



CONSERVATION COMMISSION

MEETING PACKET

MARCH 2014



**WASHINGTON STATE
CONSERVATION COMMISSION REGULAR MEETING**
Best Western Plus Dayton
507 East Main Street
Dayton, WA 99328

PRELIMINARY BUSINESS MEETING AGENDA
Thursday, March 20, 2014

TIME	TAB	ITEM	LEAD	ACTION/INFO
9:00 a.m.		Call to Order <ul style="list-style-type: none">• Additions/Corrections to agenda items	Chair Peters	
15 minutes		Introductions/Tour Discussion	All	
***** PUBLIC COMMENT WILL BE ALLOWED PRIOR TO ACTION ITEMS *****				
5 minutes	1	Consent Agenda <ul style="list-style-type: none">• Approval of the WSCC January 16, 2014 Business Meeting minutes (<i>pgs. 5-27</i>)	Chair Peters	Action
60 minutes	2	Policy/Programs <ul style="list-style-type: none">• Pierce CD Supervisor Appointment (<i>pg. 29</i>)• OFP Easement Sponsorship (<i>pgs. 30-51</i>)• Policy Updates (<i>pgs. 52-88</i>)	Commissioner Larry Davis Josh Giuntoli Ron Shultz	Action Action Information
15 minutes		BREAK		
20 minutes		“Washington Grown” Presentation	Kara Rowe, WA Association of Wheat Growers and Ryan Holterhoff, Potato Commission	
35 minutes	3	District Operations <ul style="list-style-type: none">• Regional Manager Report• District Technical Capacity Group Update (<i>pgs. 90-96</i>)	Ray Ledgerwood/ Larry Brewer Ray Ledgerwood	Information Action
12:00 (30 min)		LUNCH: Please RSVP to the Conservation Commission		

20 minutes		Washington Wildlife Recreation Coalition Presentation	Tom Bugert, Outreach Director	
90 minutes	4	Budget <ul style="list-style-type: none"> • Financial Report (<i>pgs. 98-104</i>) • Legislative Budget • Non Shellfish CD Appeals Update (<i>pgs. 105-113</i>) • Shellfish Funding (<i>pgs. 114-115</i>) • FY15 Operating Allocations • 2015-2017 Budget Development (<i>pgs. 116-118</i>) 	Debbie Becker Ron Shultz Debbie Becker Ron Shultz Mark Clark/Debbie Becker Mark Clark	Information Information Action Information Information Action
10 minutes		BREAK		
45 minutes	5	Commission Operations <ul style="list-style-type: none"> • WACD Resolutions (<i>pgs. 120-147</i>) • SCC Staffing Update • May Commission Planning Meeting 	Mark Clark/ Alan Stromberger Mark Clark Mark Clark	Action Information Information
30 minutes		Partner Reports	All Agency Representatives	Information
4:00 pm		Adjourn	Chair Peters	

NEXT MEETING:

Conservation District Tour **hosted by the Wahkiakum Conservation District** will be on May 13, 2014. The **Conservation Commission Planning Meeting** will be on May 14, 2014, and the **Conservation Commission Regular Business Meeting** will be held on May 15, 2014.

Location: Red Lion Inn Kelso
510 Kelso Drive
Kelso, WA 98626

TAB 1

Washington State Conservation Commission Regular Business Meeting

DRAFT MINUTES

SeaTac, Washington

January 16, 2014

The Washington State Conservation Commission (Commission/WSCC) met in regular session on January 16, 2014, in SeaTac, Washington. Commissioner Peters called the meeting to order at 9:05 a.m.

COMMISSIONERS PRESENT

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

COMMISSION STAFF PRESENT

Mark Clark, Executive Director
Debbie Becker, Admin. & Finance Director
Ray Ledgerwood, Program Facilitator
Ron Shultz, Policy Director
Bill Eller, Central WA Regional Manager
Lori Gonzalez, Administrative Assistant
Carol Smith, CREP Manager
Laura Johnson, Communication & Outreach
Aquila Bernard, Fiscal Analyst

PARTNERS REPRESENTED AT THIS MEETING

Roylene Rides-at-the Door, Natural Resources Conservation Service (NRCS)
Dave Vogel, (WACD)
Tom Eaton, Environmental Protection Agency (EPA)
Steve Landino, (NOAA)

GUESTS ATTENDED

Roger Wristen, Carolyn Kelly, Jeff Rock, Chris Herron, Glen Weatherford, Joe Florek, John Keatley, J. Scott, Walt Edelen, George Boggs, Wendy Pare, Monte Marti, Bill Knutsen, Sherre Copeland, Claire Dykman, Don Hatler.

Consent Agenda

Motion by Commissioner O'Keefe to approve the meeting minutes from December 5, 2013. Seconded by Commissioner Kropf. Motion Passed.

Prior to discussion of the upcoming commission action items listed on the business agenda, Chair Peters opened up the floor for public comment.

Public Comment

Ms. True is a honey farmer in King County who spoke on the Northwest Indian Fisheries Commission (NWIFC) response item listed on the agenda-and speaking in regard to the buffer letter submitted from King County and provided in the January meeting packets. She advised that the commission can request facts and figures from King County, and additional documentation of her comments regarding the King and Whatcom study showing smaller buffers can be effective. Many farmers are already complying with buffer widths according to local ordinance. Concerned about the relationship between the larger buffers and wildlife impacts on food safety. This is a particular concern in Snohomish where they have experienced wildlife impact on crops. Commission should address this incompatibility before acting on the request. The proposed wide buffers seem to be unrealistic given the nature of the farms in the valleys. (**Attachment A**)

John Keatley, speaking for both Cowlitz and Wahkiakum Conservation Districts, and responding to the NWIFC response item. Cowlitz CD has worked with landowners for decades. Mr. Keatley suggested using the Coordinated Resource Management (CRM) process to open it up to all parties. Mr. Keatley distributed and submitted written comments to the Commission (*see Attachment B*) The Commission needs to spend time understanding the economics of the proposal to have mandated or preconditioned buffers. This economic study should include a variety of things. Not only the impacts to the farmers and producers, but also the impacts to the Commission because this could lead to a spiraling downward of landowner involvement in incentive based processes. We would end up with less funding and fewer staff. Second, the voluntary and cooperative efforts are important and need to be maintained-and with more funds. The Voluntary Stewardship Program (VSP) is a good idea and needs an opportunity to be worked on at a watershed scale. Both CDs recommend the Commission to not approve the recommended buffer request.

Joe Florek, Chair, Wahkiakum Conservation District, also spoke on the NWIFC response action agenda item. Mr. Florek shared that he has been on the board of supervisors since 1993, and the district is focused on the middle valley at Skamokawa. They have 80 participation in the watershed in the ag land (referring to map provided) The CD manager has been creative to come up with funding to support projects. This encourages landowner participation. The landowners are concerned about farm ground because of flooding. The district had to adjust the buffer widths to address this concern. The minimum average is about 50 feet.

The commissioners discussed the letter of the proposed buffers and the allegations submitted by the NWIFC. Director Mark Clark recognizes that what has happened with the letter has brought attention of the needed communication between agencies and a look at the NRCS Field Office Technical Guide (FOTG). A further look will be taken at what can be done to incentives and how to get better results. This continues a better evaluation of our programs and how we can improve and get to our common goals. The Governor would like all of us to look at how to make this leaner in regards to communication amongst agencies and partners.

A subcommittee consisting of Commissioners Kelly Susewind, Lynn Bahrych, Larry Davis, and Alan Stromberger was created to assist in crafting a letter and finding an approach to implementing the steps identified. Timeline is to get the subcommittee together as soon as possible to provide a response back in early March.

Commissioner Bahrych moved to adopt the staff recommendations identified in the memo of January 16, 2014, and to direct Commission staff to draft a response letter to the NWIFC that includes these steps identified. Seconded by Commissioner Davis.

Commissioner Brown moved to amend the motion, to include direct responses to the allegations in the subject letter from the NWIFC, including items mentioned in footnotes 1 and 4 and any other direct allegations made in the subject letter. Seconded by Commissioner Stromberger. Motion on amendment passed. Main motion passed as amended.

Commission Member Policy

Commission staff updated the Commission Member Compensation Policy #14-01 to be consistent with RCW. 43.03.250.

Commissioner Davis moved to adopt policy #14-01 Commission member compensation to be consistent with RCW 43.03.250. Seconded by Commissioner Stromberger. Motion passed.

District Technical Capacity Group

James Weatherford provided a review of the concept paper on Conservation District Technical Capacity, emphasizing that the concepts included are to make a good system of technical services even better through training, mentoring, certification and monitoring results. Mr. Weatherford requested that the Commission Members and staff review the paper that is provided in their meeting packets and provide comments to himself, Josh Monaghan, or Joe Holtrop. Mr. Weatherford also requested time on the March Commission meeting agenda to present the concept paper and budget for the capacity building proposed steps.

Election Proviso Report

Ron Shultz provided an update on the Elections Proviso Report. Due to the length of the legislative session, Commission staff was not sure the proviso would appear in the budget until June 30. This reduced the time available to complete the report by its deadline of December 10, 2013. Mr. Shultz provided a draft copy in the commission meeting packets. Mr. Shultz would like to send the report out for district comment and review. Staff will then incorporate comments as appropriate prior to final submittal to the Legislature.

Motion by Commissioner Brown to accept the staff recommendation to transmit the Election Proviso report to the Conservation Districts for their review and comment within 60 days. Seconded by Commissioner Davis. Motion passed.

Pierce Conservation District Supervisor Appointment

An error occurred during the initial advertisement of the vacant position held by incumbent, David Batker. The Commission rescinded the appointment made in December 2013, and asked the Pierce Conservation District to re-advertise the vacancy.

Motion by Commissioner Brown to accept the staff recommendation to rescind the appointment of Scott Gruber to the Pierce CD and re-open the appointed position for notification and reconsideration at the March Commission meeting. Seconded by Commissioner Davis. Motion passed.

Non Shellfish Funding

Information was provided on the amount of funding allocated to districts who submitted their projects into the CPDS system prior to the July 1 pull date. All projects that met the criteria were funded. Commission staff proposed an appeals process for those districts who called and wrote letters stating they had more projects of greater priority in the system. Commissioners agreed to have an appeals committee. They are: Commissioners Larry Davis, Clinton O'Keefe, Alan Stromberger and Jim Kropf.

Motion by Commissioner Davis to create a non-shellfish funding appeal subcommittee to vet appeals of funding denial decisions and bring back recommendations to the March Commission meeting. Commissioner Brown seconded. Motion passed.

Motion by Commissioner O'Keefe to approve the appeals process as follows:

The appeals process will include the following steps:

- Notification to the conservation district by the executive director of why the practice was denied.
- Provide an opportunity for the conservation district to appeal the decision.
- The appeal may be in person or via telephone by a supervisor and staff. The appeal time limit is 10 minutes.
- The subcommittee appealed decisions will be presented to the CC for final action at the March Commission meeting.
- Appeals decisions will be made in writing to the CD after the March Commission meeting.

Any appeal of a practice entered *after* July 1, 2013, must meet the following criteria:

- **Was the practice one the subcommittee reviewed and did not approve?**
- **Is there a subsequent letter to the Commission asking for consideration of the practice?**
- **Appeals of practices entered after July 1, must have approved practices approved within the pre-July 1 criteria to trade.**

All notifications of decision on practices will be mailed by February 1, 2014. The appeals hearing would be held in advance of the March 2014 Commission meeting with a full report provided on March 20, 2014. Commissioner Davis seconded. Motion passed.

WACD Resolutions RE: Budget Development

Commissioner Stromberger, President of the Washington Association of Conservation Districts (WACD) brought forward the WACD resolutions that passed at their annual December meeting. 18 resolutions included the Conservation Commission. Four of those resolutions related to the budget development process which was discussed and the following motions were made:

Motion by Commissioner Brown to work on a way to implement the recommendation of the WACD resolution 2013-08. Commissioner Stromberger seconded. Motion passed.

Motion by Commissioner Davis that the WSCC establish a budget development process that has a clear linkage between the bullets identified within the recommendations of the WACD resolution 2013-15. Seconded by Commissioner Brown. Motion passed.

Motion by Commissioner Brown to pursue the spirit of WACD resolution 2013-16 in the budget and allocation process. Commissioner O'Keefe seconded. Motion passed. Four yes and three nay vote.

Motion by Commissioner O'Keefe to pursue the spirit of the recommendations of WACD Resolution 2013-20. Seconded by Commissioner Brown. Motion passed.

WACD Tribal Outreach Task Force

Commissioner Larry Davis serves as a member of the WACD Tribal Outreach Task Force. The Conservation Commission voted to have Mr. Davis serve as a representative of the Conservation Commission.

Motion by Commissioner Brown to appoint Larry Davis to represent the Commission on the WACD Tribal Outreach Task Force and bring back information to the Commission. Commissioner Stromberger seconded. Motion passed.

Chair Peters adjourned the meeting at 3:36 p.m.

Written comments were submitted for the official minutes

Attachment A: Christie True

Attachment B: Joe Florek and John Keatley, Wahkiakum and Cowlitz Conservation District

Attachment C: Monte Marti, Snohomish Conservation District

Attachment D: Carolyn Kelly, Skagit Conservation District

1/16/14

Washington State Conservation Commission.

I am representing myself.

However, we have been discussing this issue at the King County Agriculture Commission and from my perspective a few things may help:

It is important that we respect tribal rights and tribal livelihood and acknowledge that. The Letter written to the Department of Ecology by the Snoqualmie Forum does a good job of that, in addition to pointing out the high likelihood that the wide buffers will set back the current momentum of ag landowners participating in restoration. You may find it useful in talking with the tribes to note:

- Agricultural landowners have already voluntarily enhanced over 15 miles of riparian river and stream buffers in the Snoqualmie Valley. They have willingly agreed to a width of 40 to 60 ft. on the river, and 20 to 35 ft. on streams. They have received no remuneration. Three landowners involved in this effort did agree to the 150 buffers but these three were enrolled in the Conservation Reserve Enhancement Program (CREP) where they have been paid to implement the large riparian buffer widths of 150 – 180 ft. Other landowners have not been found who will participate at this scale.
- An analysis of the effect of 100 ft. buffers on fish bearing streams and waterways indicates that (approximately) 1830 acres of currently farmed land representing) 13% of the land in the Snoqualmie Agricultural Production District could be taken out of production. And 20% could be taken out over time if we ever got around to planting one hundred and fifty foot buffers.
- Research is being conducted between King County and Whatcom County that indicates small narrow buffers may have a very positive effect on preventing increased temperatures in some locations, in addition to improving protection from predators and suppressing the growth of reed canary grass in channelized streams in agricultural areas that are key for drainage. This would not indicate that large buffers are needed everywhere.
- The Commission could request these analyses *Figures + other.* from the county.
- There is a difference between the issue of discouraging individual landowners from doing voluntary restoration, and the fact that these are resource lands that are preserved for agriculture. That policy issue is being addressed in discussion in each basin now and needs to be specific to the unique farm and fish needs of any location. This one size fits

all is a deterrent to constructive dialogue. Farmers feel no hope with their small sized farms on the west side.

- I am also concerned with the conflict between these buffers, the ^{wild life}pests that live in them and the new emphasis on food safety with our specialty crops. The Commission is going to have to help with that incompatibility before we proceed with forested buffers in all of our preserved agricultural lands.

We attended FFA meetings - tribes are supportive of this process.

I am an environmentalist and a honey grower. I organized my community to by and tend to four lots on the Snoqualmie River to keep them for the river. But this is completely unrealistic and I hope you can provide some leadership.

Sincerely,

Christie True
Director



Cowlitz County Soil and Water Conservation District
2125 8th Avenue - Longview, WA 98632 - Phone (360) 425-1880 - Fax (360) 578-0811

16-2014 JEK
January 8, 2013

Washington State Conservation Commission
Attn: Mark Clark, Executive Director
PO Box 47721
Olympia, WA 98504-7721

Dear Mr. Clark:

Cowlitz and Wahkiakum Conservation Districts have reviewed the letter authored by the Northwest Indian Fisheries Commission dated September 25, 2013 and the Washington Association of Conservation District resolution number 2013-23. We have been following the development and proposed utilization of the Nation Marine Fisheries Service interim buffer guidelines with respect to the Conservation Reserve Enhanced Program and the Salmon Recovery Funding Board. The buffer provisions are "interim" they are "guidelines" and they are being contested by many credible resource professionals and knowledgeable program administrators.

While we appreciate tribal treaty rights, we have reviewed all of the 1850's treaty documents and are appalled at the allegations, accusations, and self-sightedness of the letter as presented. As a sovereign government we encourage the tribes to work government to government to address resource concerns common to all inhabitants of this great nation including shared resources with tribal lands. Unfortunately, many of the 21st century resource concerns cannot simply be resolved to a 19th century conceived condition. We encourage that political agendas at least be grounded with some science.

Our conservation districts formed in the 1940's and both have enjoyed 65 years of assisting our local communities with resolution of their natural resource concerns in a voluntary, cooperative manner consistent with the authorities enumerated in RCW 89.08. We have long attempted to engage a wide range of interests in identifying, understanding, and managing our local resource concerns. This has led our districts from a first-come, first-serve, shotgun approach for resource management to a landscape approach in the form of "Community Watersheds". We trust you will find that the progress activities and accomplishments presented herein demonstrate effectiveness at addressing the broader scale resource concerns including water quality and salmon recovery.

The concept of "conditioned practices" should be a concern to any entity truly vested in resolving natural resource concerns. "Preconditioning" will impair a producer's willingness and ability to participate in programs. Based upon our experience, this will result in fewer landowners installing buffers and more importantly fewer landowners installing non-buffer practices. Does anyone truly believe that this action will promote use of incentive based programs and achieve desired results of improved fish habitat or water quality?

Most of rivers and streams in Cowlitz and Wahkiakum Counties are on the Department of Ecology / Environmental Protection Agency 303(d) water quality impaired list for stream temperature. Many of the listings are suspect at best as they were based on a single spot measurement without any quality assurance / quality control plan; most collected under extreme conditions during the heat of summer. Many samples were obtained at suspect locations such as in a tidewater reach. Limited historical data researched by our districts indicate that diurnal excursions above the state standard may be the norm during summer months in the Northwest. Our conservation districts attempted to proactively get ahead of the purported Total Maximum Daily Load process for stream temperature by conducting a stream temperature monitoring project in local watersheds. This project included deployment of recording thermographs with emphasis on exploring conditions through varying land use within our watersheds. On average, 5 stations were installed within each watershed and air temperature recorded at one location. Thermographs were deployed for 5 consecutive years in attempt to account for annual variability. The goal of the project was to examine the extent and magnitude of a perceived temperature problem and gain an understanding of watershed conditions and processes that may be contributing to a local concern.

In general stream temperature was within state standards as stream flow left the forested portion of the watersheds. When exposed to solar radiation within non-forested portions of the watershed, stream temperature tended to increase. Noticeable differences were observed amongst watersheds with respect to the magnitude of temperature increase and the rate of increase in a downstream direction through the non-forested reaches. Numerous factors contribute to differences observed including width: depth ratio, topography, general flow direction (east-west vs. north-south), potential ground water connectivity, and substrate composition. Diurnal excursions above the state standard were common during the heat of the day (about 4-5 hours per day) in the lower reaches of most watersheds for about a 2 week period typically in late August to early September. Most of the smaller forested tributary streams did not experience excursions above the state standard. In all watersheds, diurnal temperature was brought well below the state standard following the first fall freshet. The first fall freshet typically triggers migration of Fall Chinook into the watersheds. Coho tend to start migrating in after the second or third freshet. The concern for daily excursions above standard is primarily for resident fish and salmonids that elect to rear over in the stream. Cold water refuge in the form of tributary streams, groundwater inputs, and deep pool habitats may be equally, or more important than buffers with respect to salmon recovery strategy. Our data was submitted to the Department of Ecology database system in hopes of increasing the state of our knowledge regarding stream temperature. Unfortunately, the presence of data in the system appears to be simply interpreted as an impaired water body.

Numerous reports at the regional, state, and conservation district document a general trend in simplifying instream habitat. The major factors for declining include loss of large woody debris from direct removal or loss of recruitment. A common practice has been to clear wood from streams and to move and straighten creeks to increase contiguous agriculture ground. Our conservation districts conducted habitat surveys on all of the salmon bearing streams in our district with the expressed purpose of identifying local resource concerns and process concerns within each of our local watersheds. Our knowledge of our local watershed was instrumental in helping to draft the Lower Columbia Salmon Recovery and Fish and Wildlife Plan (LCFRB, 2004).

The intent of the background is to convey the importance of understanding that while natural resource concerns exist at the farm level they cannot be fully resolved at the farm level. The Cowlitz and Wahkiakum Conservation District Boards understand this and in the late 1980's began positioning themselves to work with our cooperators on a more comprehensive basis. Equally important is to

appreciate that each watershed is different, water resources are highly dynamic and fluid (no pun intended) within the drainage, and there are so many interrelated parameters that it is ludicrous to think a one size fits all should be applied equally, everywhere. This does not even begin to take into consideration landowner goals and objectives which primarily encompass economic viability.

We offer a review of our community watershed projects as a demonstration that a voluntary, collaborative approach to resource management can result in improvements to landscape level resource concerns. The focus of the discussion is with respect to riparian buffers. It should be noted that the district attempts to manage resource concerns from a watershed perspective and this effort translates to a total package at the farm level. This management takes into account landowner goals, objectives, and capabilities. The Forest Management Ecosystem Assessment Team (FEMAT, 1993) review of buffer widths and the cumulative effectiveness with respect to riparian functions provides the foundation for most deliberations on buffer widths. A comparison of the NMFS guideline versus what has been accomplished in our projects is provided.

Arkansas Creek Community Watershed

About 30,000 acres lying west of Castle Rock, WA in Cowlitz County, this was one of the first community watershed projects for the Cowlitz Conservation District funded through the Centennial Clean Water Fund Program. Numerous riparian restoration, fish passage, comprehensive nutrient management plans, forest management plans, and road improvement projects were completed during the period of time in which the Conservation District (District) was funded for the project. Forest industry, local government, and private non-industrial landowners were equally engaged in the project. A couple of key large landowners were identified in the agriculture community which participants in the project said would never be reached. As funding dwindled, activity in the watershed dwindled. Recent utilization of salmon recovery funding board funding has renewed interest amongst landowners by demonstrating the ability to effectively implement projects. There are currently two owners that were recently funded for project work through the Salmon Recovery Funding Board. These projects collectively include provisions for about 2 miles of stream to be buffered. The riparian restoration effort includes projects that have been implemented or funded that buffer about 3 miles (a 4th mile being planned) of the 6 miles of agriculture land in the Delameter Creek subbasin, 100% of the agriculture land in the Monahan Creek subbasin, and about 1 mile out of 1.5 miles of non-buffered stream in the Arkansas subbasin. Buffer widths range from about 35 feet to 100 feet with an average of about 50 feet. Just one of (about 2000 feet) these buffers barely meet the NMFS interim stream buffer guideline. This buffer barely meets the guideline because the farm field is barely wide enough to meet the buffer width requirement. This is a Conservation Reserve Enhanced Program buffer installed under the USDA Natural Resource Conservation Service Riparian Forest Buffer Standard. This standard provides enough flexibility fit a buffer to the landscape while meeting landowner goals and objectives. Why would you want to challenge a buffer standard that is getting results on the ground?

Abernathy Creek Riparian Restoration Project

This project was a collaborative effort between the District and Cowlitz County to demonstrate that conservation easements could be secured and riparian restoration implemented in agriculture dominated portions of a watershed. About 2.5 miles of the lower Abernathy Creek watershed was involved in the project downstream of a federal research hatchery with decades of fish return data. Forested riparian buffers were established on all of the non-buffered agriculture land use (about 1 mile of stream or 2 miles of streambank) and riparian buffers improved on forested land use (about 1.5 miles). Created buffers on agriculture land use ranged from 50-100 feet. On average buffer width was about 70 feet, which does not meet the NMFS Interim Guidelines. This initial riparian restoration effort has subsequently resulted in 3 project locations for in-stream habitat restoration. This project resulted

in buffers on all agriculture land that result in an average cumulative effectiveness of about 88% for shading. The NMFS 100 foot buffer is about 95% cumulative effectiveness according to the FEMAT Curve for shading. Mandating the 100 foot buffer would have equated to no buffers in agriculture land use. Exploring weighted values it would have taken 9781 feet of stream bank with a 100 foot buffer width to have a comparable shade equivalence of the 10560 feet of buffer at 70 feet width. The significance of 95% cumulative effectiveness versus 88% should be taken into account when one views buffer from the concept of 2 miles of buffer versus none.

Coweeman River Community Watershed Project

The Coweeman Community Watershed Project has resulted in several cost shared projects with the explicit purpose of addressing water quality (temperature) and salmon recovery in the watershed. The Coweeman River is unique with respect to stream temperature concerns. The legacy of splash damming results in completely different concerns when compared to other watersheds in the area. Efforts to date include correction of 7 fish passage issues providing access to about 10 miles of habitat; implementation of 4 stream restoration projects encompassing about 1.5 miles of mainstem and 1.2 miles of tributary habitat; three projects that create or improve riparian vegetation encompassing about 15 acres of riparian buffer. An invasive weed and riparian restoration project is underway that will treat knotweed on a watershed basis. In areas of dense knotweed riparian vegetation is proposed to reestablish native woody vegetation crowded out by knotweed. Three additional projects are currently funded that will implement instream restoration projects on about 2.5 miles of main stem and .75 mile of tributary habitat including about .75 miles of riparian buffer improvements. Had NMFS guidelines been required none of the riparian buffer projects would have been implemented. Buffer widths ranged from about 40 feet to 110 feet but averaged about 65 feet. In one case the landowner was simply unwilling to buffer the creek much more than 50 feet in all the other sites there simply was not 100 feet of plantable ground adjacent to the stream to afforest / reforest. In this case, a conditioned cost share or condition Salmon Recovery Funding Board project proposal would have resulted in these projects never occurring.

Skamokawa Creek Community Watershed

Wahkiakum Conservation District has been working in the Skamokawa Creek Community Watershed since 2004. This includes West Valley, Middle Valley, and East Valley Skamokawa Creeks. We have assisted 24 landowners with projects that include:

- Fish Passage: 2 culverts replaced with bridges
- Livestock exclusion fence: 23,000 feet of fence.
- Livestock Crossings: Three crossing that compliment livestock exclusion fencing
- Alternative livestock watering facility: 3 facilities plus 3000 feet of pipeline
- Instream Restoration: 9 projects consisting primarily of large woody debris placement to promote habitat diversity / quantity as the short term objective and establishment of forested riparian buffers as the long term objective encompassing 31298 feet of stream (5.9 miles). Project buffers have been implemented mostly through the CREP.
- Forested Riparian Buffer establishment: 3 CREP sites encompassing 15,905 feet (3 miles)
- Dike Modification Project: Historic Skamokawa Creek Project site that includes construction of freshwater intake structure, improved outlet tidegate structure, 2 culvert replacement projects and 12,000 feet of riparian restoration (2.3 miles).

