

South Lynden Watershed Improvement District

Minutes for: September 14, 2021 Meeting, 3 pm

AWB Conference Room and Videoconference

Zoom Meeting ID: 811 6428 6398 Passcode: 352404

Ed Blok Jeff De Jong Landon Van Dyk
 Rod Vande Hoef Rolf Haugen

Henry Bierlink Dale Buys Fred Likkel
 Alan Chapman Gavin Willis Jay Chennault
 Kent Oostra Bill Clarke Michael Issensee
 Scarlett Graham Nichole Embertsen Sherm Polinder
x = present o = absent with notice t = teleconference

Landon called the meeting to order at 3:04.

I. Consent Agenda

- a. Review and Approval of June 8 Minutes
- b. Financial Report
- c. The following voucher/warrants/electronic payments are approved for payment:

<u>Voucher #</u>	<u>Payee</u>	<u>Purpose</u>	<u>Amount</u>
SL0921	Ag Water Board	September, October AWB	\$10,758.66
SL0921	Enduris	self insurance	\$2,952.00
SL0921	N3	water monitoring	\$460.00
		TOTAL VOUCHER	\$14,170.66

Jeff moved approval of the Consent Agenda, Rod seconded, motion carried unanimously.

II. Ag Water Board/Water Supply

- a. AWB Water Supply issues - Bill
 - Cascadia Policy Solutions - Maia, Jay – report indicates parties are not “ripe”, suggests a “solutions table”
 - Adjudication – seems hard to stop, exploring ways to mitigate the damage
 - Federal – Sherm suggested connecting with Senator Cantwell to see if she might be able to steer us towards a federal water rights settlement rather than a state adjudication.
 - Legal preparation
 1. Executive sessions for WID Boards – pending litigation – at Oct mtg.
 2. Working with private attorneys to find the most effective structure to help all farmers with water right concerns.
 3. Standing in adjudication – have WIDs seek interest in a water right
- b. AESI contract – Jay
 - Water right list – AESI has prepared a list of water rights in the South Lynden WID and is working on merging this list with the current parcel layer so that the Board will be able to see the current owner of the water right. There are 204 groundwater rights and 72 surface rights. Goal is to ensure that all rights are in use and fully prepared for adjudication. We will examine the rights where use is not as clear or use is minimal as potential candidates for acquisition, transfers, leases, etc. Reconciling the Ecology database and County Parcel layer is a current challenge AESI is working through.
 - Request for infrastructure projects – \$20m targeted to infrastructure in Whatcom, other federal funds are flowing through grant programs like those under the Bureau of Reclamation. AESI prepared a spreadsheet describing the ideas for projects that have been considered in the past 30 years. The board was asked to review them and add new ideas that might be advanced. A rough budget was applied for each project.

- c. AWB Budgeting – the initial 2022 AWB budget will be drafted next week for the WIDs to consider in October. Investing into the legal work needed to protect all ag water rights is needed but not yet fully understood. Getting an idea of what may be an acceptable range for the AWB legal work was discussed.

III. Drainage/Habitat/Flood

- a. Ditch maintenance
 - Cougar Creek – Ed reported this was being completed.
 - County ditch cleaning – responsive but there were questions about if it was fully completed.
- b. Flood Committee update – Fred has a meeting later this week.

IV. Water Quality

- a. Monitoring Results
- b. DNA project – Avian project – Kent presented the results of last year’s project. There is a sense that we are making progress on isolating sources. Kent challenged the board to answer the question of what do we want to see come from further DNA work. There is a sense that the main goal is to understand what level of fecal coliform can be traced to cows. If it is clear then we have work to do to clean it up but if it is another source we are not pleased to bear the blame for what we can’t control.
- c. Portage Bay/Drayton Harbor Shellfish Protection District update – best news is that data is suggesting a rainfall based closure rather than a calendar closure and that DOH is beginning to consider this.

V. Education/Communications

- a. www.southlyndenid.com

VI. Adjournment/Next Meetings

Meeting was adjourned at 5:19. Next meeting is October 12.

Respectfully submitted by Henry Bierlink, Ag Water Board

Approved by _____