

Ag Water Board

Regular Board Meeting June 21, 2017, 1-3 pm

Ag Water Board office, 1796 Front Street, Lynden

<u>AWB Board:</u>	__x__ Andy Enfield	__x__ Marty Maberry	__x__ Scott Bedlington
	_____ Mike Boxx	__x__ Rod Vande Hoef	__x__ Roger Bajema
<u>Alternates:</u>	_____ Vern Vande Garde	__x__ Landon Van Dyk	__x__ Greg Ebe
<u>Others:</u>	__x__ Fred Likkel	_____ Gerald Baron	__x__ Henry Bierlink
	__t__ Bill Clarke	__x__ David Haggith	__x__ Steve Jilk
	__x__ Gary Stoyka	__x__ Jon Hutchings	

I. Review & Approve March 15 Minutes – Andy moved approval of the minutes, Marty seconded, motion carried unanimously.

II. Financial/Administrative

A. Financial Reports – Henry distributed the balance sheet indicating \$72K in our account and receivables and a Budget table (below). Roger moved approval of the financial report, Marty seconded, motion carried unanimously.

AWB through June 15, 2017

	<u>BUDGET</u>	<u>EXPENDED</u>	<u>BALANCE</u>
Office/ Misc	\$25,000	\$15,352	\$9,648
Admin	\$50,000	\$23,281	\$26,719
Legal	\$75,000	\$26,690	\$48,310
Water Supply	\$50,000	\$20,000	\$30,000
Quality & Drainage	\$37,500	\$18,750	\$18,750
Public Affairs	\$37,500	\$18,750	\$18,750
TOTAL	\$275,000	\$122,823	\$152,177

B. Baker to Bay Symposium sponsor request – A September 20-21 symposium on the “State of the Ecosystem” and a follow up one-day symposium on water supply in early November are being planned. Sponsors are being solicited. The board voiced concern that our message of what needs to be done and what is being done be a prominent part of these events. Henry has joined the planning team and will confident that goal will be met. Marty moved to approve a \$1,500 sponsorship, Andy seconded, motion carried unanimously.

C. Changes to the WFF by-laws - The WFF board has been reduced from 11 to 7 members. Three each will be appointed by the AWB and three by the Dairy Fed. Agreeing to serve from the AWB are: Mike Boxx, Keith Boon, and Brad Rader. Marty moved approval of the number and members, Andy seconded, motion carried unanimously.

D. AWB Strategic Plan – The AWB indicated a desire to begin building a Strategic Plan based on the assignments generated at 3/20 WID Planning mtg. This will be a fall/winter project.

III. Old Business

- A. CAO update – Fred and David elaborated on the report provide by the Farm Bureau. The CAO is now at the Council level so nearing completion. The Council is considering changing the draft that came through the Planning Commission to require farm Plans for ALL farms. This is seen as impractical and unnecessary by AG and the County staff. The AG group is meeting Friday and the Council will be considering this again at their 9:30 Tuesday, June 27th committee meeting. Nitrogen management is a significant concern. Crop farmers want to ensure this does not become limiting based on ancient standards. Another concern for AG is the field leveling restrictions.

IV. New Business

- A. County water program funding – A presentation by the County on how the Flood Fund has evolved and how it is currently managed led to a discussion with Gary Stoyka and Jon Hutchings about how the Council might determine future Level of Service funding. Current funding will mean significant reductions in the River and Flood Program (leading to levees not up to ACOE standards) and the Natural Resources Program (source of PIC monitoring funding and water supply work). The Council seems to be heading towards a LOS 3 option which leaves a \$1.7 million hole in the budget. The County believes it can avoid cutbacks until 2018 but decisions are going to have to be made in the next 12 months. They challenged AWB to suggest our priorities and explore alternative funding ideas. They noted that AG support and backing will be crucially important to help the community make this decision.
- B. County committees involving ag – One of the goals assigned to the AWB at the strategy session was making sure County committees had adequate ag representation. Henry distributed a list of relevant committees and ag members. An opening in the Planning Commission for District #3 (Foothills) was highlighted. This needs to be in by June 30th.

V. Communication/Education

- A. AWB spring Newsletter was mailed to 1,400 landowners and interested partners in early June.
- B. Media Relations report – Fred noted that Family Farmers public dispute with RESources was generating a lot of interest and encouraging signs that they may rethink their positions.

VI. Water Quantity/Supply

- A. Legislature report – Bill updated the board on the Legislative budget negotiations and the chances of a *Hirst/Foster* fix. He noted that it was a fight to keep *Foster* in the final package as the tribes have firmly opposed a fix and the momentum is much higher for a *Hirst* fix. Bill and Henry alerted the Board to the proposed WWAP idea which would advance the integration and implementation of the numerous water management tools that are being developed.