The District has worked with landowners to install forested riparian buffers along 10,252 feet (1.95 miles) of West Valley Skamokawa Creek out of the 29,154 feet of fish bearing stream in agriculture land use (35%). This buffer was installed through the CREP program and meets the NMFS guidelines. The landowner in the West Valley is an absentee landowner that was seeking a means to generate revenue

from the property. The CREP offered an opportunity for resource restoration while realizing the farm some revenue.

The District has worked with landowners to install forested riparian buffers along 27,174 feet (5.15 miles) of Middle Valley Skamokawa out of the 39,665 feet of fish bearing stream in agriculture land use (69%). About 5,598 feet of the buffered 29,154 feet or 19% would meet the NMFS guidelines. The remaining 81% or 23, 614 feet has an average width of about 75 feet which provides about 90% of cumulative effectiveness of the riparian buffer at providing for shade according to the FEMAT curves (FEMAT, 1993). Again the NMFS guidelines of 100 feet provide for about 95% of the cumulative effectiveness for shading according to the FEMAT curves. Twenty-three thousand six hundred and fourteen feet (23,614) at 90% compared to zero (0) at 95% is not difficult math or a difficult concept to understand. Most of the landowners in Middle Valley are still working farms that must remain economically viable. The NMFS buffers would have simply taken away too much of their land base.

The District has worked with landowners to install forested riparian buffers along 9,777 feet (1.85 miles) of East Valley Skamokawa out of the 29,154 feet of fish bearing stream in agriculture land use (35%). About 2500 feet of the buffered 9,777 feet or 25% would meet the NMFS guidelines. The remaining 75% or 7,277 feet has an average width of about 50 feet which provides about 90% of cumulative effectiveness of the riparian buffer at providing for shade according to the FEMAT curves (FEMAT, 1993). Again the NMFS guidelines of 100 feet provide for about 95% of the cumulative effectiveness for shading according to the FEMAT curves. Seven thousand two hundred and seventy seven feet (7,277) at 90% compared to zero (0) at 95%. Again, it is easy to be critical of the argument that we need to condition practices. As with Middle Valley, these are working farms that cannot afford to give up a significant portion of their productive land base. If faced with an either / or mandate (extortion), no forested buffers will be installed.

Cowlitz and Wahkiakum Conservation Districts sees several fallacies with the notion of conditioned practices with the NMFS guidelines. We believe that our community watershed projects convey the ability to gain landowner confidence and participation in projects that address landscape level resource concerns. We further contend that it takes implementation on a watershed scale to make a difference in resource condition. Recent studies indicate that you must get about 70% of the area restored in a watershed to obtain a measureable change in condition with respect to salmon recovery. We have professional staff that is working with landowners in a win-win situation in an attempt to resolve resource concerns. When it comes to buffer widths a prescriptive approach is logically best. This prescription must take into account all variables for it to be effective and realized. One of the first is having a good handle on the resource concern and the processes influencing it within a particular landscape/watershed.

The concept of zero buffers versus considerable length of buffers at a lesser cumulative effectiveness (80% versus 95%) should be a simple concept to embrace. By not factoring in landowner viability into the equation, the loss of cost share assistance programs will likely aid in the loss of farmland to other uses. A staunch conservation supporter used to say, "The worst forestry/agriculture is better than the best development". According to the science, this is a true statement. Will development provide for better water quality and salmon recovery? Will a few buffers scattered around the state at 95% cumulative effectiveness ever equate to several miles of buffer within a single watershed at 70, 80, or 90% cumulative effectiveness.

The Districts' community watershed process is founded on inclusiveness of landowners, agencies, and local governments at defining the local resource concerns and the approach to address these concerns. Our process has typically engaged the field level individuals within the resource agencies because they

are the ones grounded in the science. Short sightedness and an agenda base tend to permeate agencies / entities as one attempts to collaborate at increasingly higher levels within a bureaucracy. We would welcome the opportunity to collaborate with the myriad of entities that have technical or financial resources that could assist in addressing local resource concerns. Unfortunately turf seems to impair common sense and interpretation of sound science.

We have been lobbying for years to either receive some monitoring funding or have state sanctioned monitoring conducted to assess the effectiveness of our efforts. We feel that most of our project watersheds are well suited for monitoring in that they have either have enough practices installed to influence water quality and salmon recovery or they are they have preexisting data (Abernathy fish hatchery) which may be used to assess influence of management activities. Our Districts intend to do what we can as resources allow to assess the effectiveness of our efforts. One goal is to re-assess stream temperature in the Skamokawa, Coweeman, Abernathy, and Arkansas Creek community watersheds once the riparian buffer practices have established and begin influencing stream shade.

Probably of greatest concern is what is exactly meant by conditioned practices. If it implies that to obtain cost share assistance to install gutters and downspouts one must install 100 foot riparian buffers, we are in trouble. Might as well shutdown voluntary conservation now and attempt to get regulations through the courts.

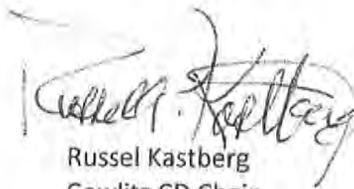
We believe we have demonstrated that district are capable of getting conservation on the ground through a wide variety of venues including Centennial Clean Water Funds, Salmon Recovery Funding Board Funds, Family Forest Fish Passage Program Funds, Washington State Conservation Commission cost share funds, and a range of farm bill cost share programs. Imagine what we could get done if we did not have to spend an inordinate amount of time attempting to assemble and obtain bits and pieces from wide array of funding pots. Imagine if you can, what a conservation district could accomplished if funded adequately. Perhaps all the pettiness could be put aside and the wasted dollars realigned, imagine!

We offer this as a draft in order to meet the Washington State Conservation Commission meeting schedule. The Cowlitz and Wahkiakum Conservation District boards will meet to finalize the draft and intend to present it at the January 16, 2014 meeting. We welcome the opportunity to schedule a field tour with any and all interested in observing the accomplishments we have realized under a voluntary non-conditioned approach.

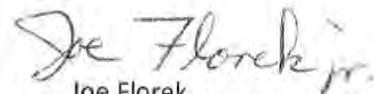
Respectfully,



Darin B. Houpt
District Manager / Forest Hydrologist



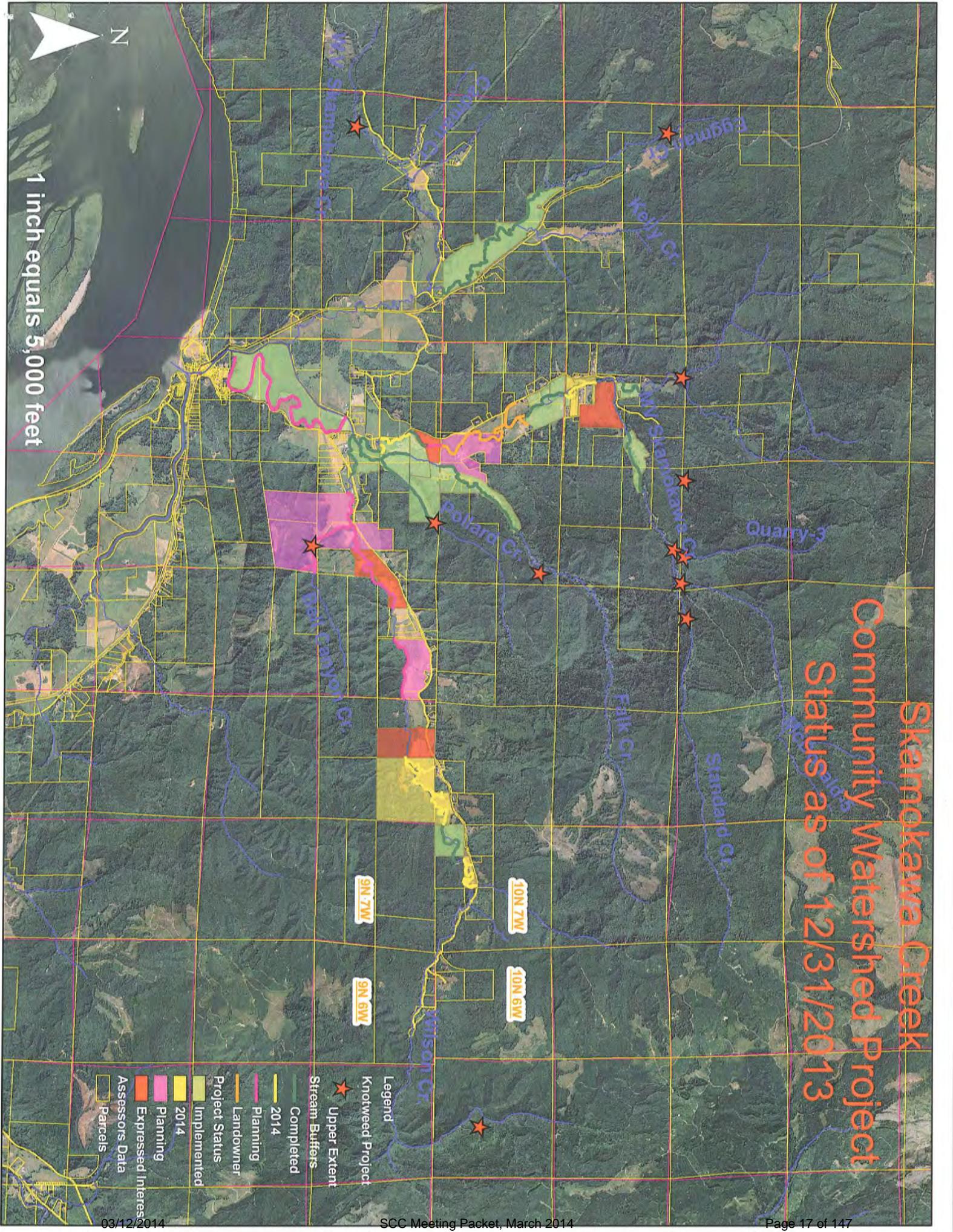
Russel Kastberg
Cowlitz CD Chair



Joe Florek
Wahkiakum CD Chair

Cc: Dave Vogel, Washington Association of Conservation District

Skamokawa Creek Community Watershed Project Status as of 12/31/2013



- Legend**
- ★ Knotweed Project
 - ★ Upper Extent
 - ★ Stream Buffers
 - Completed
 - Planning
 - Landowner
 - Project Status
 - Implemented
 - 2014
 - Planning
 - Expressed Interest
 - Assessors Data
 - Parcels

1 inch equals 5,000 feet

Woods Creek Watershed Comprehensive Restoration Plan
CURRENT 12 YEAR PLAN (50' buffer target; 80% riparian area)
 Priority for Salmon Recovery and TMDL's for fecal and temperature

- * 61 square mile watershed
- * About 300 streamside landowners
- * Not all of the waste storage structures & heavy use areas would be on streamside landowner property

12 Year Restoration Goals/Budget

Goals: Restore riparian habitat along Woods Creek (goal of 80% forested riparian area) and remove from 303(d) list for fecal coliform and temperature.

- 45 acres riparian planting along mainstem (20 complete)
- 30 acres planting along tributaries
- 12,000 feet livestock exclusion fencing
- 100 waste storage structures (based on data from livestock survey)
- 100 heavy use areas (based on data from livestock survey)

Budget Estimate

75 acres planting	\$	750,000	Outreach, management, site prep, planting
	\$	750,000	Maintenance, 3 days/acre x 5 yrs
	\$	26,250	Monitoring
12,000 ft livestock exclusion fencing	\$	72,000	\$6/ft
100 waste storage bins	\$	900,000	\$8,000/structure + \$1,000 staff and design
100 heavy use areas	\$	350,000	\$2,500 ea + \$1,000 staff and design
	\$	120,000	Livestock owner outreach, planning, etc.
	\$	60,000	Adaptive management; working with partners
	\$	120,000	Regulatory compliance, referrals, etc.
Subtotal	\$	3,148,250	
	\$	472,238	Administration and overhead
Total Project Costs	\$	3,620,488	
Funding secured	\$	250,000	
Additional Funding Needed	\$	3,370,488	

Woods Creek Watershed Comprehensive Restoration Plan
POTENTIAL PLAN (100' buffer requirement; 100% riparian area)
 Priority for Salmon Recovery and TMDL's for fecal and temperature

- * 61 square mile watershed
- * About 300 streamside landowners
- * Not all of the waste storage structures and heavy use areas would be on streamside landowner property

15 Year Restoration Goals/Budget (but more likely a 20 year commitment/process, or more)

Goals: **Restore riparian habitat along Woods Creek (goal of 100% forested riparian area) and remove from 303(d) list for fecal coliform and temperature.**
 210 acres riparian planting along mainstem (20 complete)
 60 acres planting along tributaries
 20,000 feet livestock exclusion fencing
 100 waste storage structures (based on data from livestock survey)
 100 heavy use areas (based on data from livestock survey)

Budget Estimate

270 acres planting	\$ 2,700,000	Outreach, management, site prep, planting
	\$ 2,700,000	Maintenance, 3 days/acre x 5 yrs
	\$ 94,500	Monitoring
20,000 ft livestock exclusion fencing	\$ 120,000	\$6/ft
100 waste storage bins	\$ 900,000	\$8,000/structure + \$1,000 staff and design
100 heavy use areas	\$ 350,000	\$2,500 ea + \$1,000 staff and design
	\$ 150,000	Livestock owner outreach, planning, etc.
	\$ 75,000	Adaptive management; working with partners
	\$ 150,000	Regulatory compliance, referrals, etc.
Subtotal	\$ 7,239,500	
	\$ 1,085,925	Administration and overhead
Total Project Costs	\$ 8,325,425	
Funding secured	\$ 250,000	
Additional Funding Needed	\$ 8,075,425	

Current DOE Funding to plant 20 acres

20 acres riparian planting with 50' buffer

3.3 miles one side

1.65 miles both sides

20 acres riparian planting with 100' buffer

1.65 miles one side

.825 miles both sides

As you consider requests to change the basic paradigm of how we do business in providing cost share options to our constituents we would also ask you to consider the following:

- 1) Seek the best fit, not the big easy. 1600 soil types, 240 crops, 6 different ecosystems – two found no where else in the world, the Olympic rainforest and the channeled scablands. Rainfalls ranging from 6 to 160 inches. Folks who farm at elevations from sea level to over 2600 feet. A diversity of species at risk species as well – from salmon to pygmy rabbits to tiny tree frogs. A growing population. A diversity of land uses. And everyone has legitimate goals. Comprehensive conservation planning cannot and should be focused on one resource, one issue, one problem, one stop gap solution. Support us as we handcraft plans one and at time and do not espouse mass production
- 2) Recognize and value the knowledge, skills, and abilities of our conservation experts – our planners, our technicians, our engineers. Those with their boots on the ground. Listen to the elected and appointed conservation district supervisors. Not only do they maintain ties to the land and the landscapes, they speak for thousands throughout the state. Believe them when they say conditioning of cost share money, or any other take it or leave it approach, will not get us where we want to be.
- 3) Help us build programs that promote sustainability. We are working towards long term changes – land uses and behavioral patterns that continue on with those generations that follow in our footsteps. Let us provide opportunities and examples our children and grandchildren will want to, not have to, and follow.
- 4) Remember from whom and where our implementation dollars were generated. Hard earned tax dollars. Mandatory donations from people of all walks of life. Consider the economic impacts across the landscape from any decisions under consideration.
- 5) Provide us the resources we need to enable us to do better. Seek funding so we can perform the monitoring and adaptive management necessary to complete the conservation circle
- 6) Focus on our successes, our achievements, and our progress. Wherever, whenever, there are always detractors, naysayers, negativity. We need to be proactive, not reactive. Our land use woes took over a hundred years to evolve – remedying solutions will not occur over night. Let us move forward together and continue as partners and not as adversaries. Above all that is our strength.

Thank you for your time and the opportunity to comment.

Working toward success in the Samish

The Clean Samish Initiative (CSI) is a multi-agency effort to address fecal coliform pollution in the Samish Basin. We are working to address a decades-long problem. A rain event in April 2008 led to the original shellfish bed closures due to high fecal coliform counts. (Fecal coliform are intestinal bacteria found in warm blooded animals. They serve as indicators of possible disease causing organisms - bacteria, viruses, protozoa.) The problem continues, as during many storm events, freshwaters in the Samish do not meet State Water Quality Standards and has been downgraded to conditionally approved.

The CSI program began in 2009 and includes:

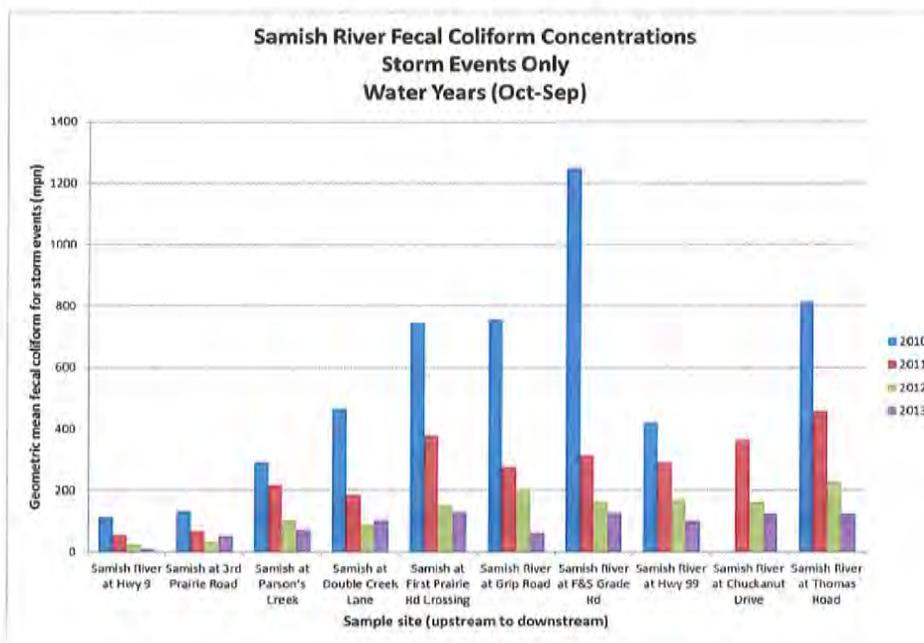
- Over 20 partner organizations (agencies, NGOs, tribes)
- Implementation of a PIC program (Pollution Identification and Correction)
- Utilizing common sense approaches

Activities have included:

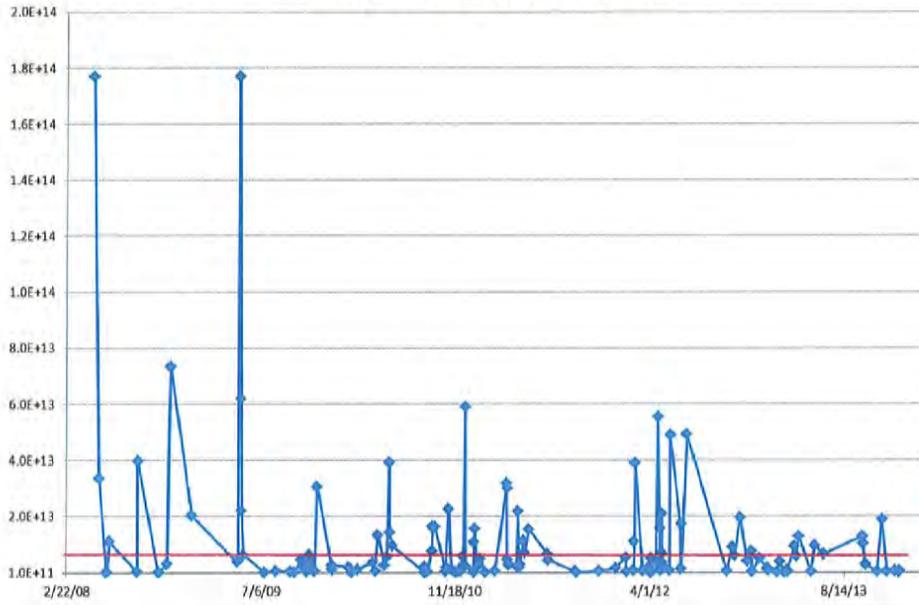
- 16 workshops targeting livestock and horse owners
- 15 workshops targeting general Samish Watershed residents
- 9 events targeting watershed families
- About 100 septic system repairs
- 54 new farm plans written
- Over 100 agricultural BMPs implemented
- 5 new CREP contracts, 6 pending, average buffer with 140 feet

Results:

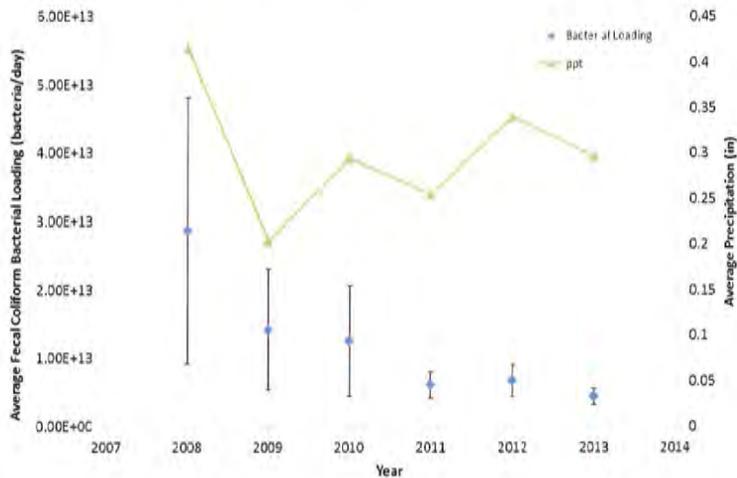
Peak fecal coliform loadings (number of bacteria delivered to Samish Bay) during storm events have decreased 5 to 10 times since 2009.



**Samish River at Thomas Road
Loading (colonies/day)
County-Sampled Rain Events Only**



Critical Period Loading (March-June)



Next steps:

Follow up with landowners to provide adaptive management as necessary

Continued coordination with Skagit County utilizing SCD Volunteer Steam and Storm Teams

News Desk: 360-416-2143 / news@skagitpublishing.com

Samish water quality shows progress



Submitted photo

Skagit Conservation District volunteer Robert Pare of Edison takes a water quality sample from the drainage near the Edison pump station in early 2013. Pare was part of a team of volunteers gathering data on fecal coliform to help identify Samish Bay pollution hot spots.

Bay's fecal pollution down, shellfish closures less frequent

By **RUSSELL HIXSON**
@Russell_SVH

BAY VIEW — Fecal coliform levels still exceed state standards though the gap has shrunk significantly. And while shellfish harvesting closures still occur, they are becoming less frequent, according to statistics from the Clean Samish Initiative.

Representatives from groups that make up the initiative presented an update to the community Tuesday at Padilla Bay National Estuarine Research Reserve on efforts to reduce levels of fecal pollution in area waters.

"We are encouraged by the progress," said Rick Haley, a water quality analyst for the county.

He showed charts and graphs that illustrate how fecal coliform numbers have plummeted since the formation of the initiative.

A spike in fecal coliform pollution was discovered by sampling in 2008, leading to the development of the Clean Samish Initiative in 2009. The pollution can indicate health concerns for those using the bay for recreation or consuming shellfish from it.

While the water quality has greatly improved, it hasn't been easy. A 2010 federal grant for \$900,000 matched by Skagit County helped establish the pollution identification program to find and address sources of fecal pollution.

Members of the initiative have increased septic tank inspections,



2013 file photo

Oysters sit on the beach at low tide at Taylor Shellfish Farm in Bow.

assisted farmers in livestock management and mounted a public education campaign.

More than 70 landowners have received assistance, and 54 farm plans have been developed.

Dozens of pollution correction projects have been completed, thousands of trees installed near river banks and thousands of linear feet of livestock fencing installed.

These efforts have decreased fecal coliform delivered into Samish Bay by up to 10 times, Haley said.

If there is no more than one closing due to high fecal coliform levels between March 1 and June 30, the state Department of Health will upgrade the bay, meaning fewer precautionary shellfish harvest closings, Haley said.

While initiative participants

think efforts are helping to move pollution levels in the right direction, Haley said members need to stay on top of the issue to keep the momentum.

"Pollution sources move around," he said, noting the need to continue sampling and working toward solutions.

One commenter illustrated this point. She said she had to hire a trapper to rid her property of beavers that fell trees near the water. She was advised that the initiative can help with those costs.

Haley encouraged residents to keep up with septic tank inspections, pick up pet waste and manage livestock responsibly to limit fecal contamination.

Taylor Shellfish Farms representative Bill Dewey took the opportunity to thank the community for its efforts in decreasing fecal pollution.

"I want to give a heartfelt thank you," he said. "We know this is a hardship."

Shellfish harvest closures hit Taylor Shellfish 40 to 60 days each year, Dewey said.

Haley attributed the success to landowners and residents working with the initiative.

"Everything that's gotten done has been done by the landowners themselves," he said. "It's the people who are doing the work. On behalf of all Clean Samish partners we are grateful for those who have stepped up and done the right thing."

TAB 2



Washington State Conservation Commission

March 20, 2014

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Lori Gonzalez, Administrative Assistant

RE: Mid-term appointment for Pierce Conservation District Supervisor

Summary: The Conservation Commission has received two applications for the vacant appointed supervisor position to serve on the Pierce Conservation District Board of Supervisors. This appointment will carry out the remainder of the incumbent, Mr. David Batker's term to May 2016.

These two applications have been vetted by the Department of Ecology, Department of Agriculture, Area Commission Representative, and the Chair of the conservation district.

Action Requested: Approval by the Commission to appoint the applicant as recommended by the Commission Area Representative, to the Pierce Conservation District.

District	Applicant	Incumbent	Area Commission Representative
Pierce	1. Robert J. Hill 2. Scott Gruber	David Batker	Commissioner Larry Davis, Western Region

March 4, 2014

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Ron Shultz, Policy Director
Josh Giuntoli, Office of Farmland Preservation

SUBJECT: Agricultural Conservation Easement Sponsorship – EKCD Kelley

Summary: The Conservation Commission has received a request from the Eastern Klickitat Conservation District to sponsor an application to the Washington Wildlife and Recreation Program Farmland Preservation category for protection of 6,287 acres of a viable livestock operation in Klickitat County.

This MEMO is presented to the State Conservation Commission for review and comment.

Action Requested: Seeking Commission comment prior to Executive Director action.

Staff Contacts: Josh Giuntoli (360) 407-7474 jgiuntoli@scc.wa.gov

Attachments:

- Project area photos
- Map of project area and adjacent area

Description

The Eastern Klickitat Conservation District (EKCD) has submitted to the Office of Farmland Preservation a request for sponsorship worksheet seeking SCC sponsorship of a grant to the Washington Wildlife and Recreation Program Farmland Preservation Category. The purpose of this project is preserving in perpetuity the agricultural conservation easement values of the Kelley property.

