

Bertrand Watershed Improvement District

Minutes for: November 14, 2022 Meeting, 2 pm

<https://us02web.zoom.us/j/88376475426?pwd=cERQZIR0UUFpNkNUS11IL0NlVmJYZz09>

Meeting ID: 883 7647 5426 Passcode: 807596

Vern VandeGarde Scott Bedlington Mike Schoneveld
 Pete Vlas Greg Ebe

Henry Bierlink Dale Buys Fred Likkel
 Frank Corey Steve Banham David Haggith
 Jay Chennault Katie Faber Trevor Gearhart
x = present o = absent with notice t = teleconference

Vern called the meeting to order at 2:06.

Board of Equalization Hearing

Public has opportunity to contest Assessments. WID board must determine if petitioners provide clear evidence they would not receive value from WID actions equal to the Assessment amount. WID Board could vote to eliminate or reduce the assessment on individual parcels. Once completed the Regular Board Meeting commences.

Scott moved to open the Board of Equalization, Greg seconded, motion carried unanimously. With no one present to contest the assessments Greg moved to close the Board of Equalization, Scott seconded, motion carried unanimously.

I. Consent Agenda

- a. Review and Approval of October 10, 2022 minutes
- b. Financial Report

<u>Voucher #</u>	<u>Payee</u>	<u>Purpose</u>	<u>Amount</u>
B1122	AWB	Oct. - Dec.	\$16,962.66
B1122	AESI	consulting	\$518.75
B1122	Vern Vande Garde	Per Diem	\$256.00
B1122	Widener & Assoc.	May - Sept consulting	\$11,171.80
TOTAL VOUCHER			\$28,909.21

Greg moved to approve the Consent Agenda, Scott seconded, motion carried unanimously

II. Administrative

- a. Board nominations – Mike is elected to another 3 year term. Congratulations and Thanks!

III. Drainage/Habitat/Flood

- a. Flood update – Ross report – The Bertrand projects are under the Small Projects maximum which provides an opportunity to be paid a lump sum upfront but then being held to accomplishing the project with no cost overruns. Ross will look into this some more so the board can make an informed decision.
 - Cooperation with Lynden – a discussion with Steve Banham about how to coordinate all the drainage and stormwater issues around the City. Our agreement on the West Lynden (CLASS) stormwater project is proving a path forward for cooperation. We were invited to come to the Dec. 7th City Public Works meeting to further the cooperative efforts.
 - Financial plan – We may choose to work directly with FEMA rather than using the City to arrange the contractors as the Sumas WID is doing. The 5% match requirement on the projects is less of a challenge with the total cost of our projects.
- b. Buffer requirements – Fred noted a more realistic attitude among fisheries advocates about the size of buffers. Nevertheless, there remain political pressures to mandate 200’ buffers on all streams.
- c. CLASS update – Fred and Henry reported that a Hydraulics and Habitat study is being pursued. Lynden is seeking \$50k in grant funds to accomplish this. It may have to be

phased as the budget estimate exceeded that amount. A letter to the landowners and the participants in the October 15th meeting is being mailed.

- d. WCD update – Trevor introduced himself as a new farm planner at the WCD. He is one of two new hires for this area. He will be assigned to participate in future Bertrand and Drayton WID meetings. He reminded the board that Disaster assistance funding is still available for flood damage costs and she expects this may be an ongoing opportunity for future disaster relief for farmers. It was also noted that the WCD request for a parcel assessment to provide a financial base for their programs passed County Council. This will be \$5/parcel on all ag parcels. Cities will also be assessed.

IV. Ag Water Board/Water Supply

- a. Water supply update
 - Somach Law – alternate to adjudication – federal settlement – we continue to build support for this type of an approach as the major focus area with the state adjudication either replaced or incorporated in the settlement as only an element of the larger picture.
 - Ecology floating “Solutions Showcase” – learning from the [Yakima example](#) - the late October presentation to the Watershed Management Board was a ringing endorsement for our approach to resolving issues and a challenge to the adjudication first perspective.
 - [Project List](#) ready for distribution to the appropriate discussion table – forming an out-of-stream water users group where proposals can be vetted.
 - Ecology adjudication budget request and AWB response – we are preparing a letter to the Legislature that will be sent before Thanksgiving that challenges Ecology’s major focus on adjudication funding and instead directs investment to broader management of issues including habitat, flooding, and water supply.
- b. Water Right acquisition candidates
 - AWB establishing – [Whatcom Ag Water Exchange](#) – Bill is setting up a meeting with Ecology to advance this.
 - Draft [Mailing to all WID members](#) – will occur once the details of the Exchange are developed. Hopefully by early spring.
 - Follow-up with key acquisition candidates as identified by the WID in earlier reviews of the water right database.
- c. AESI update – Jay reported that the contract on evaluating potentially transferable rights around Lynden was nearly complete. There has been no response from Lynden Door. We will try some other means of making sure they know this right is in danger of being lost in the next few years. Jay also noted that Katie participated in a recent meeting where Robin MF had further outlined Ecology’s adjudication plans. They expect the Legislature to approve the requested funding and have the Governor determine to file the adjudication on July 1, 2023. It will begin in later 2023. Robin also announced Ecology has formed a simplified process for domestic well owners that would not require much effort to keep their exempt well permits. But in return they would be limited to 500 gallons a day. If they want up to the 5,000 gallon limit they would need to file along with the farmers and group system rights.

V. Water Quality

- a. Monitoring Results – Fred reported two very large FC numbers at the BC border on Bertrand Creek, 24k and 29k. This carried downstream although diluted by what came in from the WID drainages.

VI. Education/Communications

- a. Website – www.bertrandwid.com

VII. Adjournment/Next Meetings

Vern adjourned the meeting at 4:00. Next meetings are December 12, January 9 with the December meeting potentially cancelled.

Respectfully submitted by Henry Bierlink, Ag Water Board

Approved by _____