South Lynden Watershed Improvement District

Minutes – Regular Meeting – November 12, 2024

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

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| **Board – Present** | **Board – Absent with Notice** |
| Rod VandeHoef  Jeff DeJong  Juan Esquivel  Ed Blok  Landon VanDyk |  |

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| **Staff and Consultants** | |
| ***Name*** | ***Organization / Affiliation*** |
| Gavin Willis  Elizabeth Link  Sarah Faubion (t) | Ag Water Board  Whatcom Conservation District  AESI |

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| ***Other Guests*** | |
| ***Name*** | ***Organization / Affiliation*** |
| n/a |  |

# Proceedings

Landon called the meeting to order at 3:00pm.

1. **Board of Equalization**
   1. Landon opened the board of equalization.
   2. No one was present to contest their assessment.
   3. Ed moved to close the board of equalization. Jeff seconded. Motion carried unanimously.
2. **Consent Agenda**
   1. Agenda was reviewed.
   2. Minutes of October 22 meeting were reviewed.
   3. Financial reports were reviewed.
   4. Voucher SL-Gen-1024 in the amount of $15,186.59 was reviewed.
   5. Jeff moved to approve the consent agenda. Rod seconded. Motion carried unanimously.
3. **Administration**
   1. Congratulations to Juan on being elected to a new 3-year term.
4. **Ag Water Board / Water Supply** 
   1. Gavin provided an adjudication update.
      1. Next court hearing is December 3. The expectation is that the judge will approve the claims form and issue the summons, which would lead to a filing deadline of May 2026.
      2. Bill is working on a few legislative proposals. More technical assistance funding to Whatcom County, some of which would be passed through to AWB for water rights office hours. Also a proposal to create a claims reopening for participants in the adjudication. Similar legislation was passed at the start of the Yakima adjudication. Estimate is this would apply to approximately 200 filers. Proposed language has been sent to ag attorneys and municipalities for review. Gavin and Bill met with ECY staff last week to review the draft language, one objection that ECY staff noted was that a reopening would be unfair to those farmers who have acquired new water rights or spread existing water rights to land that didn’t have claims. Discussion followed on the validity of that objection.
      3. More water rights office hours are available on December 6th.
5. **Drainage / Habitat / Flood**
   1. Fred provided an update on FLIP. Berms around Everson and Nooksack are moving towards a feasibility study. Current models show decrease in water over the right bank, and an increase in water over the left bank. That may be partly due to more berms at Riverside Park than is necessary to protect the Everson WWTP. For the most part though those berms would not have negative impacts except for the area between the cities and down to Tom Road.
      1. Modeling is continuing to look at the Widen the Funnel concept. Fred’s feedback for them has been that they haven’t given sufficient concern to downstream impacts. Sediment transport levels downstream would stay the same, but would be less gravel moving downstream and more sand/fines. The state and county continue to receive pressure from Canada to reduce cross-border flooding.
6. **Water Quality**
   1. Elizabeth provided a water quality update. Noted there has been very high rainfall levels over the past month. Oct 10 testing run showed low counts throughout the WID, but Oct 21 (after >4.5” of rain in the previous 72 hours) had moderate to high counts throughout, including lower in Scott Ditch. November 5 testing had low counts throughout, except for one location on Scott Ditch.
      1. Board member asked about what the criteria are for excluding sampling results. Fred noted that for Portage Bay results are only excluded if the river reaches 19’ in Ferndale.
      2. Board member noted concerns with inconsistencies in sampling techniques. Fred noted that standard operating procedures have been developed, but it is unclear with staff turnover among the WCWP that those SOPs are still being followed.
   2. Fred shared marine WQ data. Noted that we have seen a slight uptick in counts, but with historically low numbers over the past few years it hasn’t yet risen to the level of a concern.
7. **Education / Communications**
   1. Fred noted that WFF is hosting their annual Farmer Rally on November 20th at 4:30pm.
8. **Next Meeting**
   1. Next scheduled meeting dates are December 10 and January 14.

Meeting was adjourned at 4:23pm.

Submitted by Gavin Willis, Ag Water Board

**Approved by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**