

Whatcom County Business & Commerce Committee

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WCBCC June Meeting Minutes (6/17/24)

WCBCC Members Present

Dan Dunne, WCBCC Chair
Debbie Ahl, Healthcare
Ryan Allsop, Other For-Profit
Paul Burrill, Food Processing
Pam Brady, Energy
Clark Campbell, Recreation
Casey Diggs, WCBCC Vice Chair
Mayor Greg Hansen, Small Cities Rep.
Troy Muljat, Other For-Profit

Brad Rader, Agriculture
Sarah Rothenbuhler, Other For-Profit
Tyler Schroeder, Port of Bellingham
CJ Seitz, Higher Education
Heather Steele, Public K-12 Education
Whatcom County Councilmember Mark Stremmer
Russell Tewksbury, Internet Technology
Dana Wilson, Marine Trades

WCBCC Members Absent

Pete Dawson, Commercial Real Estate
Matthew Green, Higher Education
Mayor Kim Lund

Christ Trout, Manufacturing
Whatcom County Executive Satpal Sidhu

Non-Members/Public Present

Ann Beck, Port of Bellingham Commissioner Ken Bell, Ashley Butenschoen, Lance Calloway, Barbara Chase, Sara Chiabai, Sheila Coughlan, Anna Dealy, Andrea Doyle, Jessie Everson, Rob Fix, Peter Frazier, Brady Gustafson, Jenny Hagemann, Pamela Jons, Doug Karlberg, Todd Lagestee, Derek Long, Mayor Scott Korthuis, Erika Lautenbach, Troy Lautenbach, Robin McPherson, Meaera (last name not provided), Guy Occhiogrosso, Kori Olsen, Hannah Ordos, Andrea Ruback, Simon Sefzik, Dan Smith, Lyle Sorenson, Shari Stremmer, Tara Sundin

Call to Order

WCBCC Chair Dan Dunne called the meeting to order at 11:00 a.m.

Approval of Minutes

Clark Campbell moved, seconded by Brad Rader, to adopt the meeting minutes from the April 15, 2024 WCBCC meeting. Motion passed.

Clark Campbell moved, seconded by Ryan Allsop, to adopt the meeting minutes from the May 20, 2024 WCBCC meeting. Motion passed.

WCBCC June Meeting Minutes (cont'd)

Water Adjudication: Perspectives from Ecology, Agriculture and Commercial Fishing

Robin McPherson and Sheila Coughlin (WA State Dept. of Ecology), Brad Rader (Rader Farms), and Doug Karlberg (Commercial Fishermen's Association) provided insights on behalf of government and agriculture + fishing industries relating to water adjudication.

Water Resources Inventory Area 1 (WRIA 1) Adjudication Update (Ecology)

- Legal administrative unit in Whatcom County defined by watershed border - Mt. Baker area south to the south fork of the Nooksack River; Includes part of Skagit County.
- WA State water code, "First in time, first in right" indicates when there is not enough water for everyone on a source, the water user who established use first has seniority.
- Recognized Gap/Areas of Concern:
 - Tribal, state, and federal responsibilities
 - Documents do not reflect water use
 - Unknown permit-exempt wells
 - Uncertainty in change in climate and long-term water availability
 - Lacking regulatory clarity for solutions

Adjudication: Lawsuit filed May 2024 to resolve water management issues; includes public usage input (up to 3,200 persons/entities self-reporting use). Ecology to review results and Whatcom County Superior Court to determine legal uses in priority order.

- During adjudication, it is a use-by-use review process. In a larger settlement process, parties can shape whatever they are interested in and whoever can get to the table, including large and small interest groups, government, stakeholders, and lobby organizations. Settlement and collaboration potential is very flexible.

Engagement/Outreach Goal to Determine Usage: Dept. of Ecology provides affected water users with resources and information to successfully navigate the adjudication process + legally use water in the future. Outreach via mailers, online, presentations, circular ads, trusted community messengers, and resource line.

Key Discussion Points to Address Water Rights and Adjudication Process (verbal recommendations)

- Include cities + PUDs in water adjudication conversations
- Seek resources, including federal money to figure out the river system (consider researching Skagit's water storage system as a model)
- Create a collaborative settlement process, utilizing a model presented by Yakima Basin, which was presented to WCBCC a few years ago, including:
 - Invite stakeholders involved in the Yakima Basin planning to a future WCBCC meeting;
 - Model a similarly collaborative approach, working with multiple stakeholders, including tribes, agriculture, irrigation, and environmental experts;
 - Engage legislature with solutions and request assistance with the process of settlement
- Encourage political leaders to work with experts to assist with facilitating a negotiated solution

WCBCC June Meeting Minutes (cont'd)

Key Discussion Points to Address Water Rights and Adjudication Process (verbal recommendations – cont'd)

- Consider adjudication and employ a market-based approach, enabling fish to potentially transition from the last water right to the first, allowing parties to use a market-based approach of paying other parties for excess senior water rights.

Review/Vote: Letter of Support to Whatcom County Council for Overall Assessment + Four Point Recommendation Related to Childcare Funding

Clark Campbell, WCBCC Childcare sub-committee provided an overview of recommendations within the letter of support to Whatcom County Council, requesting Whatcom County Council and the County Executive's office prompt follow-up to four specific recommendations outlined in the letter from the Child and Family Wellbeing Task Force.

Sarah Rothenbuhler moved, seconded by Ray Tewksbury, to approve the memorandum as written. Motion passed.

Adjournment

With no further business, the meeting adjourned at 12:30 p.m.