

# North Lynden Watershed Improvement District

Minutes – September 19, 2023, 9 AM

## Board Attending:

<input checked="" type="checkbox"/> Larry Stap	<input type="checkbox"/> Brad Rader	<input type="checkbox"/> Kevin Te Velde
<input checked="" type="checkbox"/> Kevin Engelsma	<input checked="" type="checkbox"/> Harman Brar	

## Others Attending:

<input checked="" type="checkbox"/> Gavin Willis	<input checked="" type="checkbox"/> Henry Bierlink	<input type="checkbox"/> Alan Chapman
<input type="checkbox"/> Cynthia May	<input type="checkbox"/> Jay Chennault	<input type="checkbox"/> Katie Faber
<input checked="" type="checkbox"/> Fred Likkel	<input type="checkbox"/> Bill Clarke	<input type="checkbox"/> Alan Chapman
<input type="checkbox"/> Frank Corey	<input type="checkbox"/> Steve Banham	<input type="checkbox"/> Brandy Reed

*x – present      o – absent with notice      t – teleconference      p – proxy*

Larry Stap called the meeting to order at 9:12.

## 1. Consent Agenda

- a. June 20 minutes were reviewed.
- b. Financial report was reviewed.
- c. Kevin E moved to approve the consent agenda. Harman seconded. Motion carried unanimously.

## 2. Ag Water Board / Water Supply

- a. ECY has indicated that April 1 is their current target date for filing the adjudication. Given staffing issues and how complicated the process will be, that could be pushed back further.
- b. AWB co-hosted an event on Sep 13<sup>th</sup> about how to prepare for the upcoming adjudication, which included an introduction by ECY about the adjudication process, and presentations by consultants at AESI, Aspect, and RH2. Over 450 people attended.
- c. A memo about the federal settlement process has been completed by Ramsey and distributed to members of the WMB Local Government Caucus. It has also been sent to tribal lawyers. We understand that the federal settlement team will be meeting with the tribes later this month.
  - i. A board member requested the letter be re-sent to the board. Henry will tackle that.
- d. Bill Clarke has a meeting with the governor's office on the 26<sup>th</sup> about the settlement process. He will encourage the governor's office to view their role as separate from the Attorney General and ECY's role as plaintiffs
- e. No update from the Watershed Management Board.
- f. The WMB Local Government Caucus has been meeting. County consultants have been looking at potential water supply options. One option they have done some preliminary investigations of relates to a series of out-of-stream reservoirs and

pump exchange systems. These reservoirs would be filled in the winter, and would be used to distribute water for irrigation in the summer. WID board and staff note that high costs make this project unlikely to be completed, but it is a starting point for discussions.

- g. AWB staff met with tribal staff about water projects. The meeting was overall positive. The general message is that tribes want to exhaust all natural solution options before going to artificial solutions.

### **3. Drainage / Habitat / Flood**

- a. Fred provided an update on FLIP work. The county has continued to model different ways they might manage the flow split.
- b. Fred provided an update on issues with the CREP program.
  - i. The CREP program works with FSA and the state to fund riparian buffers, primarily on farmland. The program initially only was utilized on eligible streams that contained ESA-listed species.
  - ii. Approx. 20 years ago, FSA staff at the state level expanded the program to include all salmon-bearing streams. However, they did not approve that change through the proper channels. As a result, about 50% of CREP projects in Washington state are not eligible for federal funds.
  - iii. A waiver was issued so that landowners did not have to pay back any monies they had received through the CREP program on ineligible projects. However, the projects now are either being cancelled, reduced in size, or being re-offered through different programs at significantly reduced rental rates. Landowners have been told that they have until September 30<sup>th</sup> to sign any new contracts.
  - iv. Whatcom Family Farmers, along with a number of agricultural and environmental organizations, is planning to send a letter to the governor asking him to use state funds to maintain the contracts that will be cancelled by the FSA.
  - v. Kevin E moved to have NLWID sign the letter. The motion failed for lack of a second.
- c. Ditch maintenance was discussed. Fred is working on getting Assink Rd ditch cleared out.
- d. Beaver management was discussed. Larry will follow up with the trapper about Fishtrap south of Pangborn.

### **4. Water Quality**

- a. Cynthia provided an update on water quality. Upper Fishtrap is looking good. Lower Fishtrap had some elevated counts heading in the wrong direction
- b. Fred provided an update on Pepin Creek/Double Ditch PR work re: contamination coming across the border.
  - i. Fred and Larry had sent a letter to the governor and BC premier, and put out a press release that got a LOT of coverage. Some of the headlines connected to that coverage were presented to the board.

1. Cynthia shared that the Transboundary group is meeting on September 20 to discuss WQ issues.
- ii. Cynthia provided an update on Portage Bay. Potentially will have some conditional areas changed to approved if good counts continue in the bay.

**5. Education / Communications**

- a. Website – [northlyndenwid.com](http://northlyndenwid.com)

**6. Other Items from Commissioners**

- a. None

**7. Next Meetings**

- a. The next meeting is scheduled for Oct 17<sup>th</sup> at 9 AM. That meeting will deal with the budget, along with the expiring term for Harman.

Larry Stap adjourned the meeting at 10:34.

Submitted by Gavin Willis, Ag Water Board

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