

Laurel Watershed Improvement District

Minutes – January 8, 2024

Attendees

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

Board – Present	Board – Absent with Notice
Mike Boxx Jon Maberry Rich Appel (t) Leroy Plagerman	Eric Sundstrom

Staff and Consultants	
Name	Organization / Affiliation
Gavin Willis	Ag Water Board
Frank Corey	Whatcom Conservation District
Cynthia May (t)	Whatcom Conservation District
Fred Likkel	Whatcom Family Farmers
Jay Chennault (t)	AESI
Sarah Faubion (t)	AESI

Other Guests	
Name	Organization / Affiliation
Shelley Macy	Laurel Grange

Proceedings

Mike called the meeting to order at 10:00 am.

1. Consent Agenda

- a. Agenda was reviewed.
- b. November 13 minutes were reviewed.
- c. Financial reports were reviewed.
- d. Jon moved to approve the consent agenda. Leroy seconded. Motion carried unanimously.

2. Administration

- a. Mike signed the oath of office and per diem waiver. Rich and ^{Eric}Mike were not present in-person to sign, so will sign at the next meeting.
- b. Jon moved to adopt Resolution 2024-01 – Auditing Officer Designation. Leroy seconded. Motion carried unanimously.

3. Ag Water Board / Water Supply

- a. Gavin and Jay provided an update on the draft adjudication claims form that ECY has published. Noted surprise that the small claims form allows for ½ acre of non-commercial irrigation; were expecting an area closer to 1/12 acre. It is unclear at this point what the burden of evidence will be for small use claims.

- i. Discussion followed on whether the WIDs/AWB should protest this point. A board member noted that in the interest of fairness, perhaps farmers should all get a free half acre of irrigation as well.
 - ii. A board member commented that the form should make it more clear whether or not the 500 gallon-per-day limit includes the outdoor irrigation.
 - iii. A board member stated that they were in favor of a single filing form for all water users.
 - 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.

4. Drainage / Habitat / Flood

- a. Fred provided an update on FLIP work. There is frustration behind the scenes from some stakeholders that no projects have started yet.
- b. The Cougar Creek project construction is expected to occur in 2025. It has been delayed a couple of times due to emergency levee repairs.
- 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. Board members indicated that farmers would like some level of certainty that payments will continue beyond the initial contract period. Also noted that planting buffers on small and intermittent streams would likely decrease instream flow levels.
 - iii. 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.
 - iv. Gavin will send out the draft guidelines to board members for an opportunity to provide additional feedback.

5. Water Quality

- a. Cynthia provided a WQ update. Numbers have looked really good for Ten Mile, Four Mile, and Deer Creek.
- b. Portage Bay update – January sampling was cancelled due to severe weather. Two sites in the SW portion of the bay are candidates for re-opening; it remains to be seen how the Department of Health will move forward on that.

6. 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, with a focus on the closing of a local farm.
- c. March 27th has been identified as the likely date for another education event of adjudication. It will be an evening event

7. Other Items

- a. None.

8. Next Meeting

- a. Next meeting is scheduled for February 12th at 10:00 am.

Meeting was adjourned at 11:12 am.

Submitted by Gavin Willis, Ag Water Board

Approved by *Gavin Willis*