Legislative Proposal – to be implemented under the Water Supply Working Group

\$300,000 is provided solely to establish the Whatcom Water Action Program (WWAP). With these funds, the department shall retain a qualified consultant to develop a multi-purpose water resource program capable of providing both technical and market analysis of existing water rights, changes of existing water rights, mitigated water rights, and development of new water infrastructure, including but not limited to storage, pipelines, aquifer recharge, and other projects. The program would be designed to meet water resource needs for both instream and out-of-stream needs, and be capable of supporting future water resource agreements. The program will analyze demands, design supply options, and create an exchange service where access to water will be methodical and transparent; including water uses for agriculture, rural residents, municipal supply, and instream flows. The department shall establish a steering committee for the program, which shall include major water resource stakeholders and federally-recognized tribes

Henry will be discussing this proposal with the Water Supply Working Group on Thursday. The Board was asked to send questions and comments on the proposal to Bill or Henry as this is being presented as a way to help all water suppliers through either a direct Legislative proviso or a grant from Ecology's \$5 million budget directed to solving water supply issues.

- B. AESI Report on the In-stream flow rule – Chuck and Jay at AESI gave a presentation to the Water Supply Committee in April. A short written summary of their findings was provided to the Board. There has been some talk of how to best get this information to both farmers and the general public. A fall workshop on water rights may be in order. Henry also plans to get this work presented as part of the September Baker to Bay Symposium.
- C. Whatcom Water Supply Working Group – Thursday's meeting includes approving the draft of a work plan, more discussion of the County's Level of Service options, and the draft of the County's presentation on Water Supply work to be given to the Watershed Management Board on June 29th.
- D. Water Exchange/Banking – Henry outlined a potential Pilot Program proposal that would have him, RH2, AESI, and Bill Clarke working on identifying potential seasonal and permanent transfer possibilities this summer. This is intended to build on the model the same set of consultants have developed in the Snoqualmie WID. The Board express concerns and discomfort having the WIDs involved in facilitating water right transfers. This type of work was equated to helping individual farmers with land rents. Landowners are in completion for both rents and available water and any involvement by the WIDS may potentially be viewed as favoring some individuals over others. WID board members did not want to be perceived as potentially playing favorites. They felt that pointing people with needs to the professionals already operating in this field was a better approach. Henry will focus on making sure landowners know about the resources available and to encourage landowners to make sure that water rights are fully exercised to avoid relinquishment. He will also explore how imported water from sources like the PUD or the deep aquifers could be best added to our irrigation systems. Contributing to mitigation seems to be the most likely option.

The South Lynden WID asked the Board to continually reevaluate water supply strategies. They suggested we need to challenge the laws and policies that have boxed us into difficult places rather than just trying to find ways to work within the water code. Their argument was noted and shared by many but the magnitude of the task to change laws and policies was also observed. The Board agreed to look for opportunities to be involved in promising legal challenges while also doing what we can within the current legal and policy framework.

VII. Water Quality/Drainage

- A. Monitoring update – Fred noted that most samples over the last months were in acceptable ranges with a few exceptions. He reported on the efforts to get Portage Bay shellfish harvesting reopened which the data would suggest is possible. Along with objective sampling data there is a subjective sense of if water quality is heading in the right direction. Farmers argue it clearly is but Lummi and DOH are not yet convinced. Farmers are frustrated by the lack of a “champion” seeking to get the beds reopened (i.e. Drayton Harbor Shellfish, Taylor Shellfish).
- B. DNA project update – The South Lynden WID is heading a pilot project in the Scott Ditch system to collect DNA from primary contributors and begin to put the DNA sourcing technology to work. Several other WIDs have made contributions to the project with a budget of \$18,500 raised. This will occur in conjunction with Exact Scientific over the summer/fall months.
- C. Drainage – Programmatic 5 year permits - WCD is providing assistance by Frank Corey to help WIDs prepare and obtain drainage wide permits. South Lynden’s is complete. North Lynden’s is in development. Frank has no grants supporting this work so WIDs will be paying his time to help develop these plans.

VIII. Legal – Joint Defense Team, Litigation Management Committee

- A. Report on Tribal Negotiations – Portage Bay Partnership – Fred reported that each WID meeting in June had had an Executive Session devoted to getting feedback on the legal issues surrounding the Portage Bay Partnership.

IX. Adjournment - Next Meetings:

September 13 (ahead one week to accommodate water symposium)
December 20