

APPROVED MEETING MINUTES

Cle Elum, Washington
December 5, 2013

The Washington State Conservation Commission (Commission/WSCC) met in regular session on December 5, 2013, in Cle Elum, Washington. Commissioner Peters called the meeting to order at 9:02 a.m.

COMMISSIONERS PRESENT

Jim Peters, Chair
Larry Davis, West Region
Lynn Brown, Central Region
Lynn Bahrych, Member
Clinton O'Keefe, East Region, Vice Chair
Jim Kropf, WSU-Puyallup, Commissioner
George Tuttle, Dept. of Agriculture
Alan Stromberger, WA Association of Conservation Districts (WACD)
Tom Tebb, on behalf of Commissioner Kelly Susewind, Department of Ecology (DOE)

COMMISSION STAFF PRESENT

Mark Clark, Executive Director
Debbie Becker, Financial Services Manager
Ray Ledgerwood, Program Facilitator
Ron Shultz, Policy Director
Bill Eller, Central WA Regional Manager
Lori Gonzalez, Administrative Assistant
Carol Smith, CREP Manager

PARTNERS REPRESENTED AT THIS MEETING:

Roylene Rides-at-the Door, Natural Resources Conservation Service (NRCS)
Dave Vogel, WACD
Linda Carnahan-Anderson, Environmental Protection Agency (EPA)
Rod Hamilton, Farm Service Agency (FSA)

65+ GUESTS ATTENDED:

(Please see sign in sheet **ATTACHMENT A**)

Motion by Commissioner Brown to approve the agenda with the additions of energy landscape update from Harold Crose, NRCS, and an executive session toward the end of the day to discuss the performance of an employee. Seconded by Commissioner O'Keefe. Motion passed.

Consent Agenda

Discussion and corrections made by Commissioner Brown regarding the September 19, 2013 meeting minutes.

Motion by Commissioner Davis to approve the September 19, 2013 meeting minutes as corrected. Commissioner Stromberger seconded. Motion passed.

Energy Program

Harold Crose, NRCS staff, provided an update on the Agricultural Energy Program. They have partnered with various entities to build the tools needed to build the energy audit evaluations. The group is looking into Environmental Quality Incentive Program-(EQIP) in Washington State to see what practices are available to producers for cost share to conserve energy on their farm. Mr. Crose explained there is not enough technical expertise to go out on farms and conduct energy audits. NRCS is conducting a pilot to include conservation districts to become the technical service providers and assist in these efforts. Pilot would be at no cost to the CDs. The CDs will benefit by getting the technical and program knowledge and experience. There are several former NRCS employees who could be brought in to assist in educating the CDs. NRCS will continue to put the platform together.

Ag/Water Quality Discussion

The Northwest Indian Fisheries Commission (NWIFC) submitted letters to the Conservation Commission in September 2013 requesting the Commission to take action to help protect member tribes' treaty rights and help meet water quality standards. They requested the Commission take action at the December meeting. Mr. Shultz, SCC Policy Director, walked through the NWIFC letter and letters accompanying from Director Mark Clark, WSCC, and other federal agencies. The NWIFC letter made several assertions, as well as several requests. One request from NWIFC is to condition Commission funding to districts on the NOAA Fisheries riparian buffer table. The table has been revised several times with various buffer widths. A newly revised copy was provided at the Commission meeting.

Mr. Shultz recommended the Commission take no action at the December meeting to allow the new commission members the opportunity to more fully understand the issues prior to action. This will also allow commission staff to continue to engage with stakeholders, conservation districts and other entities on tribal treaty rights to prepare a response letter.

Public Comment

Chair Peters opened up the discussion for public comment regarding the NWIFC letter. Each guest was allowed three minutes to speak. Written statements were encouraged to be submitted to commission staff for the official record.

Written statements were submitted by: Robin Flem, Columbia Conservation District Supervisor- See ***ATTACHMENT B*** and Monte Marti on behalf of the Puget Sound Caucus of Conservation Districts- See ***ATTACHMENT C***.

Public comment regarding the NWIFC letter was provided by: Craig Nelson, Okanogan CD; Roger Wristen, Cascadia CD; Mike Tobin, No. Yakima CD; Anna Lael, Kittitas CD; Jack Field, Cattlemen's Association; Jennifer Boie, Palouse CD; Robin Flem, Columbia CD; Walt Edelen, Spokane CD; Monti Marti, Snohomish CD on behalf of the Puget Sound District Caucus; Mark Craven, Snohomish CD; Dave Guenther, Klickitat CD; Randy Kelly, Okanogan; John Keatley, Cowlitz CD; Brandy Reed, King CD; Dean Hellie, Stevens Co. CD; Max Prinsen, King CD; Larry Wasserman, Swinomish Indian Tribe; Vic Stokes, owner operator; and John Baugher, Clark, CD. Public comment ended. (***Notes available upon request***)

Commissioners agreed to have the commission staff continue to work with districts and stakeholders for a response letter to the NWIFC. Action may take place at the January meeting in King County. Director Clark asked Mr. Peters how staff can work in the interim with the tribes. The Commission does not want to appear non responsive. Chair Peters requested staff on staff communication between the Commission and NWIFC to ask clarifying questions and proceed from there.

