

Sumas Watershed Improvement District

Minutes for: Sept. 13, 2022 Meeting, 1pm

<https://us02web.zoom.us/j/88585959401?pwd=THhTR2l5ODh6NjBMangwRTJoK0U1dz09>

Meeting ID: 885 8595 9401 Passcode: 705989

<u> x </u> Terry Lenssen	<u> x </u> Andy Enfield	<u> x </u> Keith Boon
<u> x </u> Alan Sytsma	<u> x </u> Brad Rader	
<u> t </u> David Haggith	<u> x </u> Henry Bierlink	<u> x </u> Fred Likkel
<u> t </u> Ross Widener	<u> t </u> Bill Clarke	<u> </u> Frank Corey
<u> t </u> Jay Chennault	<u> t </u> Nicole Fink	<u> t </u> Katie Faber
<u> </u> Cynthia May	<u> x </u> Vince Buys	<u> x </u> Doug Visser

x = present o = absent with notice t = teleconference

Terry called the meeting to order at 1:01.

I. Consent Agenda

- a. Review and Approval of June 14 minutes
- b. Financial Report

<u>Voucher #</u>	<u>Payee</u>	<u>Purpose</u>	<u>Amount</u>
S0622	AWB	March - June AWB	\$29,236.52
S0622	N 3	water monitoring	\$2,860.50
		TOTAL VOUCHER	\$32,097.02

Andy moved approval of the Consent Agenda, Al seconded, motion carried unanimously.

II. Ag Water Board/Water Supply

- a. Water supply update
 - Somach Law – alternate to adjudication – federal settlement concept being circulated among the local partners. Some encouraging interest.
 - Ecology floating “Solutions Showcase” – learning from the [Yakima example](#) – they expect to have Yakima representatives at the October 27 Watershed Management Board meeting. We should be in touch with the ag representatives to be sure they understand the context of how an adjudication would affect Whatcom farmers.
 - [Project List](#) ready for distribution to the appropriate discussion table
 - Surface to ground conversion candidates – grant application submitted with an expectation we will here if it is approved in early October.
 - Review of the groundwater model is underway with AESI doing much of the work. They expect data from surface to groundwater transfers to contribute to this data.
- b. Water Right acquisition candidates
 - Establish a Water Bank – [Whatcom Ag Water Exchange](#) – AWB will be discussing submitting an application to create the Exchange next week.
 - Exchange would:
 - Identify rights with potential of transfer or sale.
 - Provide initiate screen of the right for volume and transfer area. It is estimated transfers normally cost \$15-20k overall. The Exchange would cover the initial review but the bulk of the costs would be covered by the parties making the transaction.
 - Publicize opportunity to purchase or transfer rights
 - Mailing to all WID members – it is anticipated that each WID would send information to its members regarding how to make deposits and withdrawals from the Exchange/Bank. This would be followed up by strategic contacts with the list of water right holders that we identified as likely to not be filing in the adjudication.

III. Drainage/Habitat/Flood

- a. Flood update – Fred reported a side channel near Everson would be constructed this fall providing some increased capacity for the river. An updated design charrette is scheduled for October 11th. Fred noted that the County Flood Fund has fallen below the \$5 million base amount which will require backfilling the fund. This will require cutting current expenses/programs or a flood tax increase.
- b. FEMA update
 - Cooperation with Sumas – SEPA, procurement are being offered by the City.
 - [Project potential cost](#) near \$90m – 5% = \$4,500,000 – very daunting amount for the WID – We are seeking funding assurances from other sources including the County Flood Fund, a Dept. of Commerce grant, and other potential sources
 - Landfill concerns – a new wrinkle is the County’s denial of the use of the Crabtree landfill for spoils based on the threat of asbestos contamination. We had designed our projects to send sediments from Sumas River downstream of the confluence with Swift Creek to go to approved landfills but not all other debris and sediments. We will follow up with the County to see if this decision can be modified. If the County reconsiders a local pit, disposal cost of the project will be reduced substantially.
 - [2022 projects](#) – Kneuman Ditch seems nearly ready, Saar needs increased attention as the project is approved, it just needs the bills to be paid and submitted for reimbursement. Sumas River work looks to be a year away.
 - Easements on all parcels where work will occur will be needed. Henry is working with a title company to see where easements may already exist and will develop an Easement for to take to landowners this winter/spring.
 - WID authority over drainage – ongoing questions over the extent of the WID responsibility for drainage maintenance need to be addressed. Ross will arrange a meeting with federal and state authorities and Bill to solidify an answer to this question.
 - Mitigation – the reality that permits to remove the debris and sediments from the streams will require mitigation to obtain permits from WDFW was addressed. WDFW has agreed to a 25 foot mitigation buffer. Questions were raised about if this was from the center of the stream or the ordinary high water mark. Also questions about if some landowners would not be willing to sign easements to participate in the project with this condition.
- c. Ditch maintenance
 - Osgood Road – HPA –who pays? - it is not clear all the landowners in this area have the same ideas about cleanout. They have fisheries approval for some work but the WID is reluctant to advance work unless there is clear agreement among all the affected property owners.
 - Rock Road – Doug Visser provided sketches of the work and pictures of the “stream” from the past. Keith moved to approve the work on this site to be covered by the Sumas HPA, Al seconded, motion carried unanimously. Henry reminded the board that the appropriate procedure for projects of this nature is to submit a Notice of Activity to the County and WDFW containing a description of the project and planned mitigation PRIOR to actual work. Our HPA allows us to make this work quickly.
 - Trapline and De Waard issues – Brad will continue to follow up.

IV. Water Quality

- a. Monitoring Results – David noted a few chronic problem areas. He also volunteered to take a sample of the spoils that are thought to have asbestos contamination. The board approved him taking these samples to help advance the argument that we need not dispose all the spoils from the Sumas cleanup in the Boardman landfill.

V. Education/Communications

- a. Website – www.sumaswid.com
- b. Legislative Tour – Bill has suggested a targeted tour for key water policy legislators in early October. This would reinforce a clear legislative request being formulated by our legal team.
- c. Broadband discussion – Vincent Buys asked the board if they would have interest in being a project proponent for the expansion of Comcast broadband in much of the WID area. Comcast is looking for a project sponsor for a grant to expand service.

VI. Adjournment/Next Meetings

Brad adjourned the meeting at 2:58. Next meetings are October 11, November 8.

Respectfully submitted by Henry Bierlink, Ag Water Board

Approved by _____