The goal of the project is protection of 6,287 acres of a viable large acreage rangeland grazing operation in Klickitat County through the use of an agricultural conservation easement. The easement will protect in perpetuity the properties agricultural values. Protecting this property will have the dual benefit of protecting nearly the entire Chapman Creek Watershed contributing to improved water quality and habitat protection.

Staff with the Office of Farmland Preservation have reviewed the easement worksheet and evaluated the project on the four SCC farmland priorities: farm viability,

March 4, 2014

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Ron Shultz, Policy Director
Josh Giuntoli, Office of Farmland Preservation

SUBJECT: Agricultural Conservation Easement Sponsorship – EKCD Imrie

Summary: The Conservation Commission has received a request from the Eastern Klickitat Conservation District to sponsor an application to the Washington Wildlife and Recreation Program Farmland Preservation category for protection of 13,400 acres of a viable livestock operation in Klickitat County.

This MEMO is presented to the State Conservation Commission for review and comment.

Action Requested: Seeking Commission comment prior to Executive Director action.

Staff Contacts: Josh Giuntoli (360) 407-7474 jgiuntoli@scc.wa.gov

Attachments:

- Project area photos
- Map of project area and adjacent area

Description

The Eastern Klickitat Conservation District (EKCD) has submitted to the Office of Farmland Preservation a request for sponsorship worksheet seeking SCC sponsorship of a grant to the Washington Wildlife and Recreation Program Farmland Preservation Category. The purpose of this project is preserving in perpetuity the agricultural conservation easement values of the Imrie property.

The goal of the project is protection of 13,400 acres of a viable large acreage rangeland grazing operation in Klickitat County through the use of an agricultural conservation easement. The easement will protect in perpetuity the properties agricultural values. Protecting this property will have the dual benefit of protecting key habitat and identified species of concern in the Rock Creek Watershed.

Staff with the Office of Farmland Preservation have reviewed the easement worksheet and evaluated the project on the four SCC farmland priorities: farm viability, development pressures, environmental benefits, and fit of the farm to the geographic region.

After reviewing the worksheet, meeting directly with the Board, communicating directly with the landowner, and discussing the project with other state agencies, the Office of Farmland Preservation recommends this project be considered for funding in the 2014 funding cycle and that SCC partner together with EKCD to protect this property in perpetuity.

Project Background

Acres - 13,400 (12,400 upland, 1,000 riparian)

Estimated Project Cost - \$3.8 million (Recently appraised at \$7.6m, assuming a 50% reduction)

Legislative District – 14

Partner – Eastern Klickitat Conservation District

The EKCD Board of Supervisors (Board) has made a determination to co-hold in perpetuity an agricultural conservation easement on the described project. The Board has made farmland preservation in the project area their number one priority in the district long range plan.

Landowner Interest – Mr. and Mrs. Roscoe Imrie are interested EKCD constituents

Evaluation

Mr. and Mrs. Roscoe Imrie are landowners in the Eastern Klickitat Conservation District Service area. The Imrie's have operated as a livestock operation in the Rock Creek Watershed for 50 years. They currently own and manage 13,400 acres, covered under a Grazing Management Plan developed by NRCS.

Wishing to retire, he has leased the property and sold his cattle to his neighbor who will continue the tradition. They recognize the value of preserving in perpetuity this keystone rangeland operation for future generations.

The Imrie's have participated in past conservation projects with EKCD and have indicated a willingness to allow for EKCD to continue pursuing projects to enhance water quality and fish habitat.

Farm Viability - The land is very well suited to the type of livestock operation common in the semi arid portion of Klickitat County. Preserving this farm is expected to yield an annual economic input of over \$375,000 to Klickitat County. The landowner also receives revenues during the non cattle periods through hunting access fees. This is a recognized diversification of farmland properties that can keep farms intact and provide alternative incomes. The property area also is identified as a key location for wind mitigation efforts in response to wind development in the Columbia River area.

The property contains the necessary infrastructure to support a viable cattle operation including spring development, off site watering, fencing, holding areas, scale and scope of size, and excellent access to roads.

Development Pressures – While not near a dense population core, the property is at risk to convert to non-agricultural values. Despite the rural nature, the property includes Rural Residential 2 zoning which allows for 2 acre parcels to be developed. Development has taken place in the adjacent area. This development contributes to the fragmentation of parcels, further limiting viable continued agricultural uses. To the east of the project area is contiguous grazing lands in other ownership. This property is contiguous with the 6,287 acre Kelley Easement also proposed for WWRP FPP in 2014 by the same sponsors/partners. The Bickleton Highway transects the project area contributing to easy access and denser zoning capacities to the west and south west of the project area. To the south is Yakama Nation trust lands. This is a key piece to protect the overall watershed from further development and fragmentation.

Environmental Benefits – The project area provides significant benefits to the environment. Key resource concerns in this watershed include water quality and habitat availability. This property includes a significant portion of the Rock Creek watershed, with 5.7 miles of Rock Creek included in the project area, as well as 4.4 miles of Squaw Creek and 0.5 miles of Luna Gulch, all of which are critical to salmonid spawning and rearing. The managed upland and riparian areas benefit many habitat and wildlife values including ESA listed steelhead, Chinook, western gray squirrels, Lewis's and white-headed woodpeckers, mule and black tail deer, black-tailed jack rabbit, burrowing owl, flamulated owl, golden eagles, western toad, white oak, shrub-steppe, and white alder. The property also provides valuable upper watershed protection, vistas, and hunting/recreational opportunities all of which have economic benefits for the local community and Klickitat County.

This property is contiguous with the 6,287 acre Kelley Easement also proposed for WWRP FPP in 2014 by the same sponsors/partners.

Fit of Farm to Geographic Region - Eastern Klickitat is predominantly livestock grazing with a diverse climate which contributes to excellent forage and capacity. The land is well managed which benefits a healthy livestock operation as well as a healthy environment. Grazing is a tradition in this area with younger operators interested in expanding their presence in the market. The property's significant environmental considerations are key contributors to the Rock Creek Watershed health.

This property is contiguous with the 6,287 acre Kelley Easement also proposed for WWRP FPP in 2014 by the same sponsors/partners.

Recommendation

The Office of Farmland Preservation recommends to the Executive Director of the State Conservation Commission that we partner with EKCD on a grant request to the Washington Wildlife and Recreation Program Farmland Preservation category for protection of this key 13,400 acre livestock operation in Klickitat County, Washington.



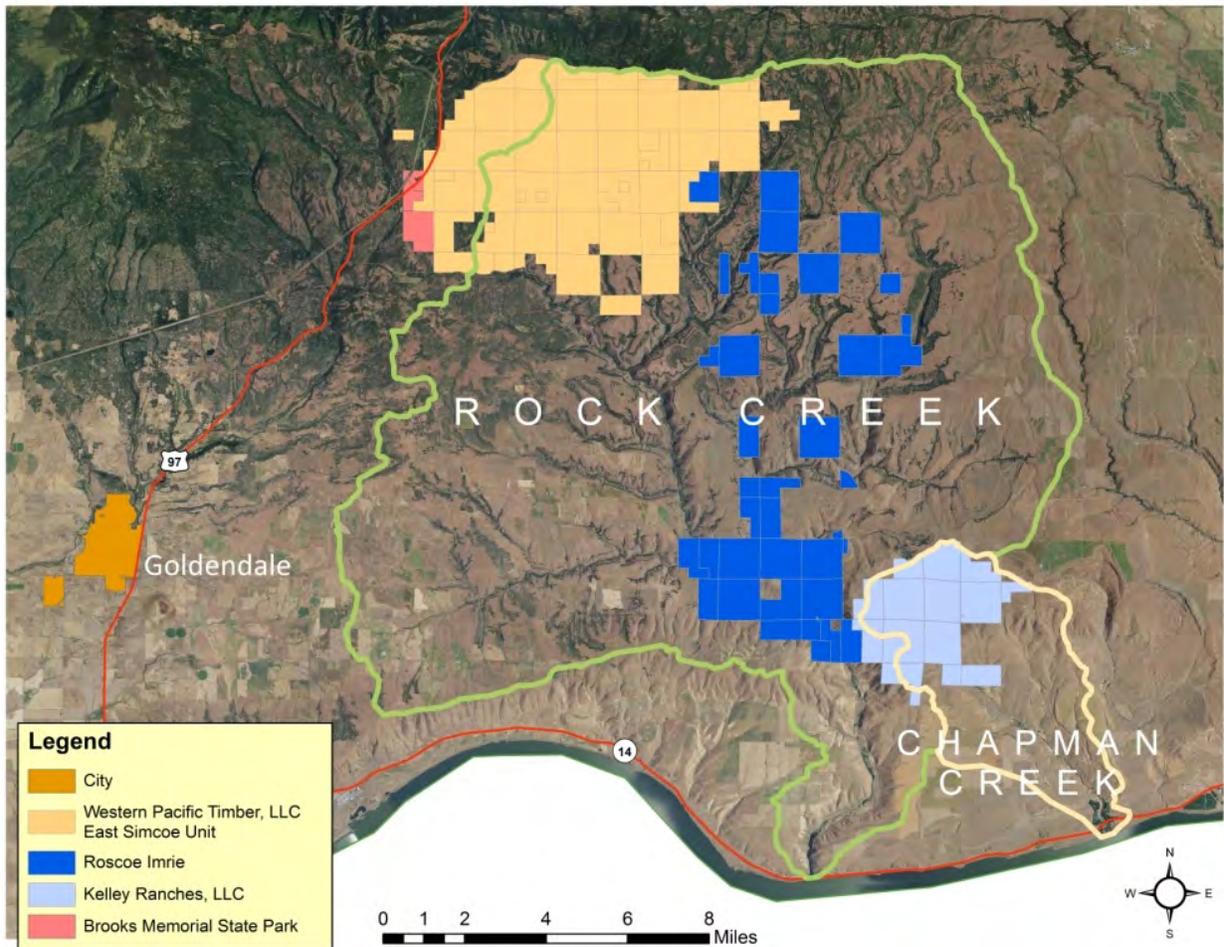
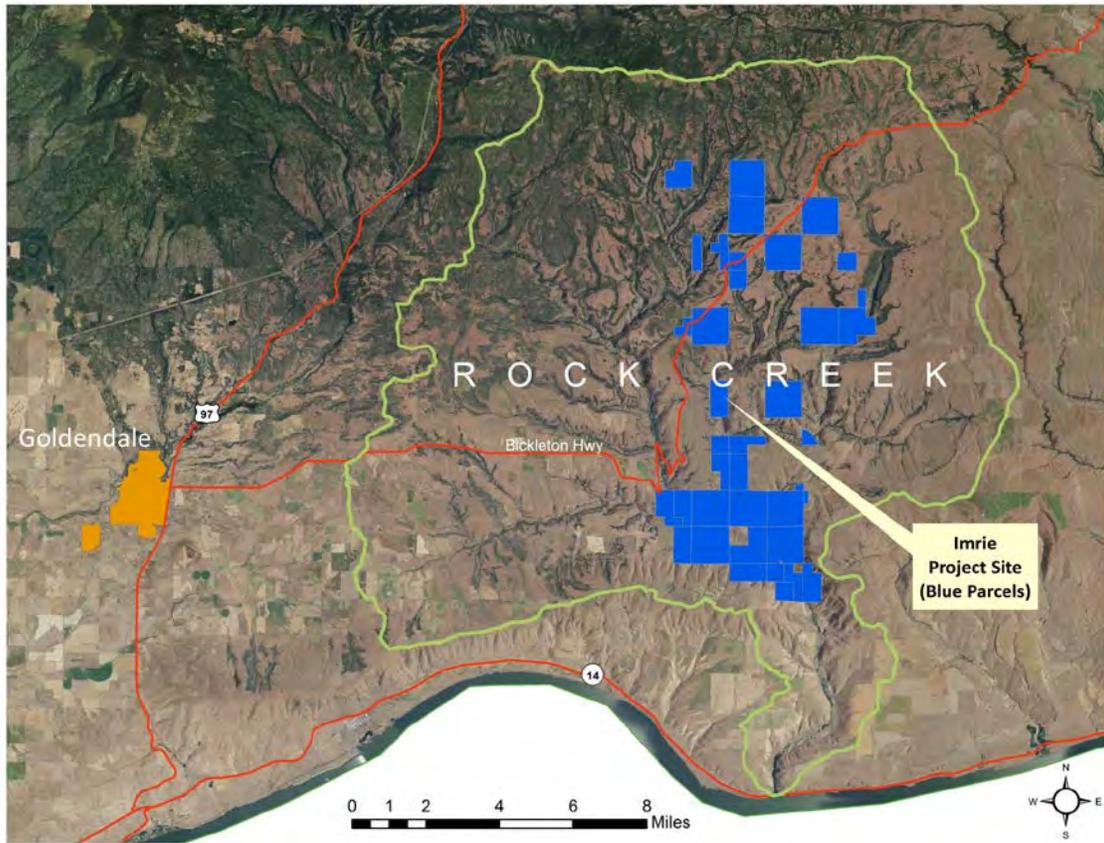
Imrie Property, Rock Creek Watershed



Imrie Property, Rock Creek



Looking north into Rock Creek Watershed



development pressures, environmental benefits, and fit of the farm to the geographic region.

After reviewing the worksheet, meeting directly with the Board, communicating directly with the landowner, and discussing the project with other state agencies, the Office of Farmland Preservation recommends this project be considered for funding in the 2014 funding cycle and that SCC partner together with EKCD to protect this property in perpetuity.

Project Background

Acres – 6,287 acres

Estimated Project Cost - Awaiting final determination

Legislative District – 14

Partner – Eastern Klickitat Conservation District

The EKCD Board of Supervisors (Board) has made a determination to co-hold in perpetuity an agricultural conservation easement on the described project. The Board has made farmland preservation in the project area the number one priority in the district long range plan.

Landowner Interest – Mr. and Mrs. Mike Kelley are interested EKCD constituents

Evaluation

Mr. and Mrs. Mike Kelley are cattle ranchers in the Eastern Klickitat Conservation District Service area. Mr. Kelley took over the operation from his father in the late 1960's. It is now a successful cattle operation with managed grazing and is managed for habitat as well as livestock.

They currently own 6,287 acres covered under a Grazing Management Plan developed by NRCS.

The Kelley's recognize the value of preserving in perpetuity this keystone rangeland operation for future generations.

The Kelley's have participated in past conservation projects with EKCD and have indicated a willingness to allow for EKCD to continue pursuing projects to enhance conservation values.

Farm Viability - The land is very well suited to the type of livestock operation common in the semi arid portion of Klickitat County. The Property contains several features that make it valuable farmland. These features include open forested uplands suitable for grazing, improved springs for livestock utilization, offsite watering, fencing to create pastures for necessary management, scale and scope of property size, topographic features, and a diversity of grass species and forbs.

Preserving this farm is expected to yield an annual economic input of over \$275,000 to Klickitat County. The landowner also receives revenues through the production of

commercial wind power. This is a recognized diversification of farmland properties that can keep farms intact and provide alternative incomes.

Development Pressures – While not near a dense population core, the property is at risk to convert to non-agricultural values. Despite the rural nature, 75% of the farm is zoned Rural Residential 2 (RR2) which allows for 2 acre parcels to be developed. The north 1,842 acres are zoned extensive agriculture, which allows for minimum 20 acre parcels to be developed. The lower 4,445 acres are zoned RR2. Extensive agriculture is to the north and northeast, RR2 on the west, east and south.

Environmental Benefits – The project area provides significant benefits to the environment. Key resource concerns in this watershed include water quality and habitat availability. This property includes 6.7 miles of Chapman Creek and nearly the entire upper Chapman Creek watershed and a portion of the Rock Creek Watershed providing water quality protections. WDFW has identified several areas of habitat for endangered or threatened species on this and the adjacent property. It supports a variety of state, federal and candidate listed species. In the Rock Creek portion, it supports Priority Habitats and Species (PHS) including steelhead, and chinook. The Chapman Creek portion includes western gray squirrels, Lewis's and white-headed woodpeckers, mule and black tailed deer, black-tailed jack rabbit, burrowing owl, flammulated owl, golden eagles, western toad, white oak, riparian, shrub-steppe, white alder, etc.

This property is contiguous with the 13,400 acre Imrie Easement also proposed for WWRP FPP in 2014 by the same sponsors/partners.

Fit of Farm to Geographic Region - Eastern Klickitat is predominantly livestock grazing with a diverse climate which contributes to excellent forage and capacity. The land is well managed which benefits a healthy livestock operation as well as a healthy environment. Grazing is a tradition in this area with younger operators interested in expanding their presence in the market. The property's significant environmental considerations are key contributors to the Chapman Creek Watershed health.

This property is contiguous with the 13,400 acre Imrie Easement also proposed for WWRP FPP in 2014 by the same sponsors/partners.

Recommendation

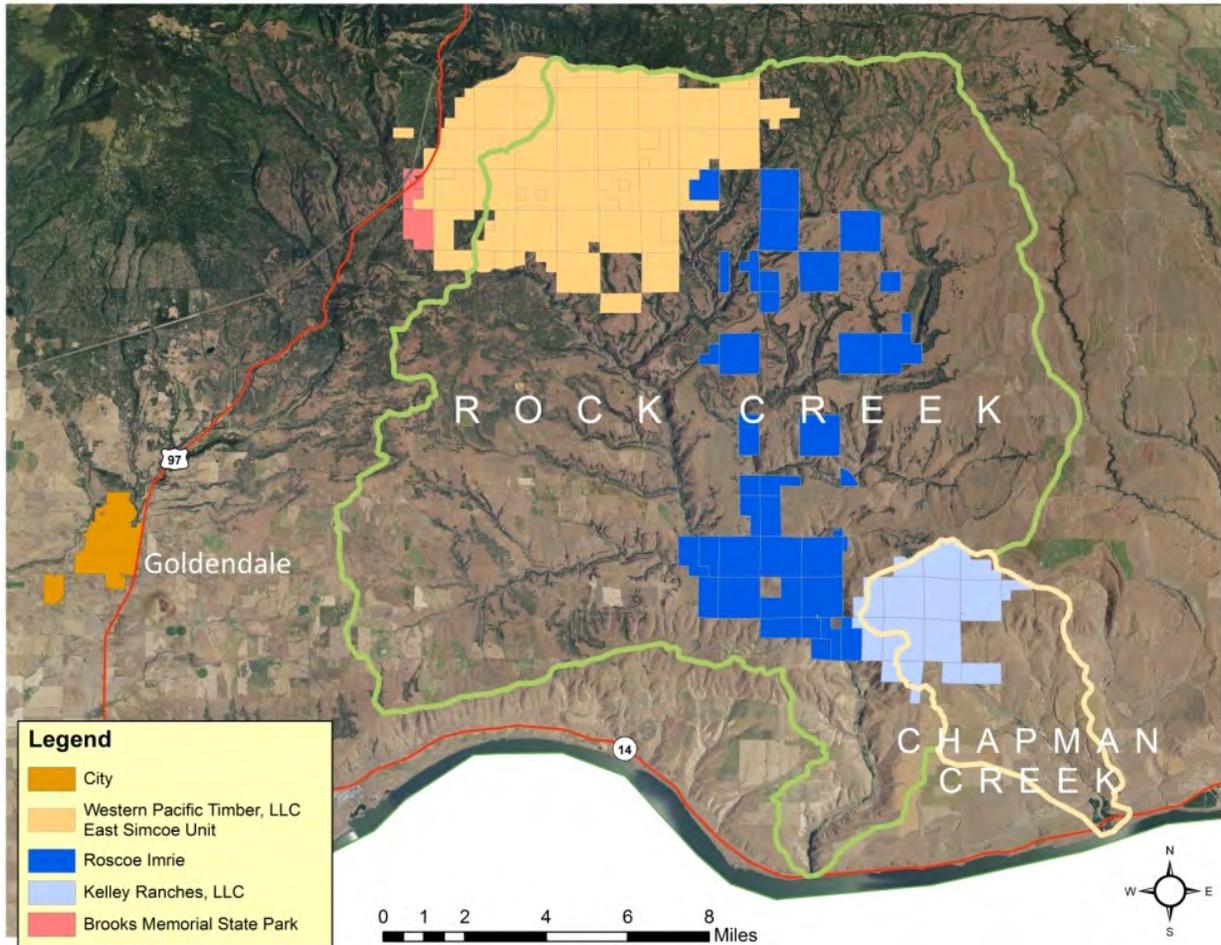
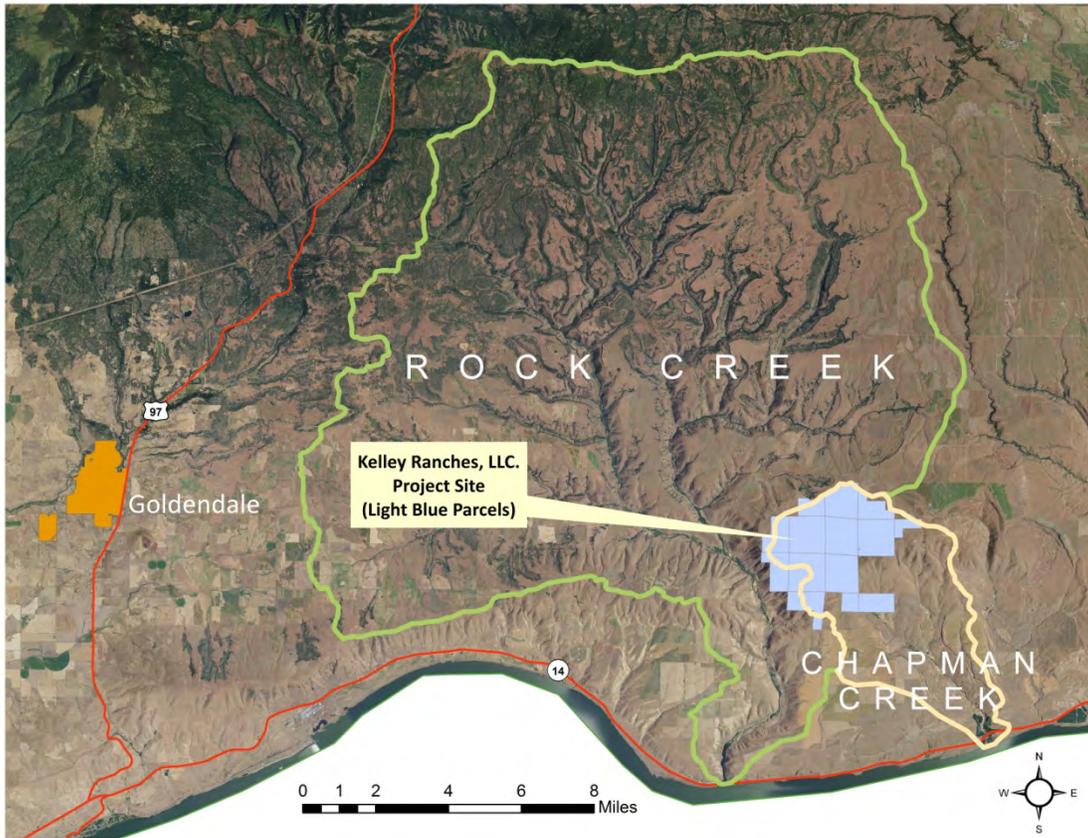
The Office of Farmland Preservation recommends to the Executive Director of the State Conservation Commission that we partner with EKCD on a grant request to the Washington Wildlife and Recreation Program Farmland Preservation category for protection of this key 6,287 acre livestock operation in Klickitat County, Washington.



Looking North into Chapman Creek Watershed



Chapman Creek (l) and entrance to Kelley Ranch (R)



March 7, 2014

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Ron Shultz, Policy Director
Josh Giuntoli, Office of Farmland Preservation

SUBJECT: Agricultural Conservation Easement Sponsorship – NYCD Stevenson

Summary: The Conservation Commission has received a request from the North Yakima Conservation District to sponsor an application to the Washington Wildlife and Recreation Program Farmland Preservation category for protection of 91.82 acres of irrigated cropland in Yakima County.

This MEMO is presented to the State Conservation Commission for review and comment.

Action Requested: Seeking Commission comment prior to Executive Director action.

Staff Contacts: Josh Giuntoli (360) 407-7474 jgiuntoli@scc.wa.gov

Attachments:

- Project area photos
- Map of project area and adjacent area

Description

The North Yakima Conservation District has submitted to the Office of Farmland Preservation a request for sponsorship worksheet seeking SCC sponsorship of a grant to the Washington Wildlife and Recreation Program Farmland Preservation Category. The purpose of this project is preserving in perpetuity the agricultural conservation easement values of the Stevenson property.

The goal of the project is protection of 91.82 acres of irrigated farmland in Yakima County through the use of an agricultural conservation easement. This project is contiguous to the 370 acre Lust Farm & Ranch Preservation Project, also proposed to SCC for sponsorship. Combined, these two projects would protect nearly 500 contiguous acres in the Cowiche Valley.

This project is very accessible to the City of Yakima and the communities of Cowiche and Tieton. Combined, these two projects represent a large portion of the Cowiche Valley and Cowiche Creek which intersects both project areas. Protecting this property

will have the dual benefit of protecting these viable farm operations from fragmentation and protecting listed steelhead and bull trout in Cowiche Creek.

Staff with the Office of Farmland Preservation has reviewed the easement worksheet, toured the subject property and evaluated the project on the four SCC farmland priorities: farm viability, development pressures, environmental benefits, and fit of the farm to the geographic region.

After reviewing the worksheet and touring the project area, the Office of Farmland Preservation recommends this project be considered for funding in the 2014 funding cycle and that SCC partner together with NYCD to protect this property in perpetuity.

Project Background

Acres – 91.82 acres

Estimated Project Cost - Awaiting final determination

Legislative District – 14

Partner – North Yakima Conservation District

The NYCD Board of Supervisors (Board) are scheduled to make a final determination to co-hold in perpetuity an agricultural conservation easement on the described project at their March board meeting.

Landowner Interest – Mr. and Mrs. Eugene Stevenson are interested NYCD constituents

Evaluation

Mr. and Mrs. Stevenson are the current landowners who wish to retire the development rights and preserve the land for future agricultural availability. Selling the development rights is a strategy to provide for retirement and ensure continued agricultural production. The family intends to maintain ownership through a trust which will provide long-term income to family heirs through farm rental.

The land was some of the first settled and irrigated land in the upper Yakima area. While the current owners have not farmed the property for several years, it has had a long term lease due to its desirable attributes for the local farming community. The soils are excellent and produce high quality forage with four cuttings of high value hay annually.

The property is situated adjacent to a highly trafficked main arterial linking the City of Yakima with the agricultural communities of Cowiche and Tieton. The surrounding area includes a mix of intensive agriculture and new home construction. New homes are being constructed on surrounding view lots with smaller acreages being converted from irrigated agriculture to homes and hobby farms.

Farm Viability - The land is very well suited to the type of cropping operation common in this irrigated portion of Yakima County. The Property contains several features that make it valuable farmland. These features include a valid senior water right from the Tieton River, the necessary water conveyance infrastructure, excellent access to main

transportation corridors, and proximity to other similarly irrigated pasture, orchards and berry operations.

