

18-298

**Jennifer Schneider**

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**From:** Henry Bierlink <henry@agwaterboard.com>  
**Sent:** Wednesday, October 17, 2018 3:48 PM  
**To:** Rud Browne; Barbara Brenner; Barry Buchanan; Council; Satpal Sidhu; Timothy Ballew; Todd Donovan; Tyler Byrd  
**Cc:** George Boggs; Marty Maberry; Brad Rader; Randy Honcoop; Debbie Vander Veen; Chris Elder; Mark Personius; Tyler Schroeder  
**Subject:** RE: WAter rights and the PDR program  
**Attachments:** CC 101718\_10-17-2018-155501.pdf

Attached is the AWB’s statement on proposed changes to the PDR rating system.

*Henry Bierlink, Director  
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**From:** Rud Browne [mailto:RBrowne@co.whatcom.wa.us]  
**Sent:** Thursday, September 27, 2018 10:29 AM  
**To:** Henry Bierlink <[henry@agwaterboard.com](mailto:henry@agwaterboard.com)>  
**Cc:** George Boggs <[GBoggs@whatcomcd.org](mailto:GBoggs@whatcomcd.org)>; Marty Maberry <[marty@maberrys.com](mailto:marty@maberrys.com)>; Brad Rader <[Bradrader2@gmail.com](mailto:Bradrader2@gmail.com)>; Randy Honcoop <[ranhonfarm@gmail.com](mailto:ranhonfarm@gmail.com)>; Debbie Vander Veen <[veenteam@gmail.com](mailto:veenteam@gmail.com)>; Chris Elder <[CElder@co.whatcom.wa.us](mailto:CElder@co.whatcom.wa.us)>; Mark Personius <[MPersoni@co.whatcom.wa.us](mailto:MPersoni@co.whatcom.wa.us)>; Tyler Schroeder <[Tschroed@co.whatcom.wa.us](mailto:Tschroed@co.whatcom.wa.us)>  
**Subject:** Re: WAter rights and the PDR program

Henry  
I appreciate that we need a comprehensive solution to water rights for farmers and to the degree I can advocate for this from the County Council I will, but as you know much of this is controlled by the State government.

In this instance however I am just trying to ensure our County PDR program is as well designed as it can be. Would the WID’s consider providing a official recommendation in response to my question regarding how we should rank water rights when we evaluate land we are considering using public monies to purchase development rights from.

**Rud**

**Rud Browne**  
Council Chair &  
Councilmember for District One  
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On Sep 26, 2018, at 1:19 PM, Henry Bierlink <[henry@agwaterboard.com](mailto:henry@agwaterboard.com)> wrote:

I would come at this issue from a different perspective Rud. I believe the PDR program should be about protecting the best agricultural land in the county whether it has water at this point or not. In fact, the land with water rights is the least vulnerable as farmers are paying a premium for it. The good land that does not have adequate water rights should be our priority target as it is the most vulnerable to conversion. The owner or buyer is able to place a domestic exempt well(s) on that parcel and not have to worry about water rights. We cannot afford to lose quality land from our ag base because our water laws have not yet caught up to present realities.

My perspective is based on my firm belief that we will develop and implement the tools we need to ensure anyone who wants to irrigate farmland or water stock will have opportunity to get water. This is most likely in the ag zone and areas covered by the WIDs. Maybe a little more shaky in areas outside that nucleus but I'm optimistic we will have tools for good land outside the WIDs as well.

Thanks for your interest in building a quality PDR and Farmland Protection program.

