

North Lynden Watershed Improvement District

Minutes – Regular Meeting – September 17, 2024

Attendees

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

Board – Present	Board – Absent with Notice
Kevin TeVelde Harman Brar Brad Rader Kevin Engelsma	Larry Stap

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

Other Guests	
Name	Organization / Affiliation
Alex Harris (t)	Whatcom County CEP
Alan Chapman (t)	Whatcom Conservation District

Proceedings

Brad called the meeting to order at 9:07am.

1. Consent Agenda

- a. Agenda was reviewed.
- b. Minutes of June 18 meeting were reviewed.
- c. Financial reports were reviewed.
- d. Voucher NL.Gen.0724 in the amount of \$1,800.00 was reviewed.
- e. Voucher NL.Gen.0824 in the amount of \$6,622.84 was reviewed.
- f. Kevin T moved to approve the consent agenda. Harman seconded. Motion carried unanimously.

2. Ag Water Board / Water Supply

- a. Bill provided an adjudication update.
 - i. ECY has issued a proposed claims form. Hearing on September 26th. The form is better than the previous version, especially as it relates to stockwater. Will still be a cumbersome process, because water users will need to fill out a separate form for each water right.
 - ii. Expect that the summons will be sent out at the end of the year, potentially into early 2025.

- iii. Court has also appointed a steering committee. Ramsey applied, but was not appointed. Unclear why she wasn't selected, because she clearly has more experience in water rights than any other applicant, but perhaps because she isn't a member of the Washington Bar or because her client (AWB) isn't a claimant in the adjudication.
 - iv. A couple of future legislative asks. First is for more technical assistance funding, potentially \$500k over the next biennium. Second is for funding to WMB for a consultant to investigate how a settlement process might be set up, and what barriers might exist that could prevent it. Third is looking at potential ways to deal with Husseman Promise water rights, including a claims reopening for those water users, since the water being used under the existing applications could also be eligible for pre-code claims.
- b. Gavin noted that AWB is considering contracting with a federal lobbying group. Costs for that would result in approx. \$1 per acre increased contributions from the WIDs to the AWB.
- i. Board supported the idea, noting that it could provide some much-needed hope for the local agricultural community.

3. Drainage / Habitat / Flood

- a. Fred provided a brief update on flood issues.
- b. Ditch management was discussed.
 - i. Board members noted a need for ditch mowing.
 - ii. Gavin has submitted a permit application for ditch spraying.
 - iii. Fred noted that the county declined to clean the remainder of the Assink Rd Ditch, citing culvert size issues upstream and downstream of the site.
 - iv. Kevin E moved to approve ditch spraying work with All Season Spraying. Kevin T seconded. Motion carried unanimously.
- c. Fred noted that ongoing conversations around buffers are continuing at the state level. May become an issue in the next legislative session.
- d. Brad noted that Fishtrap is a typical hotspot for beaver activity. He will have his staff investigate and get back to Gavin if there is a need.

4. Water Quality

- a. Cynthia provided a WQ update via email. Mostly good numbers, except for Double Ditch West. BC Ministry of the Environment is investigating septic systems at a nearby mobile home park.
- b. Shellfish harvest areas have been upgraded. An additional approx. 360 acres have been upgraded to year-round harvest, and seasonal closures have been reduced from four months to three.

5. Education / Communications

- a. WFF will be hosting another water rights information evening on October 22nd at NWWF.
- b. WFF will be hosting their annual farmer rally on November 20th at NWWF.

6. Next Meeting

- a. Next meeting is scheduled for October 15th.

Meeting adjourned at 10:03am.

Submitted by Gavin Willis, Ag Water Board

Approved by _____