The water right was recently issued and confirmed by the Department of Ecology as a result of trusting the farms original "senior" water right from Cowiche Creek to the States Water Trust Program to benefit the high priority Salmon recovery efforts within the Cowiche Watershed (364 ac-ft or approximately 1.89 cfs).

In the 2011 Yakima County farmland preservation technical assistance grant final report submitted to OFP, the four most important attributes of farmland in Yakima County identified by surveyed farmers included soil type, geography, neighboring uses, and availability of irrigation. This project area includes highly rated soils, level ground for crops, located in an agricultural area, and secure irrigation rights.

Protection of this property, along with the neighboring Lust Family Farm, will ensure this area will not see the agricultural characteristics diminished or lessened. The scope and scale of the project area is consistent with the necessary land base to have a viable irrigated operation.

Development Pressures – The property is zoned "agriculture" which is a one house per 40 acres type zoning with several caveats. However, several parcels of the farm abut "Valley Rural" zoning which allows one home in 10 acres and could be "petitioned" in due to the zoning criteria of that designation.

In the 2011 Yakima County farmland preservation technical assistance grant final report submitted to OFP, fragmentation of farmland was seen as the largest threat to farmland in the county. The median size farm in Yakima County declined from 24 acres in 2002 to 20 acres in 2007. The decrease in median size is in direct relation to a higher number of small lots created within the agricultural zone.

Immediately surrounding the project area are new homes being constructed on view lots with smaller acreages being converted from irrigated agriculture to homes and hobby farms. The accessibility to the surrounding communities makes this property highly desirable with the character of the area transitioning towards hobby farms.

A recent look at Yakima County hearing examiner petitions revealed short plat subdivision applications on land zoned Agriculture and non agricultural use applications for activities on land zoned Agriculture.

Protection of this property, along with the neighboring Lust Family Farm, will ensure this area will not see the agricultural characteristics diminished or lessened. Protection will also build an agricultural buffer between rural residential and intensive agriculture.

Environmental Benefits – The project area provides significant benefits to the environment. The farm envelope contains 2,220 feet of Cowiche Creek, a high priority tributary to salmon recovery within the Yakima River Basin. Floodplain activity is an important habitat value of the property and does not affect its farming activities. The farm is within a functioning floodplain and surrounding the irrigated area is large tracts of steppe-shrub habitat.

Key resource concerns in this watershed include water quality and habitat availability in Cowiche Creek. The area is listed as a part of the Yakima Basin Steelhead and bull trout recovery plan and the NYCD Annual and 5-Year Plans.

The landowners have been active participants in conservation programs offered by NYCD. Recently, the Irrigation Efficiency program was utilized to provide new pressurized delivery system while placing their entire Cowiche Creek water right into the state trust water program to enhance steelhead and salmon recovery efforts in the Cowiche watershed.

Also the landowners are currently working with NYCD to address water quality impairments that include buffering to reduce temperature and sedimentation issues and develop off-stream watering facilities for livestock.

The farm was served by a series of diversion points off of Cowiche Creek. These diversion points (fish passage barriers and un-screened diversions) have been eliminated. The "senior" water rights associated with these diversions have been placed into the State's Trust Water Program for in stream flow benefits (while new water rights have been granted from the Tieton River, granted as a result of consensus by Yakama Nation, USFWS, WDFW, NMFS and DOE because of the greater environmental benefit for salmon recovery within the Yakima River Basin).

This property is contiguous with the 370 acre Lust Farm & Ranch Preservation Project also proposed for WWRP FPP in 2014 by the same sponsors/partners.

Fit of Farm to Geographic Region – This area of Yakima County is predominantly intensive orchard and pasture ground mixed with hobby farms which are typically small pasture operations. The land possesses the necessary market, infrastructure, and agricultural support services with the surrounding parcel sizes and land uses both complimenting long term agriculture and well suited to fragmentation.

The land is well managed which benefits a healthy hay/pasture operation as well as a healthy environment. The property's environmental considerations are key contributors to the Cowiche Creek Watershed health.

This property is contiguous with the 370 acre Lust Farm & Ranch Preservation Project also proposed for WWRP FPP in 2014 by the same sponsors/partners.

Recommendation

The Office of Farmland Preservation recommends to the Executive Director of the State Conservation Commission that we partner with NYCD on a grant request to the Washington Wildlife and Recreation Program Farmland Preservation category for protection of this key 91.82 acre cropland in Yakima County, Washington.

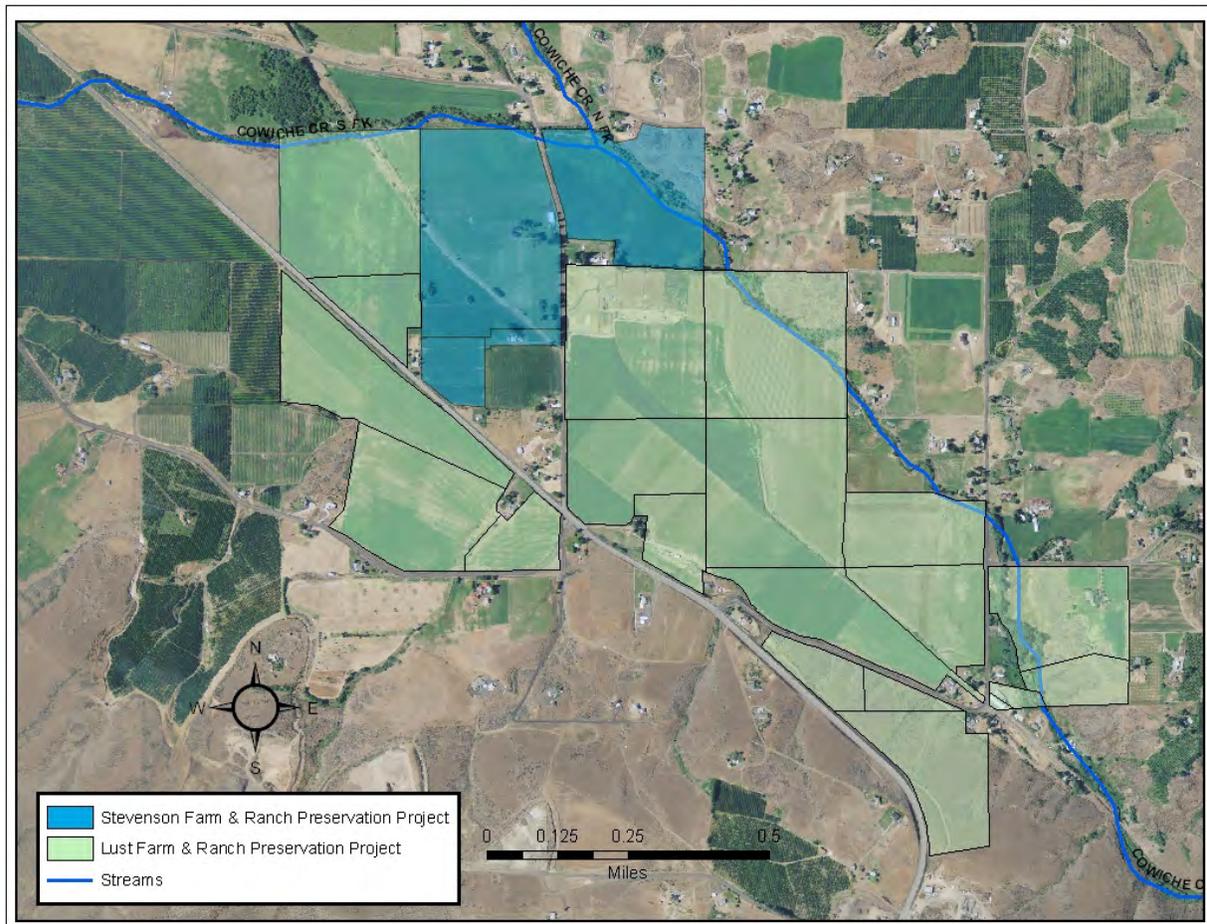
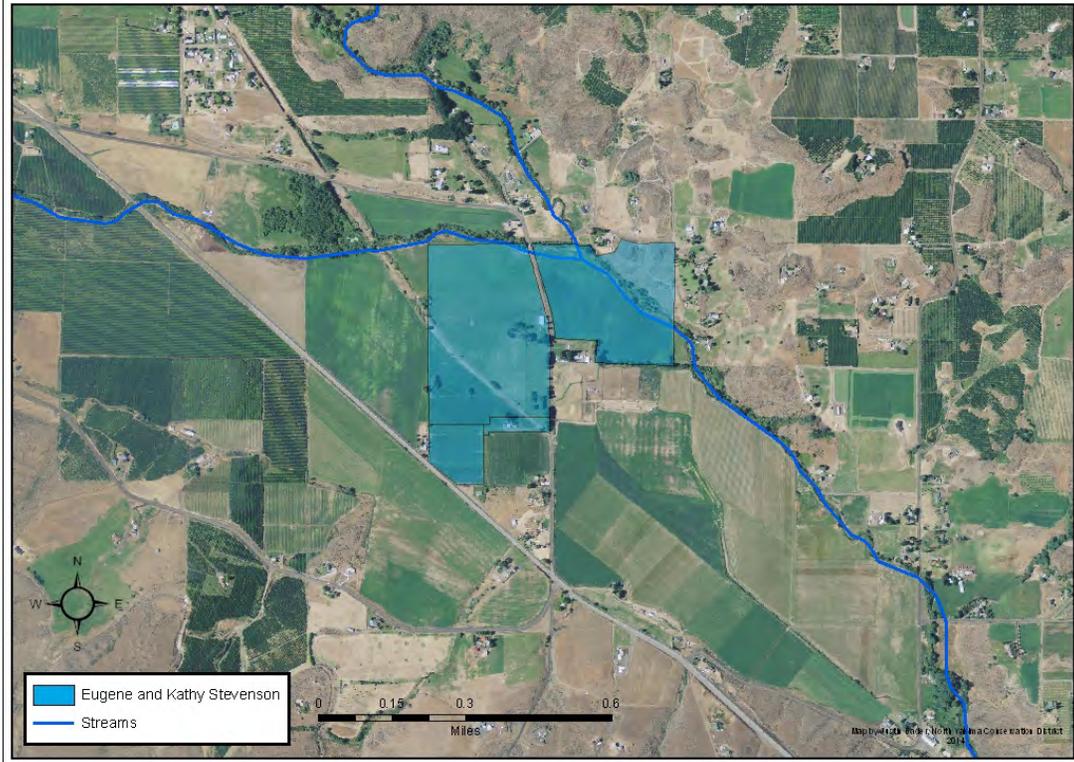


Looking west into Upper Cowiche watershed from N. Pioneer Way



(L) looking south towards Summitview Extension (R) Looking NE from N. Pioneer Way

Stevenson Farm & Ranch Preservation Project





Washington State Conservation Commission

March 7, 2014

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Ron Shultz, Policy Director
Josh Giuntoli, Office of Farmland Preservation

SUBJECT: Agricultural Conservation Easement Sponsorship – NYCD Lust

Summary: The Conservation Commission has received a request from the North Yakima Conservation District to sponsor an application to the Washington Wildlife and Recreation Program Farmland Preservation category for protection of 370 acres of irrigated cropland in Yakima County.

This MEMO is presented to the State Conservation Commission for review and comment.

Action Requested: Seeking Commission comment prior to Executive Director action.

Staff Contacts: Josh Giuntoli (360) 407-7474 jgiuntoli@scc.wa.gov

Attachments:

- Project area photos
- Map of project area and adjacent area

Description

The North Yakima Conservation District has submitted to the Office of Farmland Preservation a request for sponsorship worksheet seeking SCC grant sponsorship to the Washington Wildlife and Recreation Program Farmland Preservation Category.

The purpose of this project is preserving in perpetuity the agricultural values of the Lust Family property.

The goal of the project is protection of 370 acres of irrigated farmland in Yakima County through the use of an agricultural conservation easement. This project is contiguous to the 91.82 acre Stevenson Farm & Ranch Preservation Project, also proposed to SCC for sponsorship. Combined, these two projects would protect nearly 500 contiguous acres in the Cowiche Valley.

Staff with the Office of Farmland Preservation has reviewed the easement worksheet, toured the subject property and evaluated the project on the four SCC farmland priorities: farm viability, development pressures, environmental benefits, and fit of the farm to the geographic region.

After reviewing the worksheet and touring the project area, the Office of Farmland Preservation recommends this project be considered for funding in the 2014 funding cycle and that SCC partner with NYCD to protect the agricultural values of this property in perpetuity.

Project Background

Acres – 370 acres

Estimated Project Cost - Awaiting final determination

Legislative District – 14

Partner – North Yakima Conservation District

The NYCD Board of Supervisors (Board) are scheduled to make a final determination to co-hold in perpetuity an agricultural conservation easement on the described project at their March board meeting.

Landowner Interest – The Lust Family are interested NYCD constituents

Evaluation

The Lust Family are current landowners of several contiguous parcels in the Cowlitz Valley. The property has been in the family for nearly 100 years. The family wishes to retire the development rights and with those rights retired, sell the farm to the next generation of family members. Selling the development rights is a strategy to provide for retirement and add to affordability considerations of the next generation of family farmers.

The land was some of the first settled and irrigated land in the upper Yakima area. While the current owners have not farmed the property for several years, it has had a long term lease due to its desirable attributes for the local farming community. The soils are excellent and produce high quality forage with four cuttings of high value hay annually.

The property is situated adjacent to a highly trafficked main arterial linking the City of Yakima with the agricultural communities of Cowlitz and Tieton. The surrounding area includes a mix of intensive agriculture and new home construction. New homes are being constructed on surrounding view lots with smaller acreages being converted from irrigated agriculture to homes and hobby farms.

Farm Viability - The land is very well suited to the type of cropping operation common in this irrigated portion of Yakima County. The Property contains several features that make it valuable farmland. These features include a valid senior water right from the Tieton River, an upgraded pressurized water conveyance system, irrigation delivery equipment, excellent access to main transportation corridors, and proximity to other similarly irrigated pasture, orchards and berry operations.

The water right was recently issued and confirmed by the Department of Ecology as a result of trusting the farms original "senior" water right from Cowiche Creek to the States Water Trust Program to benefit the high priority Salmon recovery efforts within the Cowiche Watershed (981 ac-ft or approximately 5.15 cfs).

In the 2011 Yakima County farmland preservation technical assistance grant final report submitted to OFP, the four most important attributes of farmland in Yakima County identified by surveyed farmers included soil type, geography, neighboring uses, and availability of irrigation. This project area includes highly rated soils, level ground for crops, located in an agricultural area with development occurring all around, and secure irrigation rights.

Protection of this property, along with the neighboring Stevenson Family Farm, will ensure this area will not see the agricultural characteristics diminished or lessened. The scope and scale of the project area is consistent with the necessary land base to have a viable irrigated operation.

Development Pressures – The property is zoned "agriculture" which is a one house per 40 acres type zoning with several caveats. However, several parcels of the farm abut "Valley Rural" zoning which allows one home in 10 acres and could be "petitioned" in due to the zoning criteria of that designation.

In the 2011 Yakima County farmland preservation technical assistance grant final report submitted to OFP, fragmentation of farmland was seen as the largest threat to farmland in the county. The median size farm in Yakima County declined from 24 acres in 2002 to 20 acres in 2007. The decrease in median size is in direct relation to a higher number of small lots created within the agricultural zone.

Immediately surrounding the project area are new homes being constructed on view lots with smaller acreages being converted from irrigated agriculture to homes and hobby farms. The accessibility to the surrounding communities makes this property highly desirable with the character of the area transitioning towards hobby farms.

A recent look at Yakima County hearing examiner petitions revealed short plat subdivision applications on land zoned Agriculture and non agricultural use applications for activities on land zoned Agriculture.

Protection of this property, along with the neighboring Stevenson Family Farm, will ensure this area will not see the agricultural characteristics diminished or lessened. Protection will also build an agricultural buffer between rural residential and intensive agriculture.

Environmental Benefits – The project area provides significant benefits to the environment. The farm envelope contains 3,250 feet of Cowiche Creek, a high priority tributary to salmon recovery within the Yakima River Basin. Floodplain activity is an important habitat value of the property and does not affect its farming activities. The farm is within a functioning floodplain and surrounding the irrigated area is large tracts of steppe-shrub habitat.

Key resource concerns in this watershed include water quality and habitat availability in Cowiche Creek. The area is listed as a part of the Yakima Basin Steelhead and bull trout recovery plan and the NYCD Annual and 5-Year Plans.

The landowners have been active participants in conservation programs offered by NYCD. Recently, the Irrigation Efficiency program was utilized to provide new pressurized delivery system while placing their entire Cowiche Creek water right into the state trust water program to enhance steelhead and salmon recovery efforts in the Cowiche watershed.

Also the landowners are currently working with NYCD to address water quality impairments that include buffering to reduce temperature and sedimentation issues and develop off-stream watering facilities for livestock.

The farm was served by a series of diversion points off of Cowiche Creek. These diversion points (fish passage barriers and un-screened diversions) have been eliminated. The "senior " water rights associated with these diversions have been placed into the State's Trust Water Program for in stream flow benefits (while new water rights have been granted from the Tieton River, granted as a result of consensus by Yakama Nation, USFWS, WDFW, NMFS and DOE because of the greater environmental benefit for salmon recovery within the Yakima River Basin).

This property is contiguous with the 91.82 acre Stevenson Farm & Ranch Preservation Project also proposed for WWRP FPP in 2014 by the same sponsors/partners.

Fit of Farm to Geographic Region - This area of Yakima County is predominantly intensive orchard and pasture ground mixed with hobby farms which are typically small pasture operations. The land possesses the necessary market, infrastructure, and agricultural support services with the surrounding parcel sizes and land uses both complimenting long term agriculture and well suited to fragmentation.

The land is well managed which benefits a healthy hay/pasture operation as well as a healthy environment. The property's environmental considerations are key contributors to the Cowiche Creek Watershed health.

This property is contiguous with the 91.82 acre Stevenson Farm & Ranch Preservation Project also proposed for WWRP FPP in 2014 by the same sponsors/partners.

Recommendation

The Office of Farmland Preservation recommends to the Executive Director of the State Conservation Commission that we partner with NYCD on a grant request to the Washington Wildlife and Recreation Program Farmland Preservation category for protection of this key 370 acre cropland in Yakima County, Washington.

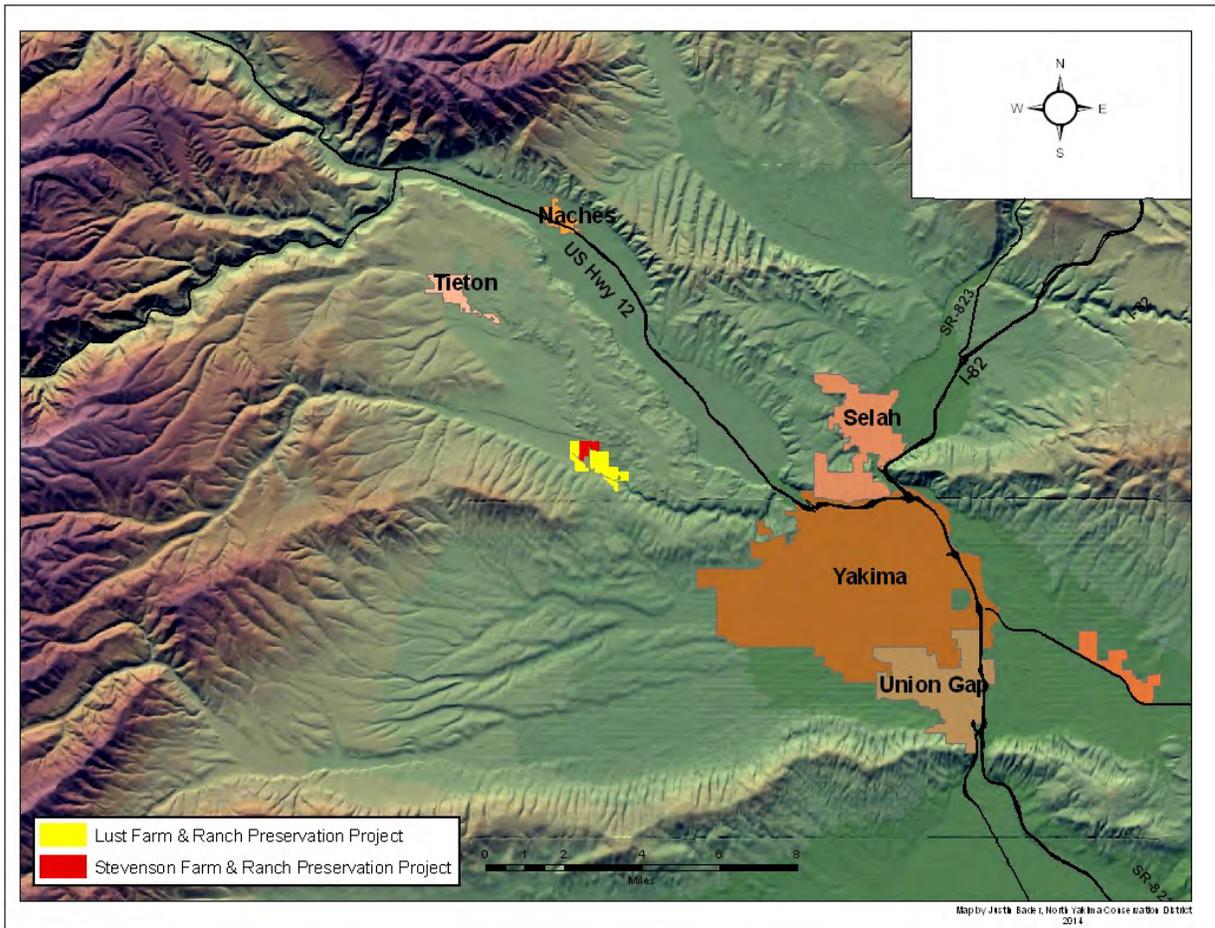
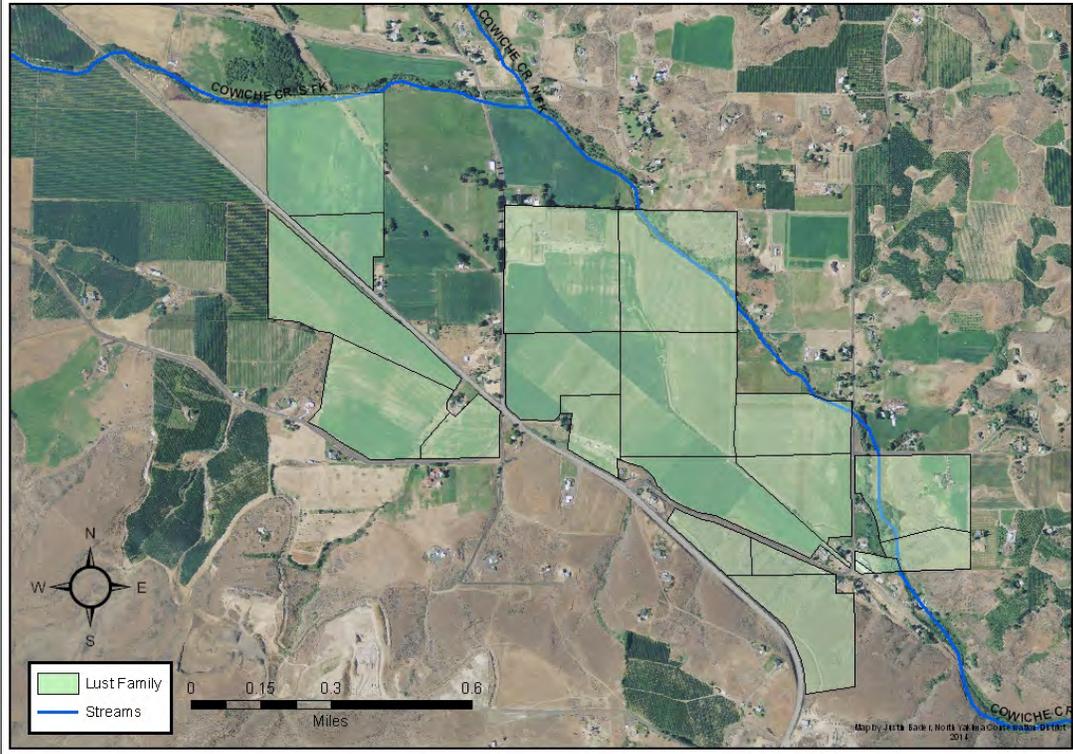


Looking North from Summitview Extension onto Lust Farm



(L) looking east towards Cowiche Creek (R) looking north towards Naches Heights

Lust Family Farm & Ranch Preservation Project





Washington State
Conservation Commission

March 11, 2014

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Ron Shultz, Policy Director

SUBJECT: Policy Updates for March Commission Meeting

Summary: Updates for the March Commission meeting on a variety of policy areas, including: NWIFC Response; Elections Work Group; VSP Implementation; 2014 Legislative Session.

Action Requested: None. Information update only

Staff Contacts: Ron Shultz, Policy Director (360) 407-7507 rshultz@scc.wa.gov

Attached you will find updates on the following policy areas:

1. NWIFC Response
2. Election Proviso Work Group
3. VSP Implementation
4. 2014 Legislative Session

Washington State Conservation Commission
Regular Meeting – March 20, 2014

Policy Update – NWIFC Response

At the January Commission meeting, the Commission approved a response to the NWIFC request that the Commission, among other things, condition funding on a NOAA Fisheries buffer table.

In addition to approving “next steps” actions, the Commission also approved a letter to be drafted with the assistance of a drafting team. A copy of the final letter is attached. Also attached is a background brief on the Commission’s actions and a list of the next steps.

Over the course of the next month Commission staff will begin adding specifics to each of the next step actions for presentation to the Commission at the May meeting.

Contact: Ron Shultz, WSCC Policy Director rshultz@scc.wa.gov



STATE OF WASHINGTON

CONSERVATION COMMISSION

PO Box 47721 • Olympia, Washington 98504-7721 • (360) 407-6200 • FAX (360) 407-6215

February 5, 2014

Mr. Mike Grayum
Executive Director
Northwest Indian Fisheries Commission
6730 Martin Way E.
Olympia, Washington 98516

RE: Response to the NWIFC Correspondence of September 25, 2013

Dear Mr. Grayum:

In your letter of September 25, 2013, the Northwest Indian Fish Commission (NWIFC) requested the Conservation Commission consider adopting the NOAA buffer table and apply it as a condition to funding that the Conservation Commission (SCC) provides to conservation districts. The SCC discussed this request at its January meeting and asked that I communicate this response to you.

We agree it is critically important to ensure the protection and restoration of natural resources in our state. Our years of experience implementing voluntary conservation programs have provided many "lessons learned" for success. The Conservation Commission has declined to adopt the NMFS recommended interim buffer guidelines. We believe there are other ways we can address natural resource concerns in a manner that will ensure success.

