Landon Van Dyk	<input type="radio"/> Rod Tjoelker
	<input type="radio"/> Jon Maberry	<input type="radio"/> Brad Rader	<input checked="" type="radio"/> Keith Boon
	<input type="radio"/> Rod Vande Hoef	<input type="radio"/> Rolf Haugen	<input type="radio"/> Larry Stap
	<input type="radio"/> Ed Blok	<input type="radio"/> Pete Vlas	<input type="radio"/> Harmon Brar
<u>Others:</u>	<input checked="" type="radio"/> Fred Likkel	<input type="radio"/> Scarlet Graham	<input checked="" type="radio"/> Henry Bierlink
	<input type="radio"/> Bill Clarke	<input type="radio"/> Dale Buys	<input type="radio"/> Steve Jilk
	<input type="radio"/> Gary Stoyka	<input type="radio"/> Paula Harris	<input checked="" type="radio"/> Dillon Honcoop
	<input type="radio"/> Jay Chennault	<input type="radio"/> Nicole Embertson	<input type="radio"/> Atul Deshmane
	<input type="radio"/> Tom Perkow	<input type="radio"/> Chris Elder	<input type="radio"/> Alan Chapman
	<input type="radio"/> Kasey Cykler	<input type="radio"/> Eric Hirst	<input type="radio"/> George Boggs
	<i>x = present</i>	<i>o = absent with notice</i>	<i>t = teleconference</i>

Scott called the meeting to order at 1:02.

- I. Review & Approve – September 16, 2020 minutes – Jeff moved approval, Mike seconded, motion carried unanimously.
- II. Financial/Administrative
 - A. Election of 2021 Officers
 - a. Current: Scott- Pres., Marty- VP, Rod- Sect-Treas. – Mike moved to keep officers the same for 2021, Keith seconded, motion carried unanimously.
 - B. Appt. of Brad Rader as AWB representative to Family Farmers board – Jeff moved approval, Mike seconded, motion carried unanimously.
 - C. Financial Reports – reviewed, Mike moved approval, Keith seconded, motion carried unanimously.
 - D. Ecology Grant - \$150k for 2 years
 - i. Develop Project Lists – surface to ground and augmentation potential sites
 - ii. Progress toward implementing 1 augmentation project – likely in Dakota Creek
Several wells are in consideration for augmentation. The goal is to ensure the project helps illustrate the concerns over *Foster*. The Drayton WID is guiding the development of this project in 2021.
- III. Water Quantity/Supply
 - A. Adjudication debate
 - i. Plan for Legislative education are being coordinated by Whatcom Family Farmers.
 - ii. Response to Tribal meeting – the December 10 discussion with Nooksack and Lummi provided an opening to present alternatives to an adjudication. Bill is finalizing a letter in response to the Tribes based on comments from the Water Supply committee. One of the items is a suggestion to engage a facilitator to help work with the Legislature so that what results in response to Ecology’s pre-adjudication and the Executive’s settlement support requests will provide the County and Watershed Management Board the best path forward. Jeff moved to

approve up to \$20,000 to be contributed to an effort led by the WMB to retain agreed upon facilitators to assist in reaching agreement on 2021 State Legislative funding for addressing water resource and related issues in the Nooksack Basin, Mike seconded, motion carried unanimously.

- iii. Litigation options – designate litigation advisory committee - Scott directed the formation of a Litigation Committee consisting of himself, Marty, Brad, and Ed and chaired by Marty. This committee is established to provide farmers help with the damaging effects of a potential adjudication. Tasks for the committee are to identify a litigator and explore legal arguments to limit the scope of a WRIA #1 adjudication, eliminating Whatcom’s ag zone, and any other strategy to protect the interests of our members. Committee is to report to each AWB board meeting beginning with the March, 2021 meeting.
- iv. Bill Clarke report - Upcoming legislative agenda is not likely to deal with any significant water issues.

B. County Executive proposal

- i. Built on Lummi proposal (2015) and Drainage Based Management – Gary noted the Watershed Management Board will discuss it further at tomorrow’s meeting. There is general support for the concept but disagreement is centered on if this process will replace adjudication or be conducted alongside an adjudication.
- ii. Legislative support request – The County is seeking support from the Legislature for the settlement process and will likely use a portion of the \$250k annual budget for watershed work to contract with a facilitator in Olympia to help guide the results of the adjudication and settlement debate.

C. Regional Water Supply task force - Aspect Consulting as contractor – The PUD is facilitating this effort which is focused in the three pilot areas of South Fork, Bertrand/Schneider, and Drayton. It intends to identify projects that will likely inform the Drainage Based Management process. We remain very concerned about some of their assumptions about future water use, as they are predicting up to 30% more water used by agriculture in future years. There are also major issues brought up by our friend Dan Eisses of Birch Bay Water and Sewer with the instream flow assumptions. Most committee members agreed much work needs to be done on this document before it can be published. The AWB is working with Jay Chennault at AESI in making our comments.

D. Launch of Drainage Based Management – Chris Elder reviewed the intent of the recently signed \$100k contract provided by WDFW. The intent is to incorporate the building trust and projects generated in the RWSP, FLIP, and Salmon Recovery. Ag has insisted it should be consistent with the County land use plan as well.

IV. Water Quality/Drainage/Flood - Fred

- A. Quality update – provided data to each WID monthly prompting discussions and actions to improve quality. Most results have been positive in 2020 but fall numbers are always a challenge.
- B. DNA Project is focused on Avian inputs. WCD technicians are collecting samples and Exact Scientific is optimistic we may see some results by the end of January.
- C. Drainage projects – several WIDs are seeking improvement management of beavers. Sumas is piloting a surveillance and control program with Travis Stremmer. This may be worth having other WIDs adopt.
- D. Update on Floodplains by Design discussions and potential projects – overlap with DBM – Fred noted the potential of using the FLIP process progress as a template for future discussions. But the potential adjudication truly clouds the potential for future success as it makes adjudication the priority for our time and funds. It impedes progress on the more important management issues.

Reach 2 planning is addressing the Duffner tidegate replacement and possibly one on Cougar Creek. Reach 1 planning is initiated but tempered by the adjudication debate.

- E. Ag Engineer need – seems to be a lower priority as there is not adequate funding from the WIDs and the amount of EQIP applications are down.

V. Communication/Education

- A. Media Relations report – Fred and Dillion reviewed the recent media work done by Family Farmers. Education on the effects of an adjudication has been the dominate effort.
- B. REAL campaign - The newest REAL video, highlighting landfill diversions of food waste at Case Vandermeulen’s farm, was released on December 10. In the first 5 days after release, the video has reached 32,000 people, with 200 likes and 77 shares.

VI. New Business

- A. Fred met with a contingent of farmers from the South Fork on 12/11/20 to request support and a possible partnership from them. They are expressing a desire to do so. Our lead, WFF board member Galen Smith, has requested a fundraising letter specifically aimed at South Fork residents that we will be working on this week.
- B. There are several Whatcom County Boards, Commissions, and committees that have vacancies. [2020-2021 WC Board & Commission Vacancies](#)
- C. The Whatcom Conservation District recently opened an [upcoming election](#) for one position on their Board of Supervisors.
- D. Ecology was asked about what support they would provide for water right holders in an adjudication. They provided access to background research in the Yakima adjudication and commissioned a “referee” who helped identify records of water use to assist the process.

VII. Adjournment - Next Meetings

Meeting was adjourned at 2:33. Next meeting is March 17.

Respectfully submitted by Henry Bierlink, Ag Water Board

Approved by _____