

Ag Water Board

Minutes of Regular Meeting June 21, 2023, 1 pm

Ag Water Board office, 204 Hawley Street, Lynden

<https://us02web.zoom.us/j/84962046451>

<u>AWB Board:</u>	<input type="checkbox"/> Andy Enfield	<input checked="" type="checkbox"/> Marty Maberry	<input type="checkbox"/> Brad Rader
	<input checked="" type="checkbox"/> Mike Boxx	<input checked="" type="checkbox"/> Jeff De Jong	<input 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 type="checkbox"/> Dillon Honcoop
	<input type="checkbox"/> Jay Chennault	<input type="checkbox"/> Atul Deshmane	<input type="checkbox"/> Corina Cheever
	<input type="checkbox"/> Alex Jeffers	<input type="checkbox"/> Chris Elder	<input type="checkbox"/> Chris Heimgartner
	<input type="checkbox"/> Kelly Hamilton	<input type="checkbox"/> Ramsey Kroft	<input type="checkbox"/> Brandy Reed
	<input type="checkbox"/> Katie Faber	<input type="checkbox"/> Alan Chapman	<input type="checkbox"/> Kasey Cykler
	<i>x = present</i>	<i>o = absent with notice</i>	<i>t = teleconference</i>

VP Marty called the meeting to order at 1:10.

- I. Minutes - Review & Approve – March 15, 2023 meeting – Jeff moved approval, Mike seconded, motion carried unanimously.
- II. Financial/Administrative
 - A. Financial Reports – the Balance Sheet and the Profit and Loss report for 2023 were reviewed.
 - B. Administrator shift – July 1st is the date that Gavin takes over the administrative leadership for each of the WIDs and AWB. Henry will be in a support role for the near future and remain involved in the water supply area.
 - C. WID/AWB Loan program – for SWID - \$155k was deposited in the WID/AWB loan fund. Sumas has drawn \$110k to date.
- III. Water Quantity/Supply
 - A. Bill Clarke report
 - Ecology indicates the adjudication is not likely to be filed until the first quarter of 2024. Likely a July, 2024 summons to all water right holders.
 - Bill discussed the strategy Ecology is proposing for exempt wells. Farmers are not comfortable with this strategy which gives private wells priority over historic ag rights.
 - Somach Law update – Ramsey updated the board on the work to pave a path forward on water settlements. We are hoping to get an audience with the Watershed Management Board this fall. Ramsey has had contacts with the federal settlement team and they are willing to discuss how they might be able to help.
 - Ramsey has a second paper nearly ready outlining the recent history of federal water settlements. She is vetting it with the other attorneys, including

the tribal attorneys, that helped guide HB 1792 and the budget proviso. We hope to make it public later this month.

- 2023 Legislature
 - Conditions that would make adjudication less damaging – HB 1792
 - Budget Proviso – application assistance and data collection
- Adjudication update – when, how to educate community – emphasis on better understanding the stockwater exemption, the status and plans for the water associations that supply dairies, and how exempt wells will be addressed.

B. County

- Local govt caucus meeting – led by PUD
 - Project list for both WIDs and AWB to be presented
 - Building support for settlement option through this group
 - Watershed Management Board presented with Ag request for formal membership
- Drainage Based Management & Regional Water Supply Plan
 - Water Storage study task force exploring options
 - County study indicating potential of supplying water to all ag and fish needs
- Planning Unit – connecting land use planning with water supply plan

C. Water Right acquisition candidates

Establish an AWB Water Bank – we submitted pre-application documents and meeting with Ecology to create the Exchange. They indicated we could accomplish most of what we hope to do to protect ag water rights without creating a bank. Jay developed a proposal to help the WIDs ensure there were tools in place to protect ag rights in the adjudication by facilitating transfers through the Exchange. The Plan/Budget:

- Build a public, web-based, interactive map that would list water rights for potential sale or lease, or “wanted”. - \$10,500
- Provide initial research to generate “listing” information on water rights for sale/lease including attributes (Qi, Qa, Irrigation acres, etc.) and potential areas where it could be transferred. Publish the water right listings on the interactive map. - \$3,000 per water right.
- Monthly maintenance of interactive map. – approx.. \$550/month
- The proposal was for a \$25k cap in 2023.

There were several questions about the need and how the Exchange would function. The potential of attracting water speculators that would outcompete other farmers is a concern. Limiting the market to only WID members was discussed. The Board wanted more information on these and other questions before approving funding to proceed. This was tabled until the September AWB with the hope a more detailed plan could be developed.

D. Stream Augmentation project in Dakota Creek – finish current Streamflow grant this fall. Jay is discussing with both Ecology and WDFW.

IV. Water Quality/Drainage/Flood/Habitat

- #### A. Update 5-year programmatic HPA permits – Frank informed us of the current status:
- Bertrand – permits expire July 2024
 - Drayton – permits expire August 2024

- Laurel – permits expire August 2023, applications submitted spring 2023
- North Lynden – permits expire 2023, new county permit has been issued, HPA is pending with Joel
- South Lynden – new county permit has been issued, HPA is pending with Joel
- Sumas – permits expire September 2023, next on Frank’s list.

We will check with Joel to make sure the expiring rights are fully renewed before this fall.

- B. Riparian Buffers – Legislature – WCD work with WIDs – discussion on how much to emphasize this. All are for the idea but are tired of giving up productive land and getting no relief for other issues affecting ag profitability.
- C. WRIA #1 Combined Review Team for Salmon Recovery grants – Gavin has been representing AG. They have \$1.3m available and three projects totaling \$850k to fund. The balance will be rolled into next year’s allotment.
- D. Update on Pepin Creek Water Quality Issues – Fred reported on the significant interest that has been shown in both BC and locally over the poor water quality coming out of BC.

V. Communication/Education

- A. Media Relations report – approx.. 85k followers- growth in those who are actively engaging,
- B. REAL campaign – ongoing
- C. Fall Forums? - maybe focused on adjudication updates and making more residents aware of the implications of the adjudication.
- D. Labor – Dillion is in E WA working on the labor concerns facing farmers.

VI. Adjournment - Next Meetings

Marty adjourned the meeting at 2:36. Next meetings are:
September 20, December 13

Respectfully submitted by Henry Bierlink, Ag Water Board

Approved by _____