Conservation districts (CDs) implement several important programs for the protection and restoration of natural resources. These programs rely on landowner participation. For landowners to willingly participate, our natural resource objectives must be met in a manner that maintains a viable agricultural economy. Several examples of our successful voluntary programs are:

- **Conservation Reserve Enhancement Program (CREP)** – Studies show CREP has been successful in reducing stream temperature and increasing streamside habitat. Over the 15 year implementation of the program, the average buffer width has been 142 feet. A better indication of success is the length of streamside buffers. To date, over 735 miles of stream length are enrolled in CREP. Key elements of success in this program have been landowner participation, ongoing landowner maintenance of the sites, and funding incentives. CREP has demonstrated remarkable natural resource improvements at the watershed and sub-basin

scales when program implementation is targeted to a specific area with the goal of maximum landowner participation. This program is also a demonstration of close coordination with our federal partners at the Farm Service Agency (FSA).

- **Salmon Habitat Improvement** – Conservation districts are the largest recipient of funds from the Family Forest Fish Passage Program (FFFPP) which assists private forestland owners in replacing culverts and other stream crossing structures that keep trout, salmon, and other fish from reaching upstream habitat. CDs are successful in this program because of the local cooperation from a variety of entities, including many local tribes, working together with the landowners. Since 2003, nearly 200 landowners have taken advantage of the program that has replaced 244 barriers and opened more than 524 miles of stream habitat.
- **Irrigation Efficiencies** – The irrigation efficiencies program, implemented by the Conservation Commission with funding from Ecology, has successfully provided more water into streams for salmonid resources. To date, 57 irrigation efficiencies projects have returned 15,531 acre feet of water to 22 separate tributaries in seven fish-critical basins.

What these examples show is voluntary incentive-based programs can be effective in addressing natural resource concerns. The close cooperation of the CD's with the landowner ensures their participation will lead to long-term success. Over the 75-year history of our conservation system, we have learned that partnerships between landowners, conservation districts, the Conservation Commission, the Natural Resource Conservation Service (NRCS), tribes, state and local agencies, and local organizations enhance our opportunities for on-the-ground success.

As with any program, periodic review is needed to ensure continued success. The request in the letter of September 25, 2013, has presented an opportunity for the Conservation Commission, in conjunction with conservation districts, to assess our current practices. On the whole, we are proud of our accomplishments. However, we believe that the steps described below will make them even more successful. Thus, the Commission directed staff to take the following actions:

1. Identify ways to increase landowner participation in incentive-based programs.
2. Evaluate whether existing standards and practices used by conservation districts when working with landowners adequately address natural resource concerns, and improve the process for changing the standards and practices (if necessary).
3. Evaluate both the current system of identifying natural resource concerns at the watershed scale and identify ways conservation districts can incorporate this information into their work plans to determine whether changes are needed in this process.
4. Consider how these issues might be included in the next biennial budget development process for conservation districts and the Conservation Commission.

5. Identify funding sources necessary to assist conservation districts in implementing any recommended program changes.
6. Evaluate watershed scale processes to identify “lessons learned” that could inform work with conservation districts on these topics.
7. Identify, evaluate, and where appropriate implement monitoring approaches that will assist in tracking progress on improving natural resources concerns and apply adaptive management principles based on monitoring results. Benchmarks would also need to be identified to determine whether progress is being made.
8. Continue support for the Voluntary Stewardship Program (VSP).
9. Continue to support the efforts of the Washington Association of Conservation Districts (WACD), and conservation districts individually, in their efforts to build and continue strong working relationships with tribes.

These efforts will be made in close coordination with conservation districts and other partners, including tribes, state and local governments, federal agencies, and non-governmental organizations. We will also continue our close partnership with, and support for, NRCS in their continued development and application of the field office technical guide (FOTG) and other conservation planning tools to determine what is reasonable and needed to accomplish the natural resource concerns to be addressed. We recognize more detail will need to be added to specify how these actions will be implemented, but the Conservation Commission is committed, beginning now, to putting these actions in motion.

Also at their January meeting, the Conservation Commission expressed its interest in continued support for close working relationships between the tribes and conservation districts by appointing Commissioner Larry Davis as the Commission’s representative to the WACD Tribal Outreach Task Force. Many conservation districts already work very closely with a local tribe, including:

- Walla Walla CD partnering with the Confederated Tribes of the Umatilla on stream restoration projects.
- Snohomish CD working with the Stillaguamish Tribe of Indians on cooperative projects with farmers to restore salmon riparian habitat.
- Lewis CD working with the Chehalis Tribe on flood control and farm protection projects.

Over the past several years, the Conservation Commission has been working with our partners at the departments of Ecology and Agriculture on water quality and agricultural issues. It was during these discussions that we received the correspondence referred to in your letter of last September. Each of the referenced letters was addressed to the three directors and would therefore require a coordinated response from the three. However, the letters should have been acknowledged by my agency, and for that, I apologize. In meetings between Conservation Commission staff and NWIFC staff prior to the SCC taking action at its January meeting, our staff made a commitment to continue to work with your staff to review and discuss the items addressed in those letters.

Your September letter also referenced actions by districts that I feel warrants a response. The first was the statement that *"a few select conservation districts are ideologically opposed to working with federal fish agency expertise, and are unwilling to implement their recommendations."* We disagree with this statement. As noted above, conservation districts currently work very closely with state, federal, and tribal fish agency experts on project implementation. The second was the statement regarding the Puget Sound Conservation Districts (PSCD) caucus response to the PS Partnership request for comments on how National Estuary Program (NEP) funds should be spent. The PSCD response was answering specific questions asked by the Partnership. After indicating their support for funding a Shellfish Strategic Initiative and moving away from further studies and toward more on-the-ground implementation, the PSCD addressed the questions relating to pathogen investments. They encouraged decoupling pathogen funding from salmon recovery, not because they do not support efforts to restore salmon habitat, but because actions to address pathogens are different from those necessary to address salmon habitat restoration. The PSCD were encouraging a focus on onsite septic systems and increasing funding for PIC programs - something tribes also support.

The Conservation Commission acknowledges the importance of continued healthy salmon populations, cool clean water, and the need to make progress on improving our natural resources. Through our actions I hope you will see that the Conservation Commission takes seriously its commitment to review and, where necessary, improve our conservation system to ensure resource protection and restoration in the context of a vibrant agricultural economy. We believe the two are compatible and hope that you do as well.

We look forward to working with you, the member tribes of the NWIFC, and tribes across the state to make sustainable, long-lasting improvements to the resources we all share.

Sincerely,

Mark Clark
Executive Director

cc: Governor Jay Inslee
Roylene Rides at the Door, State Conservationist, NRCS
Dennis McLerran, Administrator, US EPA Region 10
Will Stelle, Regional Administrator, NOAA Fisheries
Maia Bellon, Director, Washington Department of Ecology
Bud Hover, Director Washington Department of Agriculture
Dan Opalski, US EPA Region 10
Jerrod Davis, Office of Shellfish and Water Protection, Washington Department of Health
Alan Stromberger, President Washington Association of Conservation Districts

Conservation Commission and Conservation District Action to Address Salmon Recovery and Water Quality

Background:

On September 25, 2013, Michael Grayum, Executive Director of the NWIFC submitted a letter to Mark Clark, Executive Director of the State Conservation Commission requesting the Commission apply the NOAA buffer table to state funds provided by the Commission to conservation districts. The Commission considered the request, held discussions with conservation districts and held a public meeting on the request. On January 16, 2014 the Conservation Commission took the following action.

Action Taken:

The Conservation Commission declined to condition funding on the NOAA Fisheries buffer table, but recognized the importance of ensuring Commission programs and conservation district activities address state natural resource concerns of water quality and riparian species habitat, especially salmonid habitat. The Commission directed staff to take the following actions:

- Identify ways to increase landowner participation in incentive-based programs.
- Evaluate whether existing standards and practices used by conservation districts when working with landowners address natural resource concerns, and improve the process for changing the standards and practices (if necessary).
- Evaluate the current system of identifying natural resource concerns at the watershed scale and how conservation districts incorporate this information into their work plans to determine whether changes are needed in this process.
- Consider how these issues might be included in the next biennial budget development process for conservation districts and the Conservation Commission.
- Identify funding sources necessary to assist conservation districts in implementing any recommended program changes.
- Evaluate watershed scale processes to identify “lessons learned” that could inform work with conservation districts on these topics.
- Identify, evaluate, and where appropriate implement monitoring approaches that will assist in tracking progress on improving natural resources concerns and apply adaptive management principles based on monitoring results. Benchmarks would also need to be identified to determine whether progress is being made.

- Continue support for the Voluntary Stewardship Program (VSP).
- Continue to support the efforts of the Washington Association of Conservation Districts (WACD), and conservation districts individually, in their efforts to build and continue strong working relationships with tribes.

These efforts will be done in close coordination with conservation districts and other partners, including tribes, state and local governments, federal agencies, and non-governmental organizations.

Next Steps:

The Conservation Commission identified a Commission member subcommittee to assist staff with developing a process to implement these steps and to add more detail where necessary.

For More Information, Contact:

Ron Shultz
WSCC Policy Director
(360) 407-7507
rshultz@scc.wa.gov

Washington State Conservation Commission
Regular Meeting – March 20, 2014

Policy Update – Election Proviso Update

Conservation districts were sent a copy of the draft Election Proviso Report on February 24, with instructions on how to comment to the Commission on the report. More specifically, the districts were asked to review the criteria identified in the report and use them to evaluate the election options presented. We also encouraged the districts to come up with their own option if we missed something.

Districts have until May 19th to response to us so we can incorporate comments and answer questions. The schedule has the draft final report and recommendations coming to the Commission at the July meeting. Then the report and recommendations will go to the legislature.

On March 6, Commission staff conducted an informational webinar to brief the districts on the report and review what we are requesting of them. There were 25 people on the webinar. No significant questions or issues were raised.

Contact: Ron Shultz, WSCC Policy Director rshultz@scc.wa.gov
Megan Finkenbinder, WSCC Program Specialist
mfinkenbinder@scc.wa.gov



Conservation District Elections Proviso Report

Webinar to review and discuss conservation district elections proviso report

March 6, 2014 - 10:00 am – 11:00 am

Ron Shultz – Moderator and Presenter

Comments or Questions – rshultz@scc.wa.gov

Webinar ID – 368312025

<http://www.gotomeeting.com/online/webinar>

Phone Audio: 415-655-0061 ID: 333-800-733

Background

- 2013 -15 WSCC Operating Budget included the following proviso:

The conservation commission must evaluate the current system for the election of conservation district board supervisors and recommend improvements to ensure the highest degree of public involvement in these elections. The commission must engage with stakeholder groups and conservation districts to gather a set of options for improvement to district elections, which must include an option aligning district elections with state and local general elections. The commission must submit a report detailing the options to the office of financial management and appropriate committees of the legislature by December 10, 2013.

- The stakeholder workgroup includes the following:
 - Dave Vogel and Alan Stromberger, WACD
 - Lori Augino, State Elections Officer, Washington Secretary of State's Office
 - Susan Eidenschink, League of Women Voters
 - Craig Nelson, WADE
 - Larry Davis, Whatcom Conservation District and State Conservation Commission
 - Bill Eller and Megan Finkenbinder, Conservation Commission Staff

Report Highlights

- Pages 2 – 6 provide an in depth look at the history of conservation districts (why were districts formed, founding principles, etc.). Also included is the history of the State Conservation Commission, duties and responsibilities of a district supervisor, funding and taxing authority and rates and charges authority.
- Pages 7 – 11 provide an overview of the current conservation district elections process. We also include concerns raised about conservation district elections in the May, 2011 report by the League of Women Voters titled “Washington State Conservation Districts: A Report by the League of Women Voters of Washington.”
- Pages 13 – 16 list the criteria developed by the election proviso work group that was used to evaluate the options listed on pages 16 – 17.
- The options reviewed on pages 16 – 17 included nine elemental options as well as three hybrid options.

Criteria

- When discussing the current conservation district election process, the Work Group determined a set of agreed upon criteria would be helpful to evaluate not only the current system, but also any possible alternatives.
- The group discussed various features of what would consider to be a successful election in the context of the unique nature and work of conservation districts.
- A fundamental principle of the Work Group was any alternative should not diminish the ability of conservation districts to maintain their unique relationship with landowners and their capacity to work with landowners to get important conservation work on the ground.
- The criteria developed by the Work Group are in no priority order.

Criteria

- I. Participation
- The issue of voter participation and voter turnout has been a common topic when discussing conservation district elections.
- As noted, the number of voters in conservation district elections can vary from extremely low to relatively high if there is a contested race.
- The Work Group considered voter participation to be important, but in particular they believe the critical factor is whether the election process provides better opportunities for voters to participate.
- All we can really do in any election is create the opportunity for someone to vote if they desire; we cannot make them vote, or guarantee a specified level of voter participation.
- One Work Group member brought up the recent 2013 election as an example. The election is a statewide mail-in ballot and every registered voter received a ballot in the mail. But voter turnout was, according to one new source, the lowest in a decade at 44%.
- Criteria: Degree to which the option increases opportunities for voter participation in the election.

Criteria

2. Increasing awareness of conservation district

- Engagement with landowners is the core of conservation district work.
- A conservation district election is an excellent opportunity for members of the conservation district community to be made aware the work of the conservation district and engage in the operation of the conservation district.
- Some election options may increase this visibility, while others may work against the opportunity to communicate with the broader community.
- Criteria: Degree to which the option increases opportunities to communicate broadly the work of the conservation district and engage the local community.

Criteria

3. Cost of election

- Running an election can be a very expensive proposition.
- Whether the cost is borne by the conservation district or by the county auditor, there are expenses to cover when an election is held.
- Costs of elections compete with funding available to put conservation on the ground, and to assist local landowners in stewardship.
- There are a number of options by which to address the cost issue (i.e., who pays what costs).
- Criteria: Degree to which the option remains affordable for the conservation district, and 521 allows maximum application of district funding to be applied toward conservation work 522 on the ground.

Criteria

4. Promote or encourage volunteer participation for conservation district boards

- Conservation districts depend upon the full engagement of dedicated and knowledgeable volunteers to serve on conservation district boards.
- Board members serve without compensation and must dedicate many long hours to conservation district work.
- Many conservation district board members are landowners or land managers who have farm operations and businesses to run.
- Elections can be expensive for the candidates or can require a level of financial disclosure that some may find burdensome and a barrier to seeking a volunteer and public service office.
- The method of the election can also be a barrier to potential candidates if information about when the election will occur or the process to file as a candidate is difficult to find out.
- Criteria: Degree to which the option encourages participation as a candidate.

Criteria

5. Maintaining the working and trust relationship with landowners and other community stakeholders

- As described in this report a fundamental value and strength of conservation districts is their relationship with the landowners and land managers across the state.
- The successful implementation of incentive-based programs necessarily requires the cooperation and engagement of the landowner.
- The farmer must have a level of trust with the conservation district staff who will be working with them on their land.
- Any option considered for the election process must maintain this fundamental feature of conservation districts.
- Criteria: Degree to which the option maintains or enhances the trust relationship with the landowners.

Criteria

6. Help build and support accountability

- Generally, elections provide accountability to those who elect the officials by providing a vehicle for change if the electorate is dissatisfied.
- Of course, the opposite is true as well. If the electorate is satisfied with the elected body, they can retain the officials.
- The point is there is a level of direct accountability to the electorate. This is especially true if the entity has authority to impose taxes, fees, or levy an assessment.
- Since conservation districts implement projects and activities that also meet the priority needs of local and state governments there is also a degree of accountability to those other units and levels of government as to how the work is being done. Some of this accountability can be achieved in the form of grant contracts. But there may also be other forms of accountability such as representation of the agency at the district.
- Election alternatives considered should place a high value on this combination of different levels of conservation district accountability.
- Criteria:
- 6a. Degree to which the option provides accountability for local residents.
- 6b. Degree to which the option provides accountability to other units and levels of government.

Criteria

7. Not diminishing locally-led purpose of district

- As described in this report, a foundational principle of conservation districts is locally led conservation working closely with the farmers on the land.
- Although conservation districts can provide valuable assistance to, and be tool for, accomplishing state and federal resource priorities, the real focus and drive of their work is to lead solutions locally.
- Criteria: Degree to which the option maintains or enhances locally led conservation.

Possible Options

The work group applied the criteria outlined above to the following election options:

1. No change to the current system.
2. Keep the current system but hold all district elections on the same day or over several days.
3. Keep the current system but divide each conservation district into three areas with one supervisor elected for each area.
4. Keep the current system but eliminate the landowner / operator requirement.
5. Keep the current system but have all five board members elected.
6. Keep the current system but have the election run by the county auditor.
7. Place district election for three board members on the general election ballot.
8. Place district election on the general election ballot for all five board members.
9. County commissioners / council appoint three or all five of the district board members.

Possible Options

In addition to the options evaluated, reviewers suggested several hybrid approaches should be considered. These include:

- Combine general election options with greater authority to impose assessment or raise funds by other means. This option would make conservation districts consistent with port districts and school districts, each having authority to levy a property tax. It would also be consistent with addressing concerns raised regarding accountability to the electorate for funds raised and spent. The downside would be the creation of yet another special purpose district with revenue generating authority, and the cost issues would still have to be addressed.
- Selection of election option could be the choice of a conservation district. A conservation district board could choose whether to maintain the current or modified election system, or could choose to go on the general election ballot with additional authority noted above.
- Vary election approach based on the population of a conservation district. For smaller conservation districts the option of appearing on the general election ballot may not be feasible for a number of reasons. Another approach may be to set various population thresholds where, once each threshold is reached, the election process becomes more dependent on the general election ballot.

What we need from you

As stated in the memo sent out to conservation district managers and chairs on February 24, 2014 we are very interested in hearing from each conservation district on the following:

- Comments and suggestions regarding the context of the elections proviso report. These can be submitted via email to Megan Finkenbinder and mfinkenbinder@scc.wa.gov
- Review the list of options identified in the report, keeping in mind the criteria and answer the following questions:
 - Are these options adequate
 - Did we miss any options, if so, please provide your suggested options in your response
- What are you as a conservation district willing to do or change with respect to elections?
 - *Responding to this question with “no changes necessary” is an appropriate response. We are really looking to get a feel for how conservation districts view the election process.*

All of your comments are due by COB on May 19, 2014. This timeline provides 60 business days to review and comment.

Timeline

- As stated before, comments are due by COB on May 19, 2014. Please submit them to Megan Finkenbinder at mfinkenbinder@scc.wa.gov
- Upon receipt of comments from districts, they will be presented to the Elections Proviso workgroup for review and consideration.
- The workgroup will then make their recommendations of the proposed final report for the Commission's consideration.
- If the report as recommended is adopted at the Commission meeting, formal notification will be sent to conservation districts and other affected parties.

Questions

Ron Shultz, Director of Policy
Washington State Conservation Commission
360.407.7507
rshultz@scc.wa.gov

Washington State Conservation Commission

Regular Meeting – March 20, 2014

Policy Update – VSP Implementation Status

Final contracts have been entered in to with Thurston and Chelan counties. They have each begun implementation and have 18 months from January to complete a work plan and submit it to the Conservation Commission for approval.

Each county has begun convening local stakeholder efforts. From this they will begin the process of identifying the critical areas within the selected watersheds. The next step in the work plan will be to craft a landowner outreach strategy to assist landowners in the development of landowner plans to address protection of critical areas. These will be due to the Commission from these two counties by July 2015.

Once these county plans are sent to the SCC executive director, the Commission submits the plans to the state technical panel that has 45 days to review and make a recommendation to the SCC executive director as to whether to approve the work plan.

The funding for the remaining VSP counties has been hotly discussed in the legislature this year. The VSP statute includes a deadline of July 2015 after which counties not funded in VSP would be removed from the program and must update their critical areas ordinances for agriculture consistent with the traditional GMA approach. This deadline and the lack of funding for all counties have lead to a great deal of pressure to fund the program this year or to move the deadline year.

A bill to move the 2015 deadline to 2021 was introduced in the House and was very controversial among the entities who negotiated the VSP agreement. In the end, the bill did not pass and the parties agreed to pursue funding for the program. As of March 11, the Senate proposed supplemental capital budget includes \$7 million for full funding of the program. The House has not included any funding. Negotiations continue and we will have a final answer by the Commission meeting on March 20.

Contact: Ron Shultz, WSCC Policy Director rshultz@scc.wa.gov

Washington State Conservation Commission
Regular Meeting – March 20, 2014

Policy Update – 2014 Legislative Session
Water Quality Trading Bill

As of March 11, the legislature continues to negotiate final supplemental operating and capital budgets in anticipation of their March 13 adjournment. Both versions of the House and Senate operating budgets are similar, with the House including two new provisos. Attached is a report on the budgets when they were released.

In the supplemental capital budgets, the Senate included \$7 million for full funding of the VSP. The House did not have any new money for the Commission. This topic is being negotiated.

While we were tracking several bills of interest this session, only one passed that directly impacts the Conservation Commission – SHB 2454 regarding water quality trading.

The bill directs the Conservation Commission to explore whether there are potential buyers and sellers in Washington watersheds for a water quality trading program. We are to work in partnership with Ecology, and to build upon work we previously did on conservation markets. Any water quality trading program must be consistent with the water quality framework developed by Ecology. The Commission must coordinate with tribes, WSDA and other state agencies, local governments, and interested stakeholders.

The final report is due to the legislature by October 31, 2017.

Contact: Ron Shultz, WSCC Policy Director rshultz@scc.wa.gov

SUBSTITUTE HOUSE BILL 2454

State of Washington

63rd Legislature

2014 Regular Session

By House Agriculture & Natural Resources (originally sponsored by Representatives Blake, Buys, Lytton, and Smith)

READ FIRST TIME 02/05/14.

1 AN ACT Relating to developing a water quality trading program in
2 Washington; adding a new section to chapter 89.08 RCW; creating a new
3 section; and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that water quality
6 trading is an innovative approach adopted in at least seventeen other
7 states that can lead to a more efficient achievement of water quality
8 goals. The premise of water quality trading is based on the fact that
9 certain sources in a given watershed can have very different costs to
10 control the same pollutant. Trading programs allow facilities facing
11 higher pollution control costs to meet their regulatory obligations by
12 purchasing environmentally equivalent or superior pollution reductions
13 from another source at a lower cost. This trading achieves the same
14 water quality improvement at lower overall cost.

15 (2) The legislature further finds that the United States
16 environmental protection agency has been supportive of water quality
17 trading programs since 1993 when it issued an initial document called
18 the National Water Quality Trading Policy. With this publication, the

1 environmental protection agency sent a clear signal of federal support
2 for this innovative, market-based approach to improving water quality.

3 (3) The legislature further finds that water quality trading is,
4 and should remain, a voluntary option that regulated point sources can
5 use to meet the discharge limits in their national pollutant discharge
6 elimination system permits.

7 (4) The legislature recognizes that setting up a water quality
8 trading program can be a complex task that needs to be transparent,
9 must have real, accountable deductions in pollution inputs, must be
10 defensible, and must be enforceable. A water quality trading program
11 may not be suitable for many watersheds in the state. However, the
12 legislature also finds that the state of Washington should explore the
13 option as a tool for achieving water quality goals and investigate
14 whether this tool is viable given the specific, local water quality
15 concerns facing Washington's water bodies.

16 (5) The legislature further recognizes that the department of
17 ecology has produced a draft water quality trading framework that
18 enables trading in Washington and that to date a major barrier to
19 trading is a lack of interested credit purchasers.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 89.08 RCW
21 to read as follows:

22 (1) The state conservation commission, in partnership with the
23 department of ecology, shall build upon the report on conservation
24 markets produced pursuant to chapter 133, Laws of 2008 and explore
25 whether there are potential buyers and sellers in Washington watersheds
26 for a water quality trading program. Specifically, the state
27 conservation commission should examine watersheds in which total
28 maximum daily loads have been produced, and assess whether there are
29 potential buyers, or permit holders, and sellers of credit to support
30 a water quality trading program consistent with the water quality
31 trading framework developed by the department of ecology.

32 (2) The state conservation commission must coordinate with Indian
33 tribes, the department of agriculture and other state agencies, local
34 governments, and other interested stakeholders in completing the
35 assessment and report required by this section. Prior to finalizing
36 the assessment and report, the state conservation commission must

1 ensure that the department of ecology concurs with its determination of
2 whether or not there is the potential for a viable water quality
3 trading program.

4 (3) The state conservation commission must report its findings to
5 the legislature consistent with RCW 43.01.036 by October 31, 2017.

6 (4) This section expires June 30, 2018.

--- END ---

March 2014

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Josh Giuntoli, OFP Project Coordinator

SUBJECT: Update on Recent OFP Activities

Recent activity:

- ❖ **Washington Wildlife and Recreation Program Farmland Preservation**
 - Cowiche Basin Rangelands – currently funded
 - Working on a revised appraisal
 - Reviewed several like project appraisals
 - 2014 WWRP Farmland Applications
 - Eastern Klickitat CD (in packet) (19,687 contiguous acres total)
 - North Yakima CD - Potential
 - Spokane CD - Potential
 - Coordination activities with WDFW, State Parks, RCO and EKCD on Simcoe property (33,000 acres)
- ❖ **2014 Legislature**
 - OFP has been providing support to open space tax stakeholders including testifying in legislative hearings, agency coordination and reviewing draft legislation.
- ❖ **Succession Planning**
 - Work continues on deliverables under the Specialty Crop Block Grant
 - Final draft of workbook is expected April 4.
 - Palouse Conservation District
 - Presented at a succession planning workshop coordinated by Palouse CD along with local firm Waddell and Reed.
 - Center for Latino Farmers Small Farms Conference
 - Presented with WSU on succession planning
- ❖ **Food Policy Activities**
 - Washington Food Systems Roundtable has officially convened
 - Charter has been adopted
 - Co-chaired by State Agency (DSHS) and Non-state agency (Childhood Obesity Prevention Coalition)

❖ Recent Outreach/Coordination/Networking

- Monthly OFP Newsletter
 - Averaging nearly 600 monthly readers
- Habitat Lands Coordinating Group
 - Presented potential projects at annual coordinating forum.
 - Participants included lands group members, committee staff, state agencies, elected officials, and public
- Puget Sound Partnership Near Term Action – Agriculture Strategy
 - Agriculture Strategy. PSP, in collaboration with WSDA, Ecology, the Conservation Commission, and agricultural partners will develop a Puget Sound agricultural strategy by December 2013. This strategy will identify needs for maintaining the health of the industry, and key areas where the agricultural industry can contribute to the protection and restoration of Puget Sound. It will be included in the 2013 Action Agenda.
- Local Farms and Food Roundtable
 - Organized by City of Seattle, King County and the Pike Place Market
 - Goal is to link food production, processing, distribution, consumption and waste management to facilitate reliance on the region's ag potential.
 - Participating on Land Preservation Sub-Committee
- Results Washington
 - Coordination activities with WSDA
 - Goal 3 – Sustainable Energy and a Clean Environment – Goal Topic - Working and Natural Lands. Outcome Measure - 4.1 - Increase the net statewide acreage dedicated to working farms from 7.237 million to 7.347 million by 2020
- Census of Agriculture
 - Conducted an analysis of recent ag Census data.
 - Published analysis in March 2014 OFP Newsletter
- The Wildlife Society Annual Meeting
 - Presented at 2014 annual meeting on agricultural conservation easements as part of a panel on conservation of working/private lands
- Mother Earth News
 - SCC/OFP will be participating in the 2014 Mother Earth News Fair
 - Will seek donation from Plant Materials Center for bareroot stock. Last year we distributed 10,000 trees.
 - Booth volunteer signups will be available in April

TAB 3

MARCH 6, 2014 (V4)

TO: WACD AND WSCC MEMBERS

FROM: WACD TECHNICAL PROFICIENCY & PLANNING COMMITTEE

SUBJECT: TECHNICAL LEADERSHIP, IMPLEMENTATION EXPERTISE, RESEARCH, & QUALITY ASSURANCE REGARDING 20-21 ACTION PLAN

SUMMARY

Presented in this paper are the WACD Tech Workgroup's recommendations to the Washington State Conservation Commission on how to address the Technical Leadership, Implementation Expertise, Research and Quality Assurance strategic area of the 20-21 Path Forward Action Plan.