*Henry Bierlink, Director  
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**From:** Rud Browne [mailto:[RBrowne@co.whatcom.wa.us](mailto:RBrowne@co.whatcom.wa.us)]

**Sent:** Tuesday, September 25, 2018 9:21 PM

**To:** Henry Bierlink <[henry@agwaterboard.com](mailto:henry@agwaterboard.com)>; George Boggs <[GBoggs@whatcomcd.org](mailto:GBoggs@whatcomcd.org)>; Marty Maberry <[marty@maberrys.com](mailto:marty@maberrys.com)>; Brad Rader ([Bradrader2@gmail.com](mailto:Bradrader2@gmail.com)) <[Bradrader2@gmail.com](mailto:Bradrader2@gmail.com)>; Randy Honcoop <[ranhonfarm@gmail.com](mailto:ranhonfarm@gmail.com)>; Debbie Vander Veen <[veenteam@gmail.com](mailto:veenteam@gmail.com)>

**Cc:** Chris Elder <[CElder@co.whatcom.wa.us](mailto:CElder@co.whatcom.wa.us)>; Mark Personius <[MPersoni@co.whatcom.wa.us](mailto:MPersoni@co.whatcom.wa.us)>; Tyler Schroeder <[Tschroed@co.whatcom.wa.us](mailto:Tschroed@co.whatcom.wa.us)>

**Subject:** WAtEr rights and the PDR program

Hi,

I need you input to arrive at the right decision. Over the course of the last few years I have frequently raised the question of what is the right "weighting" that we should give to the value of water rights when the County is trying to determine how we should compare parcels and allocate funds as part of our Purchase of Development Rights program.

My position has been that if want to protect our AG land base that we should place a greater emphasis on purchasing the development rights on good AG land that has a water Certificate or Claim that is adequate enough to support intensive farming. Most of the PDR evaluation topics offer between 0-100 points based on measurement of certain criteria.

Most recently I have suggested that we should give up to 300 points to land which has a Certificate, 200 points to land with a documented Claim and zero for land without water rights.

In addition we have been having discussions about whether we should give more points for land that is close to major roads (as Skagit does) or less.

I would appreciate you sharing your thoughts with Chris Elder and myself. I will ask Chris to provide us with a copy of most recent proposed version of the evaluation criteria.

Feel free to share this with people who understand the impact of water rights on AG sustainability and invite them to respond as well.

Thanks

*Rud*

**Rud Browne**

Council Chair &

Councilmember – District One

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AWB Board

Scott Bedlington, Bertrand WID  
Kevin Te Velde, North Lynden WID  
Jeff De Jong, South Lynden WID  
Mike Boxx, Laurel WID  
Marty Maberry, Drayton WID  
Andy Enfield, Sumas WID

October 17, 2018

Whatcom County Council  
[council@co.whatcom.wa.us](mailto:council@co.whatcom.wa.us)

Dear County Council members:

We've been asked to provide a response to a question you have concerning the prioritization process when evaluating potential Purchase of Development Rights in ag lands. Your concern is how to "weight" the presence or absence of water rights on these lands.

The position of the Ag Water Board is that water rights should be a minor consideration in the site evaluation if a factor at all. The overriding factor for this program should be the quality of the land. We believe the revised PDR Program Guidelines reflect that concern. Good ag land, with or without water rights, should be a high priority for protection through this program.

We have been working for decades to resolve our legal water supply issues. Progress has been slow but it has been moving in a positive direction. We have always maintained that we need to protect our ag land base and ensure that farmers have the infrastructure they need to be successful. This includes water supply and drainage. We are working with the State to develop and implement "tools" that will provide all farmers the opportunity to access the water they need.

Reducing the rating that good ag land without water rights has on the PDR rating would work against our goals rather than further them. Farmland without water rights is vulnerable to conversion out of ag. Rural sprawl becomes the likely result. Rather than lowering the rating for these parcels we should both: 1) work to preserve them in ag, and 2) develop the ability to provide them water.

Thank you for asking our opinion on this matter and for your commitment to the PDR program and farmland protection.

Sincerely,

Scott Bedlington, President  
Ag Water Board

cc: Chris Elder [CElder@co.whatcom.wa.us](mailto:CElder@co.whatcom.wa.us)  
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