

Bertrand Watershed Improvement District

Minutes – January 8, 2024

Attendees

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

Board – Present	Board – Absent with Notice
Vern VandeGarde (<i>chair</i>) Pete Vlas Scott Bedlington Mike Schoneveld	Greg Ebe

Staff and Consultants	
Name	Organization / Affiliation
Gavin Willis	Ag Water Board
Bill Clarke (t)	Clarke Law
Frank Corey	Whatcom Conservation District
Ross Widener	Widener & Associates
Jordan Widener	Widener & Associates
Fred Likkel	Whatcom Family Farmers
Jay Chennault (t)	AESI
Katie Faber (t)	AESI
Trevor Gearhart	Whatcom Conservation District

Other Guests	
Name	Organization / Affiliation
<i>none</i>	

Proceedings

Vern called the meeting to order at 2:01 pm.

1. Consent Agenda

- a. Agenda was reviewed.
- b. December 11 minutes were reviewed.
- c. Financial reports were reviewed.
- d. Scott moved to approve the consent agenda. Pete seconded. Motion carried unanimously.

2. Administration

- a. Vern signed the oath of office. Pete signed the oath of office and per diem waiver.
- b. Vern signed the Confidential Tax Information Authorization for Department of Revenue.

3. FEMA Projects

- a. Jordan provided an update on the FEMA projects. Gavin and Jordan will be meeting with EMD staff on Jan 12 in Sumas. Will seek to get the new procurement policy approved so that we can move forward on some projects. There are 2 projects yet to be obligated, but we are making progress on that front.

4. Ag Water Board / Water Supply

- a. Bill provided an update on ECY's draft filing form and instructions. There are concerns about the simplified filing form for permit exempt wells for domestic use allowing significant irrigation.
 - i. Instructions also have some mischaracterizations of stockwater use.
 - ii. Board members noted that they would prefer a single claims form process.
- b. Gavin provided an update on the proposed joint application to ECY's 2024 Streamflow Restoration Grant. At the recent WMB meeting, Nooksack staff read a letter from council indicating that the tribe would not participate in anything related to water rights until the adjudication is filed. As a result, the joint grant application is not proceeding.
 - i. Henry had approached a district property owner about a grant application for a water storage facility on their land for streamflow improvement. The board does not support proceeding with a grant application after the Nooksack tribe nixed the initial plans for surface-to-groundwater conversions.

5. Drainage / Habitat / Flood

- a. Fred provided an update on CLASS work. The group is looking at bringing in the county to fund the budget shortfall for WSE; Paula is optimistic that it will work. Concerns were noted from the board that opening up Mouw Ditch will exacerbate flooding issues when Bertrand gets backed up by high water levels in the Nooksack Mainstem.
- b. Gavin noted that Diking District #4 is meeting on Jan 11 to consider a levee repair on Bertrand Creek near Rathbone Rd. He will attend the meeting and get an update.
- c. Frank and Gavin provided an overview of the proposed SCC buffer program. The program includes tiered incentives that pay more for portions of the buffer further away from the stream, which is backwards from what seems most reasonable. Buffers in Whatcom County will likely hit the rental incentive cap of \$1000/acre per year, so the additional tiers won't apply.
 - i. Frank noted that the intent of the program is that the buffers that are created would be permanent. The 10-year rental contract would provide time to create a program that would involve an easement purchase to permanently protect the easements.
 - ii. Fred noted that a concern with the tiered incentives is that absentee landowners may take agricultural land out of production for small sections of wide buffer, while leaving no buffer on other parts of the stream.
 - iii. Gavin will send out the draft guidelines to board members for an opportunity to provide additional feedback.

6. Water Quality

- a. Trevor provided a WQ update. There were high counts in early December coming across the border, but since then the numbers have been better.
 - i. There seems to be more attention being paid to the issue on the Canadian side. Canadian agencies will be reporting back quarterly on any actions they take related to water quality issues.
- b. Portage Bay numbers are currently in a good spot.

7. Communications / Education

- a. The Whatcom Conservation District is hosting Manure Nutrient Management Training on January 18th at the Mount Baker Rotary Building. Information is available at whatcomcd.org
- b. WFF is getting ready to release a video about pressures on farms. Will include interviews with experts on economics of farming and water rights info, along with interviews with a local farming family that went out of business.
- c. March 27th has been identified as the likely date for another education event of adjudication. It will be an evening event

8. Other Items

- a. None.

9. Next Meeting

- a. Next meeting is scheduled for February 12th at 2:00 pm.

Meeting was adjourned at 3:30 pm.

Submitted by Gavin Willis, Ag Water Board

Approved by *Vern Vandyke*