These recommendations emphasize the need for a coordinated, statewide effort to continue to both strengthen and develop the quality and professionalism of our technical staff and our work products, while also ensuring our work results in meaningful changes in conservation behavior. These goals are more important than ever. Equally important is the documentation and assurance regarding improvements to natural resource stewardship outcomes we are targeting for ourselves and for our partners.

The Individual recommendations for **Technical Leadership, Implementation Expertise, Research, & Quality Assurance** fall into six specific strategic sub-areas:

1. Tools, Proficiencies and Certification
2. Training Opportunities, Needs and Pathways
3. Quality Assurance
4. Research, Implementation, and Effectiveness Monitoring of Conservation Systems
5. Technical Expertise in Statewide Policy and Programs
6. Workload and Budget

In the "Recommendations" section below, goals for each sub-area are described and the core activities for the dedicated staff are outlined.

Essential for implementing the following recommendations and vision is dedicated state-level staffing to lead and coordinate this body of work. These recommendations also recognize that great progress will come with continued widespread engagement and leadership from individual Conservation District supervisors, managers, and staff across the Washington State Conservation District system. We have also identified the possible and appropriate staff willing to help coordinate these separate strategic areas.

BACKGROUND

Conservation District technical expertise development has long been an important goal of the WACD Technical Employee Work Group (“Tech Workgroup”). It has gained additional focus lately as Conservation Districts have begun bringing stewardship solutions into coordinated work with regulatory agency partners, including critical areas codes, Voluntary Stewardship Projects, and technical assistance related to referrals from area regulatory agencies. Technical expertise development has also been identified and supported by the 20-21 Action Plan, a document that outlines the future direction of CD work across the State.

The 20-21 Action Plan recommendations were a product from several statewide sessions convened by Conservation Commission staff and WACD leadership, with Conservation District supervisors, managers, and other lead staff. This plan identified 14 separate strategy foci that were grouped into four broad, strategic areas:

1. Communications, Partnership Building and Public Outreach
2. Strategic Direction
3. **Technical Leadership, Implementation Expertise, Research and Quality Assurance**
4. Policy and Funding

The Commission, at their September 2013 meeting, tasked the WACD Tech Workgroup to develop a pathway towards addressing the top technical recommendations from the 20-21 Action Plan: Technical Leadership, Implementation Expertise, Research and Quality Assurance. The WACD Tech Work Group was selected for this work because it has over the last 5 years, it has lead a number of professional development projects, ranging from standardizing conservation plan formats, inventorying staff proficiencies and training needs, and most recently, piloting a Conservation District professional certification for Dairy Nutrient Management Planning.

RECOMMENDATIONS

Overall Goal:

The ultimate goal of the Technical Workgroups recommendations is to ensure that conservation districts have the necessary technical expertise to consistently plan and implement conservation practices, projects, and programs.

Vision:

Landowners and their communities will make decisions to meet a higher level of natural resource protection and stewardship based on the technical assistance, programs, tools, and guidance they receive from CDs. Districts are recognized for their proficient staff with the technical knowledge and expertise necessary to assist landowners. Districts continually strive to improve technical assistance delivery through research and development. Consistency and performance is promoted among CDs and staff statewide through training and certification. Evaluation of the effectiveness of work and services will demonstrate improvement of natural resources. An overarching structure exists that supports leadership in this area.

Guiding Principles:

- Individual CDs and their Boards are accountable for District performance and employee development.
- Landowners are the ultimate land-use decision makers.
- Actively seek collaboration and partnership, internally and externally.
- Focus on strengths, roles, and motivations of Districts, employees, landowners, and partners.
- District accountability is recognized by other Districts, commission, and outside partners.
- Social networks and behaviors of landowners are critical to achieving conservation results.
- Staff are well-trained and proficient in their areas of expertise.

Recommendation Sub-Areas:

1. Tools, Proficiencies and Certification

Goal: To ensure that each Conservation District employee has awareness of, and access to tools and training necessary to be technically proficient within their discipline.

Exceptional technical staff development begins with a solid commitment from CD staff and supervisors to support each technical employee from before the date of hire. The activities in this section involve cataloging and communicating existing resources available to technical staff and developing new materials as needed. The Tech Work group will support CD management and staff in this commitment by:

- **Developing model job descriptions** that clearly outline expectations in the areas of technical knowledge, planning process, social context awareness, and quality and content of work products;
- Developing and distributing **lists of required proficiencies and expectations** for each discipline area;
- Providing **materials and support to orient new hires** and assess their initial skill levels;
- Providing **information on ethics and liability** considerations in planning and technical assistance;
- Ensuring that technical employees, have convenient **access to training** appropriate to their discipline, from a variety of sources and delivery methods;
- Ensuring that technical employees have convenient **access to necessary tools for conducting site assessments and evaluations**
- **Coordinating job shadowing and mentoring** opportunities with personnel experienced in their discipline
- Providing model training plans and **guidance on planning models** appropriate for differing land uses, scales of operation, levels of complexity, landowner education, etc.;
- Providing guidance for following NRCS standards, uses of engineered solutions, innovative adaptations and demonstrated conservation management practices;
- Providing **certification opportunities** to verify skills in particular disciplines (e.g., Dairy NMP, Small Farms);
- Developing and communicating to CD staff the various **funding structures, grant opportunities**, and ties to good governance procedures to support employee training and certification needs;

- Developing and communicating **model performance evaluation materials**, schedules, and incentives for implementing evaluation plans;
- Creating and maintaining a **list of experts** by discipline for purposes of mentoring, peer-to-peer training, and technical input on policy and programs.

Core activities

- Model job descriptions.
- New hire orientations and related materials.
- Coordinate basic training and special certification programs and trainings.
- Coordinate inter-District mentoring and job shadowing opportunities.
- Coordinate development and distribution of planning models.
- Coordinate development and distribution of proficiency lists.
- Provide training for implementation of NRCS standards and alternative conservation practice standards.
- Develop, maintain, and communicate model performance evaluations and plans.
- Create and maintain list of experts by discipline.

2. Training Opportunities, Needs and Pathways

Goal: To provide all CD staff with access to high quality training related to their professional development needs and recognize those who complete training.

Districts across the state should be oriented to and participating in coordinated professional development planning. Elements of this work include needs surveying, information sharing, and partner collaboration and communication. Work would build upon ongoing surveying of employee training needs and opportunity posting (i.e., training calendar).

Through this effort, there will be strong coordination and communication between CDs, NRCS, WADE, WACD, the Commission, and other partners to support the professional development needs of District staff.

Some of the key outcomes of this work will include coordination and delivery of CD professional certifications, peer to peer mentoring, and other training offerings, including key contributions to WADE Conference coordination.

Core Activities

- Establish and coordinate CD orientation process. Provide professional development planning for employees, awareness training for supervisors, and integration training for managers.
- Manage/maintain training needs inventory of all technical staff and their proficiencies; use inventory to identify training needs.
- Utilize information clearinghouse and facilitate communication.
- Lead collaboration and partnership work.
- Coordinate peer to peer mentoring.
- Manage certification processes.
- Coordinate training offerings.

- Establish and maintain communication with and between CDs on professional development opportunities.
- Ensure all CD staff have access to training opportunities.

3. Research, Implementation, and Effectiveness Monitoring of Conservation Systems

Goals: To demonstrate change in conservation systems resulting from conservation planning and implementation of programs and practices through effectiveness monitoring. To provide a scientific basis for guidance, supplement our knowledge base, and answer specific conservation questions by conducting or supporting research.

The purpose of this work is to address emerging needs and issues through use of high quality data and information collection.

Strategies for a successful implementation process will need to be outlined, including techniques for optimizing landowner participation in conservation programs and plan development.

In order to develop a monitoring program, the next phase of this effort will involve exploring opportunities to develop monitoring programs to be used by CD's and landowners. These will include improving systems for implementation monitoring (assessing levels of Conservation Management Practice implementation and program participation and specific data such as Conservation Practice cost), as well as effectiveness monitoring.

Implementation monitoring will occur through improved tools and protocols for data collection on BMP implementation and program participation. A system will be developed to assist districts with consistent reporting of information to the Commission, such as participation rates, acres planned, and practices implemented.

A strategy for effectiveness monitoring will be developed to show the effect of conservation practices on natural resource outcomes. This may include a variety of levels of targeted monitoring including scales ranging from site, field, farm, sub-basin to watershed.

This effort will provide support for research projects that are identified and implemented by individual Conservation Districts or by interdisciplinary teams. A central clearinghouse will be provided for information on funding sources, technical capacity within specific districts, resources available for CD employees conducting research (e.g., land, databases, equipment, etc.), capabilities needed for programs, logistics, and liability of partnerships with outside agencies. Efforts will be coordinated to increase the capacity of CD employees to conduct research through training in research protocols and the development of standard operating procedures (SOP).

As part of research and monitoring efforts, a forum will be created for sharing information statewide. A central clearinghouse will be needed to house all research projects and programs that individual CDs are participating in, and a process will need to be developed that allows for information to be shared easily and effectively, including monitoring tools, research results, case studies, and success (or failure) stories.

Partnerships between CDs and with other partners (e.g., WSU, NRCS, private industry, etc.) will be critical for the success of monitoring and research efforts. Part of this effort will be development of partnerships, protocols for projects, and programs within Conservation Districts and with outside

partners including the understanding of logistics and liabilities involved in partnerships with outside agencies including regulatory agencies.

Another important part of effectiveness monitoring will be focused on outreach and education to landowners. CDs will be provided with templates for successful outreach programs including development of educational materials and dissemination of information (e.g., newsletters, field days, webinars, mailers, and distribution lists). Success of outreach and education efforts will be measured through surveys, land evaluations, and feedback from participants. Successful outreach materials will be shared with Districts through a central clearinghouse.

Coordinate with statewide programs to acknowledge good land owner behavior (certainty program) in various areas of conservation (e.g., nutrient management, stream protection, riparian, etc.).

Identify sources of funding for research and monitoring efforts. Grant funding can be sought from outside agencies (e.g., DOE, EPA, and NRCS CIG) or field trials/demonstrations through CSP. Establishment of a dedicated funding pool for research will be explored with the Commission.

Core Activities

- Develop tools and SOPs to support monitoring activities
- Provide organizational support for research projects
- Identify and coordinate with research partners
- Coordinate central clearinghouse for monitoring and research activities and results
- Identify sources of funding for research and demonstration projects
- Develop templates for outreach and education programs for content delivery to landowners

4. Quality Assurance

Goals: To consistently promote and maintain a high level of proficiency and quality in programs and technical assistance across districts. To provide a way to demonstrate quality assurance to our partners, including landowners.

It is incumbent upon Districts to consistently maintain a high level of proficiency and quality in programs and technical assistance, as well as demonstrate this to our partners, particularly landowners. A Quality Assurance Plan (QAP) is recommended to support and assess each District's performance in the fields of leadership, training, planning, research, and outreach efforts. A QAP would include establishing a defined standard to follow, along with Quality Assurance Reviews (QAR) to evaluate the adequacy of the work being done by District technical staff.

The Tech Workgroup, along with local District experts in each of the planning disciplines, could assist Districts in setting up, evaluating and adapting plans designed to address the priorities of each District and the needs of the local landowners. An internal process by which Districts can consistently ground truth planning and design products also will be established. Where districts do not have the ability to accomplish this, technical staff from neighboring districts could provide mentoring and technical adequacy review prior to the work product being released to the landowner or other partner.

Core Activities

- Periodic spot-checks, or QARs, of planning and implementation products will be performed.

- Where a deficiency is identified, a pathway will be provided to correct the deficiency.

5. Technical Expertise in Statewide Policy and Programs

Goal: Coordinate engagement by CD technical experts in federal, state and local policies and programs related to conservation activities.

A wealth of knowledge and experience exists within CDs across the state, in their employees, managers, and supervisors. Great benefit can come from accessing this valuable expertise to help inform conservation policy and program development.

A process will be developed to coordinate district technical engagement in federal, state and local conservation policy and program development. This can include activities such as review of proposed technical materials (NRCS, etc.), program procedures, proposed policies, rules and regulations development, and feedback on implementation of such activities.

Districts will work together with partners on statewide technical activities. A clearly defined communication system will be established with responsible parties. Selection and coordination of appropriate staff will be conducted by the Tech Workgroup utilizing a catalog of experts (e.g., CD staff, managers, supervisors, WSCC, WACD) assembled for the State (see Strategic Area 1). Communication lines will be maintained between the Tech Workgroup, district experts, and partners and stakeholder groups (e.g., NRCS, WSDA, EPA, DOE, tribes, DNR, etc.). Relationships with partner agencies and coordinate participation of district experts and stakeholders in policy decisions will be maintained. This will provide a single, clear communication channel for staff participating in policy and program processes.

To support the process, a database of case studies of successful policy and program involvement by districts will be compiled to demonstrate effectiveness. Examples include: riparian buffer discussion, nutrient management, 3 directors talks, NRCS training coordination, etc. Documentation of involvement and monitoring of outcomes will be used to refine the process and improve response time and effectiveness.

Core Activities

- Develop and maintain relationships with partner and stakeholder groups.
- Communicate regularly with point people in agencies and CDs.
- Keep current on topics, issues, policies, and programs around the state.
- Help maintain catalog of experts
- Provide regular feedback to partners.
- Strive to continually improve process.

6. Workload & Budget – FY 2015-2017, TO BE DETERMINED

Goal: Support and staff this effort workload to implement these recommendations. Below is an outline of needs, with some suggestions on how to build out the appropriate staffing:

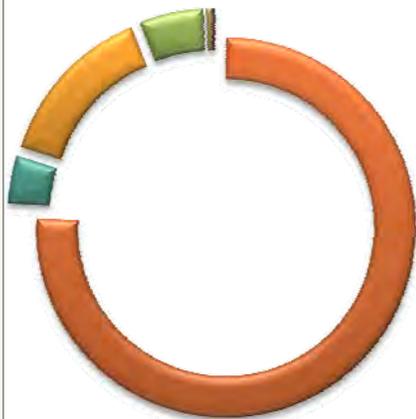
1. Face to face meeting of group that drives marketing and outreach campaign

TAB 4

SCC Operations

Total \$2,448,567.00

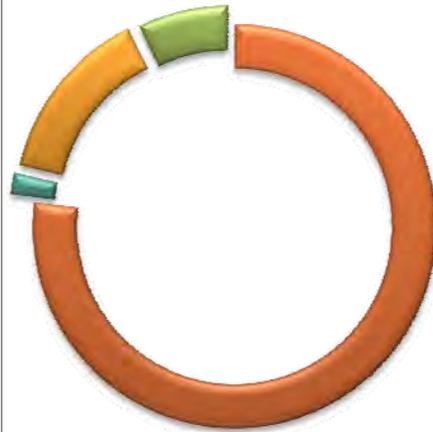
- Salaries & Benefits
- Contracts
- Goods & Services
- Travel
- Equipment
- Retro



Expenses To Date

Total \$1,185,193.00

- Salaries & Benefits
- Contracts
- Goods & Services
- Travel
- Equipment
- Retro



Balance Remaining

Total \$1,263,374.00

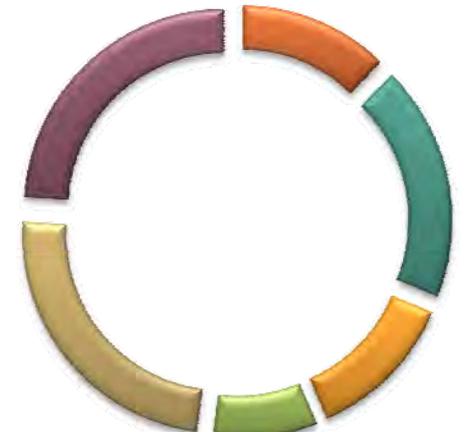
- Salaries & Benefits
- Contracts
- Goods & Services
- Travel
- Equipment
- Retro



Percentages By Object Remaining

Total 51.60%

- Salaries & Benefits
- Contracts
- Goods & Services
- Travel
- Equipment
- Retro



Allotment Detail	Total
Salaries & Benefits	\$1,855,763
Contracts	\$99,500
Goods & Services	\$343,785
Travel	\$132,000
Equipment	\$13,500
Retro	\$4,019
Total	\$2,448,567

Expenses To Date	Total
Salaries & Benefits	\$911,525
Contracts	\$20,271
Goods & Services	\$167,981
Travel	\$85,416
Equipment	\$0
Retro	\$0
Total	\$1,185,193

Balance Remaining	Total
Salaries & Benefits	\$944,238
Contracts	\$79,229
Goods & Services	\$175,804
Travel	\$46,584
Equipment	\$13,500
Retro	\$4,019
Total	\$1,263,374

Percentage Remaining	Annual
Salaries & Benefits	50.88%
Contracts	79.63%
Goods & Services	51.14%
Travel	35.29%
Equipment	100.00%
Retro	100.00%

NOTES:
Fiscal year 14 operations only, 8 months (66%) completed.

Programs

Total \$34,882,456.45

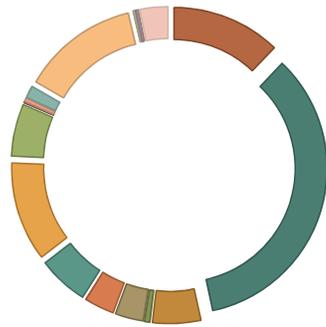
- Category 1
- Engineering
- TSP State
- Shellfish
- CREP
- CREP CF
- Jobs CF
- Irrigation Efficiencies
- Critter Pad
- TSP Federal
- Shellfish Federal
- RCO Cowiche
- Category 2
- Toxics
- VSP State
- Non-Shellfish
- CREP Riparian
- CREP PIP
- Firewise
- Specialty Crop
- Lewis Flood
- VSP Federal
- Non-Shellfish Federal



Expenses To Date

Total \$5,063,356.00

- Category 1
- Engineering
- TSP State
- Shellfish
- CREP
- CREP CF
- Jobs CF
- Irrigation Efficiencies
- Critter Pad
- TSP Federal
- Shellfish Federal
- RCO Cowiche
- Category 2
- Toxics
- VSP State
- Non-Shellfish
- CREP Riparian
- CREP PIP
- Firewise
- Specialty Crop
- Lewis Flood
- VSP Federal
- Non-Shellfish Federal



Balance Remaining

Total \$29,819,100.45

- Category 1
- Engineering
- TSP State
- Shellfish
- CREP
- CREP CF
- Jobs CF
- Irrigation Efficiencies
- Critter Pad
- TSP Federal
- Shellfish Federal
- RCO Cowiche
- Category 2
- Toxics
- VSP State
- Non-Shellfish
- CREP Riparian
- CREP PIP
- Firewise
- Specialty Crop
- Lewis Flood
- VSP Federal
- Non-Shellfish Federal



Percentages By Program Remaining

Total 85.48%

- Category 1
- Engineering
- TSP State
- Shellfish
- CREP
- CREP CF
- Jobs CF
- Irrigation Efficiencies
- Critter Pad
- TSP Federal
- Shellfish Federal
- RCO Cowiche
- Category 2
- Toxics
- VSP State
- Non-Shellfish
- CREP Riparian
- CREP PIP
- Firewise
- Specialty Crop
- Lewis Flood
- VSP Federal
- Non-Shellfish Federal



Biennial Appropriation	Total
Category 1	1,900,000
Category 2	4,782,500
Engineering	1,290,000
Toxics	1,000,000
TSP State	650,000
VSP State	546,000
Shellfish	4,500,000
Non-Shellfish	4,500,000
CREP	2,590,000
CREP Riparian	2,231,000
CREP CF	850,000

FY 14 Expenses To Date	Total
Category 1	613,377
Category 2	1,745,321
Engineering	271,117
Toxics	29,577
TSP State	159,266
VSP State	
Shellfish	168,988
Non-Shellfish	284,675
CREP	558,011
CREP Riparian	294,477
CREP CF	259

Balance Remaining	Total
Category 1	\$1,286,623
Category 2	\$3,037,179
Engineering	\$1,018,883
Toxics	\$970,423
TSP State	\$490,734
VSP State	\$546,000
Shellfish	\$4,331,012
Non-Shellfish	\$4,215,325
CREP	\$2,031,989
CREP Riparian	\$1,936,523
CREP CF	\$849,741

Percentage Remaining	Annual
Category 1	67.72%
Category 2	63.51%
Engineering	78.98%
Toxics	97.04%
TSP State	75.50%
VSP State	100.00%
Shellfish	96.24%
Non-Shellfish	93.67%
CREP	78.46%
CREP Riparian	86.80%
CREP CF	99.97%

CREP PIP	180,000	CREP PIP	3,932	CREP PIP	\$176,068	CREP PIP	97.82%
Jobs CF	500,000	Jobs CF	23,031	Jobs CF	\$476,969	Jobs CF	95.39%
Firewise	76,500	Firewise	67,594	Firewise	\$8,906	Firewise	11.64%
Irrigation Efficiencies	5,047,362	Irrigation Efficiencies	656,701	Irrigation Efficiencies	\$4,390,661	Irrigation Efficiencies	86.99%
Specialty Crop	86,556	Specialty Crop	2,895	Specialty Crop	\$83,661	Specialty Crop	0.00%
Critter Pad	237,255	Critter Pad	9,166	Critter Pad	\$228,089	Critter Pad	0.00%
Lewis Flood	137,863	Lewis Flood	15,703	Lewis Flood	\$122,160	Lewis Flood	88.61%
TSP Federal	1,301,000	TSP Federal	159,266	TSP Federal	\$1,141,734	TSP Federal	87.76%
VSP Federal	1,000,000	VSP Federal		VSP Federal	\$1,000,000	VSP Federal	100.00%
Shellfish Federal	500,000	Shellfish Federal		Shellfish Federal	\$500,000	Shellfish Federal	100.00%
Non-Shellfish Federal	500,000	Non-Shellfish Federal		Non-Shellfish Federal	\$500,000	Non-Shellfish Federal	100.00%
RCO Cowiche	476,421	RCO Cowiche		RCO Cowiche	\$476,421	RCO Cowiche	100.00%
Total	\$34,882,456	Total	\$5,063,356	Total	\$29,819,100		

NOTES:

Operating funds (category 1, 2, Engineering, Toxics) are fiscal year 14 only. These do not include any anticipated awards for FY 15.

