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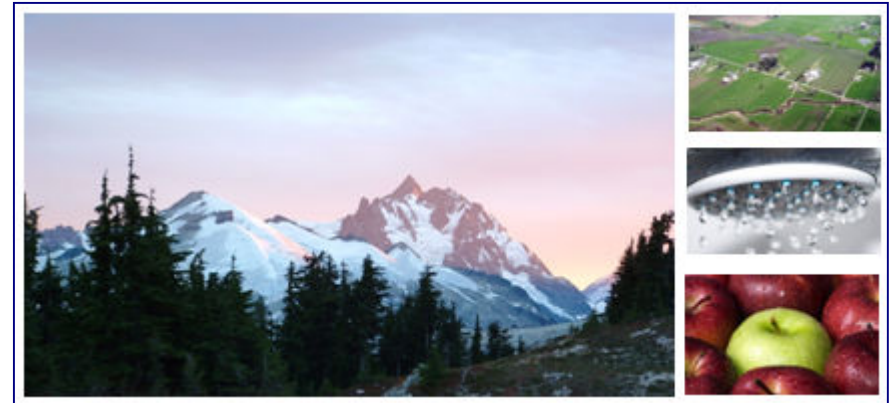
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Whatcom Watersheds Information Network



WASHINGTON STATE UNIVERSITY  
WHATCOM COUNTY EXTENSION

## JANUARY 8 2015

# WHATCOM WATER EXCHANGE?



**Mt. Baker Rotary Building**  
**1751 Front Street**  
**Lynden, WA**

**1:00 p.m. - 5:00 p.m.**  
**(Check in 12:30 - 1:00)**

*Event Sponsors:*

*Ag District Coalition, City of Lynden, Farm Friends, Public Utility District No. 1, Washington Sea Grant, Water System Services, Inc., Whatcom Watersheds Information Network (WWIN), WRIA 1 Watershed Project, WSU-Whatcom County Extension*

## EVENT MODERATOR

### Bill Clarke

*Attorney at Law and Government Affairs*

Bill Clarke is an attorney and lobbyist in Olympia, Washington representing clients in Washington State Legislature, before state agencies and local governments, as well as in environmental and land use permitting and appeals. Bill is a former member and chair of the Washington State Pollution Control Hearings Board and the Shorelines Hearings Board. Representative clients include Washington State Dairy Federation, Washington Public Utility Districts Association, The Trust for Public Land, and Washington REALTORS, among others. Local representative clients include the Ag Coalition District and Watershed Improvement Districts formed throughout Whatcom County.

## GUEST SPEAKERS

### Bob Barwin

*Department of Ecology, Central Regional Office*

Bob Barwin is a professional engineer with over 35 years of experience in the Washington State Department of Ecology's Water Resources and Water Quality programs. He has served in a variety of engineering and management positions. Bob currently leads Ecology's Water Right Acquisition Program and supports water-related policy initiatives including development of water banks and water management rules.

### Adam Gravley

*Partner, Van Ness Feldman LLP*

Adam Gravley is a partner with Van Ness Feldman in Seattle. Adam's legal practice focuses on water rights and resources and infrastructure development. His extensive experience in these areas includes permitting, transfers and transactions, water supply agreements, public water system regulation, and legislation. Adam has assisted business clients in acquiring water supply for industrial projects and commercial developments, project permitting, and agreement negotiation. His representative experience includes serving as legal counsel to the Washington Water Utilities Council and arguing before the Washington State Supreme Court in litigation concerning Washington State's 2003 municipal water law. Local representative clients include the City of Bellingham.

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## PROGRAM SUMMARY

### 12:30 Registration Check-In

#### 1:00 Mayor's Welcome and Executive's Opening Remarks

Mayor Scott Korthuis and Whatcom County Executive Jack Louws

#### 1:10 Why are we having this conversation?

*Presenter- Bill Clarke, Attorney at Law*

- ◆ What is the current legal, regulatory, and permitting environment in Whatcom County for water rights holders and for those who need water rights in the future?
- ◆ What are water exchanges/water banks, where do water banks or exchanges currently exist, and are the applicable to Whatcom County?

#### 1:45 Setting up the Framework for a Water Exchange

*Presenter- Bob Barwin, Department of Ecology*

- ◆ What is the economic driver, and how is it managed or setup?
- ◆ How is the water allocated?
- ◆ What is the legal framework for setting up a water bank?
- ◆ Is there a legislative or regulatory framework that needs to be setup?
- ◆ Who administers a water bank?

#### 2:30 Understanding Washington Water Laws and Other Laws Relevant to Water Exchanges

*Presenter- Adam Gravley, Van Ness Feldman*

- ◆ Washington Water Law, Generally
- ◆ Water Right Transfers
- ◆ Washington's Trust Water Rights Program
- ◆ Municipal Water Law
- ◆ Other Applicable Laws

#### 3:15 What is the Potential for a Local Water Exchange

*Panel- Bob Barwin; Adam Gravley*

- ◆ Who deposits and who withdraws?
- ◆ What are some local examples?
- ◆ What are the legal constraints and can they be overcome?
- ◆ What are the political constraints and can they be overcome?
- ◆ What are the physical or engineering constraints and can they be overcome?

#### 4:45 Continuing the Conversation: Next Steps?