Mr. Shultz mentioned there will be an outreach meeting with all conservation districts to discuss in detail options for Commission consideration. This meeting is scheduled for December 19 in Ellensburg.

Attendance at National Association of Conservation District Annual (NACD) Meeting

Motion by Commissioner Brown to approve the Executive Director, Chair and Vice Chair to attend the NACD Annual Meeting in February. Seconded by Commissioner Bahrych. Motion passed.

Good Governance and Procedure Checklist

Ray Ledgerwood, SCC staff, presented the changes made to the Good Governance Policy and Procedure checklist. In September, Ray asked for the opportunity to reach out to the districts to incorporate their comments. Districts provided and staff included a summary in the meeting packets on how those comments were used.

Motion by Commissioner Brown to accept the staff recommendation to approve the proposed Good Governance Policy, Procedure and Checklist. Commissioner Bahrych seconded. Motion passed.

Conservation District Supervisor Appointment

The Pierce Conservation District currently has a vacancy for appointed supervisor to fill the remaining mid-term of Mr. David Batker who resigned in early December. Commissioner Brown called the applicant and Chair of the Pierce CD board to discuss the application submitted to the Commission.

Motion by Commissioner Brown to appoint Scott Gruber to take the vacant position of David Batker on the Pierce Conservation District board. Commissioner Davis seconded. Motion passed.

Annexation of the City of Orting into Pierce Conservation District

Motion by Commissioner Stromberger to approve the petition for annexation of the incorporated City of Orting into the district boundaries of the Pierce Conservation District, pursuant to RCW 89.08.010(4). Commissioner O’Keefe seconded. Motion passed.

Conservation Easement Policy

Josh Giuntoli, Office of Farmland Preservation (OFP) staff, presented the proposed final policy. Districts were provided the opportunity to submit comments of the proposed policy. Mr. Giuntoli provided a summary of comments received. This policy is to establish the process by which the SCC would seek or hold an interest in real property for the purposes of farmland preservation.

Motion by Commissioner Bahrych to accept the proposed Washington State Conservation Commission Easement Policy 13-24. Commissioner O’Keefe seconded. Motion passed.

Administrative Efficiencies Proviso

Ray Ledgerwood, SCC staff, provided an overview of the Administrative Efficiencies Report that was brought about by a state budget proviso. The report is due to the Legislature by December 10, 2013.

The report includes information on consolidations and administrative efficiencies that have been implemented by the Conservation Districts and Conservation Commission.

Elections Proviso

Ron Shultz, SCC staff, briefed the Commission on the status of the Elections report brought about by a state budget proviso. The Elections report is also due to the Legislature on December. Staff will meet with Representative Hudgens to seek an extension for the report deadline. Meetings will continue with the Elections Workgroup to find different options for elections. The Commissioners agreed to have the draft report sent out for both district and Commissioner comment with a set deadline and use the comments received in developing the final report for submittal to the Legislature.

Non-Shellfish Funding

The subcommittee that was created at the September Commission meeting, based upon the direction of the Commission, presented on the subcommittee ranking and evaluation results along with the current allocation funding provided to conservation districts. There were projects the group identified and had questions which needed further research and guidance. The group provided several options for consideration. In order to move rather quickly, the Commission appointed a group of Commissioners (Bahrych, Brown and Tuttle) to assist staff in moving forward, seek clarification, and provide direction on the questionable projects. The subcommittee will meet and seek further information to get the funds out and projects implemented.

Shellfish Funding

Ron Shultz provided an update on the shellfish funding. \$900k in projects has been approved so far. The challenge has been the conditions on the money and managing the politics around this money and the stakeholders. The projects approved under shellfish were able to exhibit they met the criteria to use the funding. A form was sent out to each district to fill out and identify how the criteria for the funding met the projects they submitted. The committee will continue to work and come back in January.

Nominating Committee

Motion by Commissioner Davis to elect Jim Peters as Chair for another term and Clinton O’Keefe to serve as Vice-Chair of the Conservation Commission. Seconded by Commissioner Stromberger. Motion passed.

The Commission Board went into executive session at 3:10 p.m., consistent with RCW 42.30.110, for the purpose of discussing the performance of an employee. 30 minutes announced. Return at 3:40 p.m.

Returned from executive session at 3:40 p.m. as announced.

Chair Peters adjourned meeting at 3:41 p.m.