Conservation District Grant Status

Financial Status Report - As of 3/3/14

Grants & Contracts			Expenses To Date			% Capital vs Operating			Percentage Expended		
Total		\$5,110,128.85	Total		\$2,954,763.77	Of Funds Contracted			Total		57.82%
Funds Under Contract	Operating \$	Capital \$	FY 14 Expenses TD	Operating \$	Capital \$	% by Fund	% Operating	% Capital	% Expended by Fund	% Operating	% Capital
Adams	\$ 97,229	\$ 7,000	Adams	\$ 70,232	\$ 291	Adams	93.28%	6.72%	Adams	72.23%	4.16%
Asotin	\$ 85,355	\$ 463,104	Asotin	\$ 35,191	\$ 85,355	Asotin	15.56%	84.44%	Asotin	41.23%	18.43%
Benton	\$ 94,382	\$ 143,593	Benton	\$ 69,976	\$ 315	Benton	39.66%	60.34%	Benton	74.14%	0.22%
Cascadia	\$ 187,341	\$ 8,800	Cascadia	\$ 111,152	\$ 2,886	Cascadia	95.51%	4.49%	Cascadia	59.33%	32.80%
Central Klickitat	\$ 141,033	\$ 37,566	Central Klickitat	\$ 93,970	\$ 2,146	Central Klickitat	78.97%	21.03%	Central Klickitat	66.63%	5.71%
Clallam	\$ 128,097	\$ 775,256	Clallam	\$ 64,722	\$ 472,614	Clallam	14.18%	85.82%	Clallam	50.53%	60.96%
Clark	\$ 79,986	\$ 74,347	Clark	\$ 60,467	\$ 7,462	Clark	51.83%	48.17%	Clark	75.60%	10.04%
Columbia	\$ 79,625	\$ 249,983	Columbia	\$ 32,324	\$ 65,647	Columbia	24.16%	75.84%	Columbia	40.60%	26.26%
Cowlitz	\$ 86,326	\$ 120,646	Cowlitz	\$ 52,690	\$ -	Cowlitz	41.71%	58.29%	Cowlitz	61.04%	0.00%
Eastern Klickitat	\$ 66,663	\$ -	Eastern Klickitat	\$ 59,398	\$ -	Eastern Klickitat	100.00%	0.00%	Eastern Klickitat	89.10%	0.00%
Ferry	\$ 79,974	\$ 60,625	Ferry	\$ 37,028	\$ 3,844	Ferry	56.88%	43.12%	Ferry	46.30%	6.34%
Foster Creek	\$ 73,153	\$ -	Foster Creek	\$ 57,678	\$ -	Foster Creek	100.00%	0.00%	Foster Creek	78.85%	0.00%
Franklin	\$ 138,498	\$ 206,236	Franklin	\$ 82,381	\$ 4,638	Franklin	40.18%	59.82%	Franklin	59.48%	2.25%
Grant	\$ 197,477	\$ 367,506	Grant	\$ 149,863	\$ 15,207	Grant	34.95%	65.05%	Grant	75.89%	4.14%
Grays Harbor	\$ 79,875	\$ 6,447	Grays Harbor	\$ 45,530	\$ -	Grays Harbor	92.53%	7.47%	Grays Harbor	57.00%	0.00%
Jefferson	\$ 79,625	\$ 65,855	Jefferson	\$ 30,984	\$ 38,420	Jefferson	54.73%	45.27%	Jefferson	38.91%	58.34%
King	\$ 127,048	\$ 197,100	King	\$ 20,553	\$ 25,613	King	39.19%	60.81%	King	16.18%	13.00%
Kitsap	\$ 80,170	\$ 106,570	Kitsap	\$ 43,133	\$ 2,262	Kitsap	42.93%	57.07%	Kitsap	53.80%	2.12%
Kittitas	\$ 159,625	\$ 1,025,047	Kittitas	\$ 59,170	\$ 116,622	Kittitas	13.47%	86.53%	Kittitas	37.07%	11.38%
Lewis	\$ 155,327	\$ 516,020	Lewis	\$ 74,213	\$ 122,296	Lewis	23.14%	76.86%	Lewis	47.78%	23.70%
Lincoln	\$ 145,858	\$ 15,069	Lincoln	\$ 106,874	\$ 4,602	Lincoln	90.64%	9.36%	Lincoln	73.27%	30.54%
Mason	\$ 213,468	\$ 260,142	Mason	\$ 93,565	\$ 7,226	Mason	45.07%	54.93%	Mason	43.83%	2.78%
North Yakima	\$ 148,823	\$ 127,714	North Yakima	\$ 70,624	\$ 23,939	North Yakima	53.82%	46.18%	North Yakima	47.46%	18.74%
Okanogan	\$ 111,807	\$ 187,625	Okanogan	\$ 79,782	\$ 31,728	Okanogan	37.34%	62.66%	Okanogan	71.36%	16.91%
Pacific	\$ 85,186	\$ 64,089	Pacific	\$ 51,083	\$ 21,101	Pacific	57.07%	42.93%	Pacific	59.97%	32.92%
Palouse	\$ 94,424	\$ 64,625	Palouse	\$ 52,462	\$ 3,316	Palouse	59.37%	40.63%	Palouse	55.56%	5.13%
Palouse Rock-Lake	\$ 74,070	\$ 5,638	Palouse Rock-Lake	\$ 50,811	\$ -	Palouse Rock-Lake	92.93%	7.07%	Palouse Rock-Lake	68.60%	0.00%
Pend Oreille	\$ 80,125	\$ 112,763	Pend Oreille	\$ 64,949	\$ 553	Pend Oreille	41.54%	58.46%	Pend Oreille	81.06%	0.49%
Pierce	\$ 126,937	\$ 33,984	Pierce	\$ 72,747	\$ -	Pierce	78.88%	21.12%	Pierce	57.31%	0.00%
Pine Creek	\$ 74,990	\$ -	Pine Creek	\$ 55,238	\$ -	Pine Creek	100.00%	0.00%	Pine Creek	73.66%	0.00%

Pomeroy	\$	148,070	\$	97,277	Pomeroy	\$	75,999	\$	57,781	Pomeroy		60.35%	39.65%	Pomeroy		51.33%	59.40%
San Juan	\$	89,932	\$	97,000	San Juan	\$	80,023	\$	-	San Juan		48.11%	51.89%	San Juan		88.98%	0.00%
Skagit	\$	226,386	\$	532,905	Skagit	\$	191,344	\$	177,352	Skagit		29.82%	70.18%	Skagit		84.52%	33.28%
Snohomish	\$	182,859	\$	411,366	Snohomish	\$	104,456	\$	45,336	Snohomish		30.77%	69.23%	Snohomish		57.12%	11.02%
South Douglas	\$	64,940	\$	-	South Douglas	\$	14,112	\$	-	South Douglas		100.00%	0.00%	South Douglas		21.73%	0.00%
South Yakima	\$	67,125	\$	443,750	South Yakima	\$	34,127	\$	26,223	South Yakima		13.14%	86.86%	South Yakima		50.84%	5.91%
Spokane	\$	79,625	\$	600	Spokane	\$	14,044	\$	600	Spokane		99.25%	0.75%	Spokane		17.64%	100.00%
Stevens	\$	154,931	\$	-	Stevens	\$	55,449	\$	-	Stevens		100.00%	0.00%	Stevens		35.79%	0.00%
Thurston	\$	101,500	\$	7,154	Thurston	\$	40,606	\$	2,654	Thurston		93.42%	6.58%	Thurston		40.01%	37.10%
Underwood	\$	79,850	\$	160,353	Underwood	\$	42,906	\$	3,127	Underwood		33.24%	66.76%	Underwood		53.73%	1.95%
Wahkiakum	\$	85,313	\$	127,689	Wahkiakum	\$	63,036	\$	5,173	Wahkiakum		40.05%	59.95%	Wahkiakum		73.89%	4.05%
Walla Walla	\$	82,152	\$	272,101	Walla Walla	\$	44,947	\$	112,382	Walla Walla		23.19%	76.81%	Walla Walla		54.71%	41.30%
Whatcom	\$	219,320	\$	901,690	Whatcom	\$	152,563	\$	481,029	Whatcom		19.56%	80.44%	Whatcom		69.56%	53.35%
Whidbey Island	\$	87,871	\$	271,323	Whidbey Island	\$	54,075	\$	14,501	Whidbey Island		24.46%	75.54%	Whidbey Island		61.54%	5.34%
Whitman	\$	67,759	\$	1,380	Whitman	\$	38,287	\$	351	Whitman		98.00%	2.00%	Whitman		56.50%	25.44%
Total		\$ 5,110,128.85		\$ 8,627,937	Total		\$ 2,954,764		\$ 1,984,592								

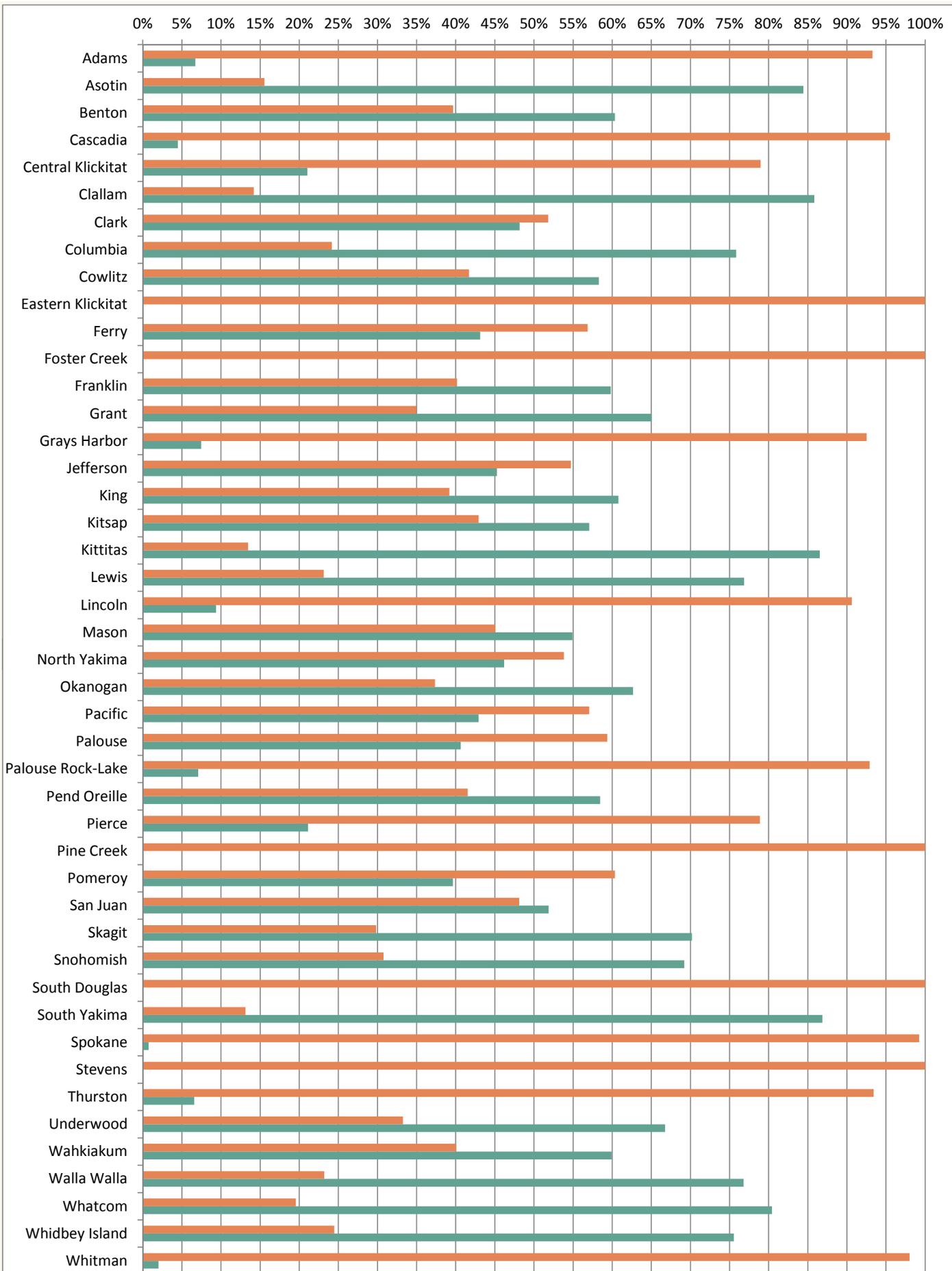
NOTES:

Operating is Fiscal Year 14 Only

Operating consists of: Category 1, Category 2, TSP State, TSP Fed

Capital - as awarded so far

Capital consists of: Non-Shellfish, Shellfish, Livestock TA, CREP CS, CREP TA



% Fund Type by District (operating + capital = 100%) % Operating % Capital



STATE OF WASHINGTON
CONSERVATION COMMISSION

PO Box 47721 • Olympia, Washington 98504-7721 • (360) 407-6200 • FAX (360) 407-6215

March 7, 2014

TO: Conservation Commission Members

FR: Appeals Subcommittee

Larry Davis
Jim Kropf
Clinton O'Keefe
Alan Stromberger
Debbie Becker, staff

RE: Non-Shellfish funding Appeals Report and Recommendations

Background

The Appeals Subcommittee appointed during the January Commission meeting was comprised of Clinton O'Keefe, Larry Davis, Jim Kropf, and Alan Stromberger. The Appeals were heard on February 18.

SCC staff notified the 16 conservation districts by January 31st of their ability to appeal the previous subcommittee review process. (This notification material is included for your reference.) These 16 conservation districts had a total of 47 practices which were eligible for appeal. When the notifications went out to the districts they were sent to the following: District Manager, District Chair, SCC Regional Manager, and SCC Executive Director, Mark Clark.

Of the 47 possible appeals, only 6 submitted the request for an appeal. They were: Palouse, Benton, Lewis, Kittitas, North Yakima #1, and North Yakima #2.

Appeal Process

- The appeal process provided 10 minutes for the district to provide insight into the situation.
- A supervisor was required to be present and involved in the conversation.
- For a practice entered after July 1 and appealed, the district was required to have a trade of a practice previously awarded funding.

Recommendation and Action Required

The recommendation from the subcommittee requires formal adoption by the full Commission. The Commission members may accept the subcommittee's recommendation or establish another decision. This decision of the full Commission would be final and the district notified of the outcome immediately following the meeting.

1. Palouse – Approve
2. Benton – Conditionally Approve, must provide a list of landowners committed to the irrigation conversion practice by the March Commission meeting.
3. Kittitas – Approve for initial eligible appeal of priority #3. Refer to Commission the landowner/district request to change to priority #13.
4. Lewis – Approve
5. North Yakima 1 – Technical No, not a capital investment – recommend longer term discussion and potential funding
6. North Yakima 2 – Technical No, not a capital investment - recommend longer term discussion and potential funding



STATE OF WASHINGTON

CONSERVATION COMMISSION

PO Box 47721 • Olympia, Washington 98504-7721 • (360) 407-6200 • FAX (360) 407-6215

January 31, 2014

Copy of Materials Sent To Eligible Conservation Districts

TO:

FR: **Mark Clark**
Executive Director

RE: **CPDS Project Status and Opportunity for an Appeal**

The Conservation Commission received \$4.5 million in July, 2012 for practices related to improving water quality. Since March 2013, members of the Commission have taken steps to plan for, and ultimately approve the allocations according to the budget language passed by the Legislature.

The purpose of this letter is to provide you a list of projects your district included in the CPDS system which are eligible for appeal. For your reference, I've included all the necessary background and policies adopted by the Commissioners related to this funding. You will also see below a process for appeal which was adopted by the Commission on January 16, 2014.

Conservation District projects eligible for appeal:

Priority #1 – Noxious Weed Control

Not an identified water quality definition linkage
Not a brick and mortar project.

Priority #2 – Noxious Weed Control

Not an identified water quality definition linkage
Not a brick and mortar project.

Priority #3 – entered after July 1

In order to submit your request for appeal, you must use the following link to complete the appeal form. It is required to be submitted by close of business, Monday, February 10th. Any forms received after the close date will not be considered. <https://adobeformscentral.com/?f=LcvGF5RSclK7vntup7-1Cg>

Appeal Process:

Appeals Subcommittee – Commissioners Larry Davis, Clinton O'Keefe, Alan Stromberger and Jim Kropf
Motion by Commissioner O'Keefe to approve the appeals process as follows and will include the following steps:

- Notification to the conservation district by the executive director why the practice was denied.
- Provide the opportunity for the conservation district to appeal the decision.
- The appeal may be in person or via telephone by a supervisor and staff. The appeal time limit is 10 minutes.

- The subcommittee appealed decisions will be presented to the CC for final action at the March Commission meeting.
- Appeals decisions will be made in writing to the CD after the March Commission meeting.

Any appeal of a practice entered *after* July 1, 2013, must meet the following criteria:

- Was the practice one the subcommittee reviewed and did not approve?
- Is there a subsequent letter to the Commission asking for consideration of the practice?
- Appeals of practices entered after July 1, must have approved practices approved within the pre-July 1 criteria to trade.

All notifications of decision on practices will be mailed by February 1, 2014. The appeals hearing would be held in advance of the March 2014 Commission meeting with a full report provided on March 20, 2014.

Commissioner Davis seconded. Motion passed.

Additional Background and Information

September 2013 Commission meeting

Motion by Commissioner Brown that projects for the purpose of converting flood to sprinkler irrigation are water quality eligible and are to be funded as part of the first round of prioritized funding. Commissioner Bahrych seconded. Motion passed.

Motion by Commissioner Brown that the SCC allocate based on the instructions sent out to districts that the first 1 and 2 priorities that met the date and criteria. Second, continue the process with the remaining projects 1 and 2 for each district with the three person committee and staff deciding whether it is allowable as a program or project and consider if these programs may be used with capital money. Commissioner Brown amended to take out the second, and fund all of the remaining projects that meet the date and criteria; and then have the three person committee and staff to consider all the postdated entries and questionable programs vs. projects capital vs non capital. Commissioner Bahrych seconded. Motion passed as amended.

Commission Subcommittee will review each district's prioritized list.

*First, identify projects entered **prior to July 1, 2013.***

- *Projects entered **after** July 1, 2013 are not eligible for funding in this round, but will be retained for potential future funding opportunities.*
- *Next, projects that are shellfish related will be set aside for potential funding from the shellfish fund.*
- *Review the remaining proposed landowner projects for water quality eligibility.*
- *The definitions identified above will be used to evaluate proposed activities for water quality eligibility.*
- *If not eligible, set aside for review if eligible for toxics account funding. If not eligible for toxics account funding then the activity is not eligible for funding from these fund sources. But the item will be kept in the system for possible future funding from other sources. They may also be the basis for a supplemental budget request or a request in the 2015-17 biennium.*
- *Review the district list for those priorities that are for an individual landowner. If no, not eligible for funding at this time.*

July 2013 Commission meeting

Motion by Commissioner Brown to accept the staff proposal to authorize Category 3 project funding for the top 2 priorities as identified by each district in a district prioritization process with local justification of priorities utilizing the July 1, 2013 project listing. Seconded by Commissioner O'Keefe. Motion passed.

September 2013 Commission meeting

The following paragraph contains information provided to Conservation Commission members at the September 2013 Commission meeting:

Water Quality Funding

The second "bucket" of funding is for those activities related to water quality. There is no specific definition of "water quality" in the budget or state statute but there are other related definitions that are helpful.

It is the policy of the state to "exercise its powers...to retain and secure high quality for all waters of the state." RCW 90.48.010 Also, it's the policy of the state "to maintain the highest possible standards to insure the purity of all waters of the state...and to require the use of all known available and reasonable methods...to prevent and control the pollution of the waters of the state of Washington". RCW 90.48.010

"Water pollution" is defined as "...contamination, or other alteration of the physical, chemical, or biological properties of any waters of the state...or is likely to create a nuisance or render such waters harmful, detrimental, or injurious to the public health, safety, or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life."

"Water pollution control activities" is defined as "...actions taken ... for the following purposes:

(a) To prevent or mitigate pollution of underground water; (b) to control nonpoint sources of water pollution; (c) to restore the water quality of freshwater lakes; and (d) to maintain or improve water quality through the use of water pollution control facilities or other means."

RCW 70.146.020

Activities entered into the CPDS and considered for this water quality capital funding must be consistent with the definitions identified above.

Appendices' attached to this memo:

1. Category 3 funding policy approved, May 2013.
2. Prioritization Process for Projects in CPDS System approved, July 2013.
3. Memo dated January 9, 2014 to Commission Members.



Washington State Conservation Commission

Policy #	13-25 Category 3 Policy
Applies to:	All Conservation Districts
Effective Date:	May 16, 2013

PURPOSE

This policy outlines basic elements associated with the Category 3 funding for conservation districts.

BACKGROUND

All districts are required to enter projects into the CPDS system for consideration of funding when budgets are passed by the Legislature. Based upon conservation district entries, in August 2012, the agency submitted a budget request for \$33 million. During the May 2013 Commission meeting, in anticipation of a Capital Budget being passed by the Legislature, the Commission adopted changes to the Category 3 allocation.

POLICY

1. Maximum cost share per land owner per fiscal year is \$50,000.
2. All Practices must meet NRCS standards and specifications, be in compliance with cost share policies and the management practice implementation guidance policy adopted by the Conservation Commission in 2013.
 - a. Engineering services are in addition with a maximum of 5% of cost share value awarded.
 - b. Technical assistance of conservation district staff is in addition with a maximum of 10% of cost share value awarded.
 - c. Travel costs are in addition with a maximum of 2.5% of cost share value awarded.
 - d. Cultural Resources investigations are in addition to the cost share value awarded. Several options are being investigated to reduce the costs. Until some resolution to other options, Conservation districts are encouraged to reach out to NRCS and/or the local tribes to assist with these investigations. Conservation districts are encouraged to provide the tribal representatives the list of investigations needed, well in advance of the timeframe to begin moving dirt for an eligible practice.
 - e. Overhead allowance can be charged against the salaries and benefits within the limits identified in (a) and (b) of the staff working on the project to a maximum of 25% (the allowable rate).
 - f. Education and Outreach expenses are not allowed to be funded under Category 3 funds.
 - g. Irrigation Efficiencies projects and CREP projects not selected for funding within the programmatic limits of the applicable program, may be considered for funding within the category 3 funds.

3. All previously approved policy and procedures remain in place.
4. If a dispute arises over eligibility or expense, the executive director of the State Conservation Commission has the authority to review a project and make a determination of funding.
5. Projects which come in under budget must return funds to the Conservation Commission so they may be allocated to the next eligible practice.
6. Beginning July 1, 2013, funding awarded under this category will have 18 months to reach completion. However, significant movement on the project must begin within 90 days of the funding allocation.
7. A rolling 18 month time frame will be used until further notice or until 6 months of the end of the 13-15 biennium.

Project Funding Selection

To be eligible for project funding, the practice must be entered into the CPDS system and titled Category 3. It must contain a completed and approved WSCC Cost Share application. The project will be selected for funding by date entered, starting with the oldest date. If the particular practice chosen by date is not going to move forward due to landowner decisions, the conservation district may choose one project on their list that may be of higher priority (within the funding authorized).

If the alternate practice is not to move forward due to landowner decisions, the funding opportunity is withdrawn and will be used for the next eligible practice chosen by date entered.

PRIORITIZATION PROCESS FOR PROJECTS IN CPDS SYSTEM

Projects and practices must be consistent with the Category 3 Policy criteria adopted by the Conservation Commission. A copy of this policy is attached for reference. General limitations found in the policy include:

- Maximum of \$50,000 per landowner per project, per fiscal year.
- Irrigation Efficiencies and CREP projects do not qualify for this funding.

While this initial prioritization is to be done on projects entered on July 1, or before, please continue to enter your projects as they become available. A 'project' may include more than one practice that makes up the 'project' for the same cooperators and still remains under the \$50,000. It is also important for the system to be updated with information relating to the completion of projects. Your regional manager will have a copy of the most recent report pulled from the CPDS system.

Make sure the project and practice are entered according to the CPDS user guide, then follow these additional steps:

- 1) The date the practice was entered must be **July 1, 2013** or before. You can edit existing practices, but the created date must reflect July 1 or before. You can locate the created date near the bottom of the practice details tab. This field is not able to be edited.
- 2) Go to the **Practice Details tab** and enter the numerical value of the conservation district's board decision in the **Priority data field**. This should be **a numerical entry**, 1,2,3, etc. Identify the same priority number for each practice making up a single project.
- 3) **Enter the Date Prioritized in the data field** next to the priority number. Use the calendar icon to choose the date. This ensures it is formatted correctly. Please use the date you entered the prioritization.
- 4) On the same tab and in the **practice description text box**, describe **why this is the particular priority** and the **water quality issue to be resolved**.

This information will be used to inform the Legislature of your district's process in determining water quality projects of most importance and the role of local decision making processes.

If you already have text entered in the practice description text box, please enter the description we need, above that text already entered.

- 5) Your Priority 1 and Priority 2 projects **may begin upon** notification of funding.
- 6) Provide **before pictures** on the photo tab at the project level.
- 7) *If this is a shellfish project*, go to the Project Details tab and click shellfish in the aquatic benefits box.
- 8) On the same tab in the Benefits Description Box, describe the shellfish concern and project benefits in detail.

NOTE: The Commission will determine whether a project will be funded from the "shellfish" dedicated funds, or the "non-shellfish" funds.

- 9) When your top 2 projects have been identified, send an email to: Commission@scc.wa.gov
- 10) Please continue to prioritize the remaining projects you have entered into the CPDS system, in accordance with the steps identified above.
- 11) Please complete the entire prioritization and updates by September 6, 2013.
- 12) If you have a project the conservation district board of supervisors has identified as a priority 1 or priority 2, and it is entered after July 1, 2013. Please send a letter to the Mark Clark, Executive Director of the State Conservation Commission at the following address: Commission@scc.wa.gov

Include in the letter the reason the project was not entered prior to July 1, describe the water quality issue, the practices needing installed, when the project will begin and will be finished. If this is the result of a regulatory referral, attach a copy of the referral.



Washington State Conservation Commission

January 9, 2014

TO: Conservation Commission Members

FROM: Mark Clark, Executive Director

SUBJECT: Non Shellfish Funding Briefing

Summary:

The Water Quality Funding Subcommittee changed two members during the December Commission meeting. Commissioners Brown and Bahrych were added, replacing Commissioners Guenther and Susewind. Commissioners Brown and Bahrych join Commissioner Tuttle on the subcommittee to evaluate category practices submitted by conservation districts.

The Water Quality Funding Subcommittee met with Mark Clark and Debbie Becker of the Commission staff on Thursday, December 12, 2013 to evaluate the rankings and discuss the available funding and the development of an appeals process.

The following actions and recommendations were addressed:

- All of the available funds in the Non-Shellfish account have been allocated.
 - Projects were funded based on the following criteria:
 - a water quality project
 - a brick and mortar project
 - created on or before July 1, 2013
 - funding was awarded by practice.
 - If a supplemental budget is approved by the legislature adding livestock technical assistance, this would free up an additional amount of funding to allocate for practices in this system.
 - We also expect an amount of funds returned by districts who may not utilize all the available technical assistance, mileage, engineering, and overhead allowances included in their allocation.
 - As these funds become available, the Commission will determine the approach on allocation. Any decision processes relating to this will be sent to all conservation districts.

There are several unknown expenditures that could be necessary to address from the Non-Shellfish funding. We are currently only 6 months into a 24 month funding cycle for these funds. The projected unknowns are numerous and could likely exceed \$2 million. These include:

- cultural resource investigations,
- appeals of practices not funded prior to July 1,
- appeals of practices funded after July 1,
- practices from shellfish districts which do not meet the shellfish criteria, but meet the water quality criteria,
- livestock technical assistance for FY15, if not funded through supplemental budget, and
- any unanticipated requests.

The dashboard of detail on the following page illustrates the breakdown of the \$4.5 million including the projected appeals and unknown costs.

The subcommittee also addressed the opportunity for an official appeals process for the conservation districts. This process would allow the district to present their issues regarding a practice not selected for funding, and why it should be awarded the necessary funds.

The appeals process will include the following steps:

- Notification to the conservation district by the executive director why the practice was denied.
- Provide the opportunity for the conservation district to appeal the decision.
- The appeal may be in person or via telephone.
- The appeal time limit is 10 minutes.
- Notification of the official decision would be made in writing to the conservation district.

Any appeal of a practice entered *after* July 1, 2013, must meet the following criteria:

- Was the practice one the subcommittee reviewed and did not approve?
- Is there a subsequent letter to the Commission asking for consideration of the practice?
- Appeals of practices entered after July 1, must have approved practices approved within the pre-July 1 criteria to trade.

All notifications of decision on practices will be mailed by February 1, 2014. The appeals hearing would be held in advance of the March 2014 Commission meeting with a full report provided on March 20, 2014.

Staff Contact: Mark Clark (360) 407-6201 mclark@scc.wa.gov

Action Requested: Approval of the Appeals Process



Washington State Conservation Commission

March 11, 2014

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Ron Shultz, Policy Director

SUBJECT: Shellfish Funding Update

Summary: Funding from the shellfish related capital budget continues to be distributed. Below is a status of the account and funding.

Action Requested: None, information only.

Staff Contacts: Ron Shultz, Policy Director (360) 407-7507 rshultz@scc.wa.gov

Description:

Total Shellfish Capital Funds:	\$4,500,000
Total Requested by Districts:	\$2,285,914
Total Authorized ¹ :	\$1,854,960
Total Allocated ² :	\$1,478,163

Allocation by District

Clallam	\$157,625
King	\$121,250
Kitsap	\$106,570
Mason	\$229,742
Pierce	\$33,984

¹ "Total Authorized" means the proposed project has been reviewed and found to meet the criteria for a shellfish funded project.

² "Total Allocated" means funds have been made available to the district.

San Juan	\$97,000
Skagit	\$276,440
Snohomish	\$327,375
Whatcom	\$60,625
Whidbey	\$171,323

Pacific and Grays Harbor CDs are eligible for shellfish funding and have projects in the CPDS system. However, more detailed work with district staff will be needed to identify allowable projects and funding needs. Commission staff will be assisting the districts in this process.

March 10, 2014

TO: Conservation District Supervisors and Staff
FROM: Mark Clark, Executive Director
SUBJECT: 2015-17 Biennium Budget Development Process

We have begun the budget building process for the 2015-17 biennium, and I wanted to update you on a bit of history and where we are headed.

