

Bertrand Watershed Improvement District

Minutes – Regular Meeting – November 11, 2024

Attendees

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

Board – Present	Board – Absent with Notice
Scott Bedlington Pete Vlas Vern VandeGarde Mike Schoneveld Greg Ebe	

Staff and Consultants	
Name	Organization / Affiliation
Gavin Willis	Ag Water Board
Dale Buys	Reichhardt & Ebe Engineering
Katie Faber (t)	AESI
Bill Clarke (t)	Clarke Law

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

Proceedings

Vern called the meeting to order at 2:02pm.

1. Board of Equalization

- a. Vern opened the board of equalization.
- b. No one was present to contest any assessments.
- c. Scott moved to close the board of equalization. Mike seconded. Motion carried unanimously.

2. Consent Agenda

- a. Agenda was reviewed.
- b. Minutes from October 14 meeting were reviewed.
- c. Financial reports were reviewed.
- d. Voucher B.Gen.1024 in the amount of \$18,083.00 was reviewed.
- e. Scott moved to approve the consent agenda. Greg seconded. Motion carried unanimously.

3. Administration

- a. Congrats to Greg and Scott on being elected to new 3-year terms.

4. FEMA

- a. Gavin provided a FEMA update. The Farm Field Debris ITB was initially sent to EMD for review, but they told us it needed to go to FEMA. It has been sent to FEMA and passed along to their procurement team, who are reviewing it now. Goal is to complete that project work before planting season next year.

- b. The Duffner Floodgate project is in EHP review. Permit applications have been submitted. Once that project is obligated we can move to recovery and capture Category Z cost reimbursements, including the project development costs from Widener.

5. CLASS

- a. Dale provided an update on CLASS work, including the draft report from WSE on the Mouw Ditch H&H study.
 - i. Existing conditions match what the model shows. Proposed work results in a hydrograph shift that increases peak flows but retimes them earlier to avoid the peak flows in Bertrand Creek. There are significant benefits to flood reduction in farm fields west of Berthusen Road when culverts in Mouw Ditch and along Berthusen Road are improved.
 - ii. A number of different model results looking at potential work on Rathbone Road were reviewed.
 - iii. Modeling results included 100-year and 5-year flood events. More modeling is being done on seasonal flooding and high-flow events in the growing season, but based on current trends in the modeling benefits appear greater during lower flow events.
- b. Gavin noted that the goal is to have a final report from WSE in early January, and a summary report available prior to the February 5 meeting with NRCS leadership and other stakeholders.
- c. Property owner outreach was discussed. Dale noted that the CLASS team had been awaiting positive modeling results before resuming that outreach work.

6. Ag Water Board / Water Supply

- a. Gavin provided an adjudication update.
 - i. Next court hearing is scheduled for December 3. Expectation is that the judge will approve the claims form and issue the summons. If that is the case, expected timeline would result in a May 2026 filing deadline.
 - ii. Bill has continued to work on proposed legislation, both for technical assistance funding and for a claims reopening. Gavin and Bill met with ECY staff to present the claims reopening legislation. ECY concerns included fiscal impacts and equity issues for farmers who have spent time and money acquiring or spreading papered water rights.
 - 1. Board members noted that they do not have any objections to a claims reopening, despite the fact that they have spent significant funds sorting out their water rights issues.
 - iii. More office hours are available for sign-up on December 6th.

7. Drainage / Habitat / Flood

- a. Fred provided a FLIP update.
 - i. Proposed habitat work near the mouth of the Bertrand was discussed, especially as it relates to CLASS work. Work could provide habitat benefits while also reducing backwatering in Bertrand Creek. FEMA no-rise requirements may make some of that work difficult to accomplish though.
 - 1. A board member noted that sediment levels at the mouth of the Bertrand may be a contributing factor. Fred noted that these projects may provide benefits there as well. Gavin noted that one of the potential projects would be a logjam-type structure at the mouth of the Bertrand – intent would be for flow from the Bertrand to scour below the logjam to remove sediment and create a deep pool for salmon while also improving flows.
 - ii. Fred also noted that we can expect increased sediment levels in the river over the next 10 years. The Widen the Funnel project that FLIP is considering may capture gravel in that reach, but sand and finer sediments will still continue to travel downstream in similar volumes. Fred has more meetings upcoming which may provide clarity on potential future impacts.

- b. Gavin noted that beaver management on Schneider Ditch will be commencing this week. History of that area and difficulties with management were discussed.
- c. Mergers with Drainage Districts were discussed. Gavin noted that Bill is working on drafting some language that would allow consolidation of drainage districts into irrigation districts when 75% or more of the drainage district is within the boundaries of the irrigation district (current law requires 100% of the drainage district to be within the irrigation district). Still working out what would happen to those parcels inside the irrigation district but outside of the drainage district (ie. Would they be removed from the drainage district, annexed by the irrigation district, have a choice, etc).

8. Water Quality

- a. Cynthia provided a WQ update by email. Noted that significant rainfall led to high numbers throughout the basin on Oct 21, but follow up testing on Bertrand at Rathbone on Nov 5 had counts back down to 200 (from a high of 2,200).

9. Communications / Education

- a. Fred noted that Wednesday, Nov 20 at 4:30 is the WFF Annual Farmer Rally.

10. Next Meeting

- a. Next scheduled meeting dates are December 9th and January 13th.

Meeting was adjourned at 3:27pm.

Submitted by Gavin Willis, Ag Water Board

Approved by _____