

North Lynden Watershed Improvement District

Minutes – Regular Meeting – June 18, 2024

Attendees

“(t)” indicates presence via tele-conference, “(p)” indicates proxy vote.

Board – Present	Board – Absent with Notice
Larry Stap Kevin TeVelde Brad Rader (t) Kevin Engelsma Harmon Brar	

Staff and Consultants	
Name	Organization / Affiliation
Gavin Willis	Ag Water Board
Bill Clarke (t)	Clarke Law
Cynthia May (t)	Whatcom Conservation District
Sarah Faubion (t)	AESI
Jay Chennault (t)	AESI
Fred Likkel	Whatcom Family Farmers

Other Guests	
Name	Organization / Affiliation
Alan Chapman (t)	Whatcom Conservation District

Proceedings

Larry called the meeting to order at 9:04 am

1. Consent Agenda

- a. Agenda was reviewed.
- b. Minutes from April 16 meeting were reviewed.
- c. Financial report and voucher in the amount of \$9,934.26 were reviewed.
- d. Kevin T moved to approve the consent agenda. Kevin E seconded. Motion carried unanimously.

2. Ag Water Board / Water Supply

- a. Bill provided an adjudication update. The initial hearing is scheduled for June 26th. Some confusion about what that hearing would include, has since been clarified.
 - i. ECY will ask court for a date to file the proposed claims form, around August 30th, and then a hearing date after that for court to review form and summons and authorize service.
 - ii. Should have a briefing scheduling coming out of the hearing. AWB requested to not have the due date for claims in the farming season. Seems like soonest the claims would be due is Nov 2025, and filing of motions will likely delay that even further.

- iii. A number of attorneys are also proposing the creation of a case management committee to have better communication between parties in the case.
- b. Jay provided an update on the water rights office hours. AESI staff met with 56 individuals in total to talk through their water rights situations. Most were agricultural irrigators. Sessions were well received, and exceeded expectations for most participants.
- c. Brad noted that he presented yesterday to the Whatcom County business advisory council on the dangers of adjudication.
- d. Alan asked about service process for the adjudication. Bill noted that initial service will be by certified mail, and that people will be able to opt in to electronic service.
- e. WFF plans to host another water rights info evening on October 22.
- f. WMB Local Government Caucus will meet on Thursday

3. Drainage / Habitat / Flood

- a. Fred provided a flood update. Ongoing issues in Abbotsford are the most notable item at the moment.
- b. Ditch maintenance was discussed. Fred is working on NoA for doing rest of Assink Rd ditch
- c. Fred provided a buffer update. The first draft of the riparian working group report was disappointing, but considering the source (written by a team appointed by the governor, for the governor's office) is probably about what would be expected. Folks pushing SPTH seem to be at the upper levels of policy staff; folks doing the actual work on the ground don't feel the same way.
- d. Gavin floated idea of culvert replacement grants.
- e. Discussion of struggles with culvert replacements in the district, and if there is a role for the WID to play in standing up for landowners.

4. Water Quality

- a. Cynthia provided a WQ update.
 - i. Since last meeting in April there have been 5 focus test runs in Fishtrap, and 4 Nooksack tributary test runs.
 - ii. Routine sampling has revealed low to moderate counts. One high count at Lynden Plaza outfall, city is following up.
 - iii. June 3rd sampling run followed 1.5" of rain. Sites throughout the watershed elevated, range of 320 to 3600, with an average of 1870.
 - iv. Portage Bay Shellfish Harvest area will likely be upgraded.

5. Education / Communications

- a. Fred noted that the AAC may need some more input from farmers in the near future.
- b. WFF is looking for sponsors for the next water rights info evening.
 - i. Kevin E moved to spend \$500 to sponsor Oct 22 education event. Kevin T seconded. Motion carried unanimously.

6. Next Meeting

- a. Next meeting dates are July 16, August 20, and September 17. July and August meetings may be cancelled if there are no agenda items.

Meeting was adjourned at 10:04 am

Submitted by Gavin Willis, Ag Water Board

Approved by _____