This is an effort to move the ideas forward from the July 20/21 meeting with conservation districts in Yakima, which addressed current budget improvement, local and state natural resource priorities, and a great list of additional funding ideas. WACD developed several resolutions around the budget process and they were adopted at their annual meeting in December.

The Commission at its January meeting reviewed concepts for developing the biennial budget, including the WACD resolutions. The Commission took action on those resolutions, which when combined, helped establish a framework for identifying a budget development process. The Commission directed staff to put together proposals for a budget framework and process for review at the March Commission meeting. Below is the work done on that framework. It was developed by a work group consisting of Commission staff, Dave Vogel, Jim Jesernig, and Kathleen Whalen.

Although the state economy is improving and state revenues are increasing, there is still significant pressure on the budget due to requirements to fund K-12 education. This issue has the potential to make funding for natural resource agencies a continuing concern. As a result, the budget work group believes any budget development process must be both defensible and compelling.

Therefore, in order to develop options for the proposed 2015-2017 budget framework, we propose a two-day, all-districts budget development meeting in April, collectively sponsored by WSCC, WACD, and WADE. Invitations to sit on the Operating and Capital budget work groups will be sent to the 27 district supervisors and staff that volunteered during the 20/21 meetings to champion this budget framework and process development work. We also encourage anyone who is interested in this meeting to participate. Commission staff will be available to facilitate the session and working groups.

The first day would consist of an opening session to review the work plan and break into working groups (described on page2 of this memo). On day two, participants would tackle

allocation and next steps, including communications, and then a review meeting would be set sometime in August.

The desired outcome of the meeting is to have the budget framework filled in with options for the Commission to consider and take action at their May meeting.

Operating Budget Background and Development

The operating budget provides funding for administrative and programmatic activities. There are two general areas of operating needs: (1) Conservation Commission agency activities, and (2) conservation district activities. Operating funds are allocated by, and must be used within the state fiscal year running from July 1 to June 30. Funds not spent in the fiscal year cannot be carried over into the next fiscal year. Generally, operating funds can be used for staffing, administrative costs (such as facilities, supplies, etc), and programs (such as outreach and education). Operating funds can sometimes be used as match for other fund sources, depending on funder requirements.

The approach proposed by the budget development work group for development of the operating budget is:

1. As a base budget, each district would receive the same allocation the district received in FY 2014 for each fiscal year of the 2015-17 biennium.
2. A district may apply for additional funding beyond the baseline, not to exceed 20% of the base. The process for the application for funding and the criteria are to be developed.
3. The base budget for conservation districts will be divided among functional “buckets,” such as operations and administration, engineering, financial services, education and outreach, programs, and resource planning and technical assistance. The final categorization and description of each “bucket” (or category) will be developed by a committee of district supervisors, district staff, and Commission staff.
4. Commission staff will develop a proposed agency activity operating budget to be submitted to Commission members as part of the complete budget package.

Capital Budget Background and Development

Capital funds generally are allocated for on-the-ground projects. A portion of project costs may be used to support staffing needs and overhead, in support of the project. On very rare occasions, capital funds may be used for staff, planning activities, or programmatic activities. Typically, for project funding in the legislature, a project list is developed where projects are scored and ranked. The legislative funding committees review this ranked list of projects and identify the overall funding level.

For conservation districts, the capital budget has historically funded categories of activities, such as water quality, shellfish, CREP, or livestock, without providing a list of projects. Some believe this is detrimental to the success of capital funding because it’s contrary to how other entities develop a capital budget. The argument in support of the current “category approach” is it’s difficult to score and rank conservation district projects on a statewide scale.

Also, some districts feel it's impractical to take a "list approach" because districts identify and develop projects in a more opportunistic manner based on landowner availability and interest.

The budget development work group recommends that some form of ranking process be developed, possibly along a set of project "buckets." A capital budget work group will be established to define the buckets and to develop common criteria to rank the projects in each bucket.

The budget development work group suggests the buckets include:

- Water quality
- Small forestry resources
- Water quantity
- Soil
- Livestock

Programmatic Funding

We have wrestled for several years with what we call programmatic funding. Examples include irrigation water management, rain barrel programs, noxious weed control, small farms, and bio weed control. We propose the groups identified below develop criteria around how these programs will be funded. Some could fall under capital funding while others might fit under operating or other funding sources.

Allocation

What happens if the Commission and districts don't get the funding level we asked for from the Legislature? During the two-day session in April, we will bring work groups together and develop options for the Commission to consider.

List of Work Groups

In an effort to remain clear and concise about the work groups mentioned throughout this memo, here is an outline of each group and its expectations:

- Budget Development – Includes leadership from WACD, WADE, and the State Conservation Commission. This group has met and developed these preliminary ideas for the 2015-17 biennium budget development.
- Operating Budget – Discuss and evaluate the approach proposed by the budget development work group for development of the operating budget.
- Capital Budget – Define the buckets suggested by the budget development work group and develop common criteria to rank the projects in each bucket.

For the Programmatic Funding and Allocation- we propose instead of creating an additional work group specifically for programmatic funding and allocation, we include these elements in the discussions of the Operating and Capital Budget work groups. These work groups will be asked to include these elements in their presentations to the larger group at the all-districts session.

TAB 5

2013 WACD Passed Resolutions Relating to WSCC

Resolution Number	Resolution	WSCC Action
WACD Resolutions Relating to Agency Partnerships and Coordination		
<i>2013-04</i>	Buffer Width Compliance (<i>pg. 122</i>)	
<i>2013-013</i>	Request that WACD and WSCC include Resolution no. 08-003 in their discussions with Department of Ecology (<i>pg. 123</i>)	
<i>2013-19</i>	State Conservation Commission Agency Partnership Agreements to Expand Existing Sources of Funding for Conservation (<i>pg. 124</i>)	
<i>2013-21</i>	Collaborative Agency Program Agreements for Natural Resources Management: EPA 319 Non-Point Source Pollution Plan for the State of Washington (<i>pg. 125</i>)	
<i>2013-22</i>	Collaborative Agency Program Agreements for Natural Resources Management: Irrigation Efficiencies Grant Program as a model for interagency program agreement for natural resources Management (<i>pgs. 126-127</i>)	
<i>2013-23</i>	Conditioned Practices (<i>pg. 128-129</i>)	Discussed at December 2013 meeting
WACD Resolutions Relating to Agriculture and Water Quality		
<i>2013-01</i>	Lemire case on agricultural operations (<i>pgs. 130-131</i>)	
<i>2013-11</i>	Recommendations Addressing Ecology Letters to Producers (<i>pg. 132-133</i>)	
WACD Resolutions Relating to Budget		
<i>2013-08</i>	Utilizing Category 3 Funds to Pool Cost Share Dollars for Providing Financial Assistance to Numerous Cooperators When Completing the Same Practice (<i>pg. 134</i>) *Motion by Commissioner Brown to work on a way to implement the recommendation of the WACD resolution 2013-08. Commissioner Stromberger seconded. Motion passed*	Discussed at January Commission Meeting (see motion to left)

<i>2013-12</i>	Request That WSCC Reallocate Category 1 Funding to Districts in Multiple District Counties That Are Efficient and Practicing Administrative Efficiencies (<i>pg. 135</i>)	
<i>2013-15</i>	Conservation Budget Development and Allocation Process Improvements (<i>pg. 136</i>) *Motion by Commissioner Davis that the WSCC establish a budget development process that has a clear linkage between the bullets identified within the recommendations of the WACD resolution 2013-15. Seconded by Commissioner Brown. Motion passed*	Discussed at January Commission Meeting (see motion to left)
<i>2013-16</i>	Conservation Budget Development Strategy (<i>pgs. 137-138</i>) *Motion by Commissioner Brown to pursue the spirit of WACD resolution 2013-16 in the budget and allocation process. Commissioner O’Keefe seconded. Motion passed. Four yes and three nay vote*	Discussed at January Commission Meeting (see motion to left)
<i>2013-17</i>	Consolidation and Budget Issue Separation (<i>pg. 139</i>)	
<i>2013-18</i>	Long-Term Conservation Funding Opportunities (<i>pg. 140-141</i>)	
<i>2013-20</i>	Harmonizing Local and State Natural Resource Priorities (with special consideration to connection to budget development process) (<i>pgs. 142-143</i>) * Motion by Commissioner O’Keefe to pursue the spirit of the recommendations of WACD Resolution 2013-20. Seconded by Commissioner Brown. Motion passed*	Discussed at January Commission Meeting (see motion to left)
WACD Resolutions Relating to Consolidation		
<i>2013-02</i>	WACD and WSCC work with the Washington State Legislature, the Washington State Conservation Commission and the Office of Financial Management to ensure that District Consolidation remains a voluntary action of the boards involved. (<i>pgs. 144-145</i>)	
<i>2013-07</i>	WACD Consolidation Policy (<i>pg. 146</i>)	
WACD Resolutions Relating to District Communication		
<i>2013-06</i>	Communicating the Work of Conservation Districts with the General Public (<i>pg. 147</i>)	



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-04

Title: Buffer Width Compliance

Problem:

Washington agriculture and cattle producers are working toward compliance with current Department of Ecology requirements for streamside buffers adjacent to crop lands and grazing areas. Much progress has been made but there are still areas around the state that have yet to implement the required streamside buffers and exclusionary watering facilities for a variety of reasons, not least of which is economic.

The conservation districts have been working hard to assist landowners with implementation but have been met with some resistance because of lack of any assurance from DOE that if they were to proceed with implementation of the current size requirement for buffers, that DOE would not at some later date determine that buffer size needs be increased.

Recommendation:

The Washington Association of Conservation Districts and the Washington State Conservation Commission work with the Department of Ecology to assure that all buffers installed at the current width requirement be considered in full compliance of the DOE requirements for acceptable conservation levels and would be grandfathered in as continuing to be in full compliance.

Submitted by: Spokane Conservation District

Recommend Do Pass as Amended by the Natural Resources Committee

RESOLUTION PASSED AS AMENDED.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-13

Title: Request that WACD and WSCC include Resolution no. 08-003 in their discussions with Department of Ecology

Problem:

Resolution number 08-003, which calls for Department of Ecology to allow temporary water withdrawals for the purpose of irrigating riparian plantings to aid in establishment, is on file as being passed. It is unclear what has been done to fulfill the request of the resolution. With the new leadership in Ecology, and WSCC and WACD making efforts to improve relationships with Department of Ecology, now is a good time to follow-up on this request. Currently Ecology is pushing for wider buffers on streams; it makes sense to allow limited irrigation of the plants to ensure success of the investment in buffer development. The ongoing dynamics of buffer width discussion provides the best opportunity to follow up on this resolution.

Recommendation:

WACD and the Commission use the current discussions with Ecology to allow temporary water withdrawals for riparian planting irrigation.

Submitted by: Central Klickitat Conservation District

Recommend Do Pass As Amended by the Natural Resources Policy Committee.

RESOLUTION PASSED AS AMENDED.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-19

Title: State Conservation Commission Agency Partnership Agreements to Expand Existing Sources of Funding for Conservation

Problem:

Conservation funding is a top priority. WACD's Past Presidents Task Force recommended in 2012 that opportunities be explored to increase state and federal funds in existing state agency programs going to conservation districts through the State Conservation Commission to put conservation on the ground. The task force recognized that an effective mechanism is lacking to help state agencies accomplish their conservation goals through collaboration with the State Conservation Commission and conservation districts, and recommended that this be accomplished through interagency cooperative agreements.

Recommendation:

WACD will request that WSCC develop expanded agency partnership agreements, to explore increasing funding to conservation districts via expansion or re-direction of existing state and federal funding sources, making conservation districts and WSCC the "go-to" organization for getting conservation on-the-ground, and establishing a WSCC/agency contract system that provides the ability for any state agency to accomplish conservation goals through WSCC and conservation districts.

Submitted by: WACD Legislative Committee, September 12, 2013.

Recommend Do Pass by the Legislative Committee.

RESOLUTION PASSED.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-21

Title: Collaborative Agency Program Agreements for Natural Resources Management: EPA 319 Non-Point Source Pollution Plan for the State of Washington

Problem:

EPA 319 funds for non-point pollution in the State of Washington are received by the Washington Department of Ecology (DOE) and are distributed by DOE as directed by an EPA-approved NPS management plan developed by DOE. No conservation district or State Conservation Commission (WACC) input is sought or received by DOE in the development of this NPS plan, in particular as it relates to agriculture and forestry. Conservation districts and WACC can provide valuable input to the development of the NPS plan and can help target NPS 319 funds to be applied in the field related to agriculture and NPS water quality.

Recommendation:

WACD will request that WACC and DOE implement an interagency agreement that allows WACC and conservation districts to prepare and submit to DOE input to the agricultural and forestry component of the state NPS management plan for inclusion in the state plan submitted to EPA for approval under the 319 NPS program.

WACD will request that conservation districts secure their county governments' support for this request.

This resolution replaces WACD Resolution No. 11-05.

Submitted by: WACD Natural Resources Committee, September 16, 2013.

Recommend Do Pass by the Natural Resources Policy Committee.

RESOLUTION PASSED.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-22

Title: Collaborative Agency Program Agreements for Natural Resources Management: Irrigation Efficiencies Grant Program as a model for interagency program agreement for natural resources management

Problem:

Washington State's 45 conservation districts and the State Conservation Commission (WSCC) are dedicated to working with private landowners and working lands managers to conserve water. One of the most effective tools for accomplishing this is the Irrigation Efficiencies Grants Program (IEGP). Under this program, private landowners and operators partner with local conservation districts on voluntary projects that increase the efficiency of on-farm water application and conveyance delivery systems. Water saved is converted to beneficial in-stream or out-of-stream uses.

The IEGP began in 2001 as a legislative appropriation to the Department of Ecology (DOE) directing the agency to "provide grants to conservation districts to assist the agricultural community to implement water conservation measures and irrigation efficiencies..." within 16 drought critical basins. WSCC administers IEGP through an interagency partnership with DOE (capital budget appropriation pass-through).

This grant program is an example of the type of interagency cooperation and agreement that is needed to meet agencies' mutual goals, to effectively employ natural resource agency expertise, and to apply proper roles in the management of natural resources related to agriculture. Other natural resource and environmental program areas do not employ similar model agreements, but should. In the case of IEGP, the program is limited to the 16 drought critical basins, but this model should be expanded to address statewide opportunities to improve irrigation efficiency.

Recommendation:

WACD will request WSCC and DOE to confirm this collaborative model approach for water use efficiencies program area for agriculture, and to expand efforts through the IEPG or other collaborative irrigation program to include other statewide opportunities to improve irrigation efficiency.

In addition, WACD will encourage agencies to employ a similar interagency program model in the areas of water quality, air quality, and other areas of mutual natural resources interest.

This resolution replaces WACD Resolution No. 10-29.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-22 (continued)

Submitted by: WACD Natural Resources Committee, September 16, 2013.

Recommend Do Pass by the Natural Resources Policy Committee.

RESOLUTION PASSED.



Resolution No. 2013-23

Title: Mandating Specific Practice Implementation as a Condition for Landowner Participation in Incentive-Based Conservation Programs

Background/Problem:

During the past two years, several organizations and agencies at the national and state level have pressed for changes in conservation practices implementation. This pressure is based on a perception by these entities that existing incentive-based programs and services delivered to landowners and land managers by conservation districts and partners are not effective in putting conservation on the ground, and in achieving desired results to protect natural resources. These entities propose that participants in incentive-based conservation programs be required to implement a certain mandated practice, such as a riparian buffer, as a condition of their having access to any program financial assistance.

Conservation districts, with our seventy-five years of experience in dealing with private landowners and working lands managers, are very concerned about the impact on participation likely to result from such an infusion of regulatory requirements into the collaborative planning process under incentive-based programs. Conservation districts enjoy a unique degree of trust and cooperation with landowners and working lands managers, because we offer a robust set of methods to help program participants address a wide spectrum of natural resources concerns for the lands they manage. Conservation districts recognize that a balanced approach to natural resource protection and management is necessary, and appreciate the importance of both regulatory and incentive-based programs in helping to foster durable stewardship behaviors that meet and exceed compliance objectives. Conservation districts further recognize that, for incentive-based programs, increasing landowner participation is vital to our making progress in improving the quality of natural resources.

Conservation districts believe, however, that mandating specific practice implementation as a condition of participation would severely inhibit participation by landowners and working lands managers in conservation financial assistance programs, and would threaten the effectiveness and future availability of financial assistance programs for Washington citizens. Such a loss of participation would catastrophically hamper progress in addressing natural resources concerns, and would seriously impair the application of incentive-based programs as part of this balanced system. This would leave only regulatory programs to address natural resources management and protection.

Conservation districts recognize that the conservation partnership must work collaboratively with many other entities concerned with natural resources protection, and identify and pursue shared goals with respect to water quality, improved habitat, and maintaining a viable working lands economy and landscape.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-23 continued

Recommendation:

WACD supports a balanced system approach to natural resources management that leverages the benefits of both incentive-based and regulatory programs.

WACD recognizes the need to continually evaluate and improve the effectiveness of incentive-based conservation programs, and to increase participation by landowners and working lands managers in such programs.

WACD opposes the requirement of any specific mandated practice as a condition of participant access to incentive-based program financial assistance. For example, WACD opposes requiring a cooperator to first install a riparian buffer practice as a condition of access to financial assistance for other conservation practices deemed to be needed under a conservation plan.

WACD requests that WSCC and NRCS neither endorse nor accept a requirement for mandatory riparian buffers as a condition of participant access to conservation practice financial assistance.

WACD requests that WSCC and NRCS continue their support for landowner choice and flexibility, and for incentive-based programs that make available to landowners and working lands managers a full suite of practices that can be applied to address natural resources concerns brought to their attention.

WACD requests that WSCC, NRCS and other agencies utilize guidance by WACD/conservation districts to outline our collective pathway forward to achieve improved natural resource protection and management goals through incentive-based programs and services. Such a pathway forward should, at a minimum, identify shared natural resource concerns and goals, support outcomes set for natural resources issues, achieve high levels of landowner participation, promote landowner responsibility, engage in expanded outreach to potential participants and partners, and better target programs and services to achieve measurable improvement in natural resources at the watershed and landscape scale.

Submitted by: WACD Natural Resources Policy Committee, December 3, 2013

Recommend Do Pass As Amended by the Natural Resources Policy Committee.

RESOLUTION PASSED AS AMENDED.



Resolution No. 2013-01

Title: Define the extent and effect of the Supreme Court Decision in the Lemire case on agricultural operations.

Problem:

In 2009 the Washington State Department of Ecology issued an administrative order to a cattle rancher, Joseph Lemire, directing him to take several steps to curb pollution of a creek that runs through his property. Lemire challenged the order, which was upheld on summary judgment by the Pollution Control Hearings Board (PCHB). Lemire filed an administrative appeal in Columbia County Superior Court. The *Lemire v. State Dept. of Ecology & Pollution Control Hearings Bd.*, 87703-3 trial court reversed the summary judgment determination and invalidated the agency order. The trial court also concluded that the order constituted a taking. On August 15, 2013, the Supreme Court of the State of Washington reversed the trial court on all counts, reinstated the Board's summary judgment order and Ecology's underlying order, and held that Lemire failed to establish that a taking occurred.

The Supreme Court decision means that:

Ecology's Inspector determines Substantial Potential to Pollute. Ecology is not required to prove that conditions on the property are actually causing the pollution. It is sufficient for Ecology inspectors to observe conditions on property consistent with the kind of pollution in the water body. Ecology need only to show the substantial potential to violate under the statute, which the Ecology inspector's declaration establishes.

Ecology is not required to rule out other sources of pollution in the creek. Again, under the water quality statutes, Ecology need only show that observations of the conditions on the property are consistent with the kind of pollution found in the stream.

"Ecology has broad authority to regulate any person causing the discharge of matters into waterways that cause or tend to cause pollution." The Court cited the "plain language" of RCW 90.48.080 and 020 as giving Ecology the authority to regulate nonpoint sources of pollution.

They did not need to answer the question of a constitutional taking claim. Lemire failed to prove that he suffered any economic loss, or any economic loss amounting to an unconstitutional taking. The Court indicated Lemire did not establish that Ecology's order actually destroyed his ability to use his land.

This decision from the Supreme Court will negatively impact agriculture in a number of ways including:

1. Conversion of land that has a history of continuous agricultural activity into non-agricultural conservation property.
2. The stakes are high. This could force a rancher, whose retirement is tied up in his small farming and ranching operation, to either spend tens of thousands of dollars to implement BMPS, give up ranching, or be subject to what will likely be substantial financial penalties.



Resolution No. 2013-01 (continued)

3. Presumably, all landowners could potentially violate the state's pollution laws. All the operator has to do is have a state water body on his or her property that is not completely fenced off. That is it. Nothing else needs to be proved but those facts.
4. Ecology does not need to test for a water quality violation, or prove a direct violation of water quality standards to initiate an enforcement action. It only needs to prove that conditions that create a “substantial potential” of violation exist on the property in question.
5. Non-conforming conditions only need to be determined by the Ecology inspector in the field.
6. Other sources of pollution do not need to be considered. Land management activities on surrounding properties may prevent successful implementation of BMPs
7. If after a landowner has correctly installed BMPs and he has complied with an order and the water body is not cured of its pollution problems there is assurance that he will not receive another order.

Recommendation:

WACD work with the Department of Ecology, Department of Agriculture, and WSCC to: 1) develop a practical definition of “substantial potential to pollute” 2) ensure that that definition is applied consistently statewide; and 3) when the Department of Ecology (Ecology) makes referrals to a Conservation District, Ecology will assist WSCC to fund solutions through the Commission/District system.

Submitted by: Foster Creek Conservation District

Recommend Do Pass As Amended by the Legislative Committee.

RESOLUTION PASSED AS AMENDED.



Title: Recommendations Addressing Ecology Letters to Producers

Problem:

The spring of 2013, Department of Ecology (DOE) staff traveled throughout the lower part of Whitman Conservation District and 7 additional Districts evaluating livestock operations that were in close proximity to water ways. Also, the staff marked GPS coordinates on a map indicating the location of each operation. The DOE staff selected four producers from each District to send generic letters informing the recipient. The letters did not inform the producer of vital information; for example: the date the visit took place, what the conditions were at the time of the site visit or what was seen. The process created concerns and questions amongst the livestock producers regarding how they should proceed.

Recommendation/Concerns:

The Whitman Conservation District requests the support of the Conservation Commission and WACD in addressing the following recommendations:

1. The WACD and the WSCC should work with the Washington Department of Ecology to develop a process to include detailed field assessment documentation with the notification letters sent to landowners and operator/tenant. The Department of Ecology will contact the landowner and operator/tenant within 3 weeks of any assessment that will result in a non-compliance letter to set up a time to view the site with the landowner. Department of Ecology will provide an inspection form on the day of the visit to the landowner and operator/tenant. The conservation district's copy of the letter should only include notation that the field assessment documentation has been attached to the letter sent to the landowner.
2. Resolve issues that have arisen from sending four letters in each watershed area where observations were made, letters not necessarily sent to land owners that had the most serious pollution issues.
3. Recognition of the technical support and conservation practices that have already been completed or are being planned on the ranch or farm.
4. To support coordinated resource management or other locally led processes.
5. Abandon the 2013 letter procedure, restart in 2014 utilizing recommendations from the process as outlined in #2 above.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-11 (continued)

Submitted by: Whitman Conservation District and Palouse Conservation District

Recommend Do Pass As Amended by the Natural Resources Policy Committee.

RESOLUTION AMENDED ON FLOOR AND PASSED AS AMENDED.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-08

Title: Utilizing Category 3 Funds to Pool Cost Share Dollars for Providing Financial Assistance to Numerous Cooperators When Completing the Same Practice

Problem:

Under Category 3 funding, conservation districts do not have the ability to pool dollars for multiple cooperators to share when implementing management practices such as cover crops and pasture and hayland reseeding.

Recommendation:

WACD shall support the use of Category 3 funding from the Conservation Commission for conservation districts to pool the money and utilize the dollars for multiple cooperators to share when implementing practices. The conservation districts need the ability to request and receive funding to provide cost share to multiple cooperators for implementing a single practice.

For example, 10 cooperators want to plant cover crops for the numerous reasons that the practice benefits soil health and protects water quality. The funds would be used to give all cooperators a percentage of cost shares as defined in the districts' current policy for planting a cover crop. The funds would be divided by the acres planted with cover crops, not by the number of producers enrolled.

Submitted by: Lewis County Conservation District

Recommend Do Pass as Amended by the District Operations & Education Committee.

RESOLUTION PASSED AS AMENDED.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-12

Title: Request That WSCC Reallocate Category 1 Funding to Districts in Multiple District Counties That Are Efficient and Practicing Administrative Efficiencies

Problem:

Conservation districts were established using stakeholder developed boundaries with an emphasis on grassroots implementation of conservation practices. The boundaries established at the time indicated the stakeholder's belief that there were different resource concerns within each boundary.

Districts that are located in counties with more than one conservation district within its boundaries have had damaging reductions by the Commission in FY14 funding allocations. Category 1 funding for those districts was cut by as much as 75%, depending on the number of districts in the county. While the Commission maintains they will not force districts to consolidate, this reduction of funds indicates an inclination to do just that. There are districts that share staff and office space which is the efficiency the Commission has indicated they desire, but the funding cuts are a disincentive to administrative efficiencies. The resource needs remain the same with or without Category 1 funding for these districts. What is lost is the ability of the districts to act on those concerns.

In addition, most districts use Commission funding to leverage other funding sources by using the Category 1 allocation to pay staff. Without adequate funding for staff under Category 1, the ability to successfully apply for and implement other funding sources is lost.

Recommendation:

The Washington State Conservation Commission re-instate full Category 1 funding to Tier 1 districts in multiple district counties that are practicing administrative efficiencies and do not rely entirely on Commission funding for their operations – are leveraging other funding sources with their Commission funds.

Presented by: Central Klickitat Conservation District & Eastern Klickitat Conservation District

Recommend Do Pass by the District Operations & Education Committee.

RESOLUTION PASSED.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-15

Title: Conservation Budget Development and Allocation Process Improvements

Problem:

WACD and WSCC have recognized the need to revise a budget development process in support of putting conservation work on-the-ground. The current budget development and allocation process does not clearly reflect linkages between the steps in the process to enable the WSCC to employ an efficient, predictable and clearly communicated allocation process. There is a need to improve the budget development and allocation process to allow for proper linkage throughout the process. However, flexibility is still needed for adjustments to respond to legislative appropriations, and should be considered in the process.

Recommendation:

WACD and WSCC shall establish a budget development process that has a clear linkage between:

- The initial budget development request from the WSCC to the districts;
- The combined district budget requests into a draft budget proposal;
- WSCC budget submittal to OFM; and,
- The WSCC allocation process to the districts.

The budget development process shall direct the allocation process. The budget development process shall be consistent with the WACD and WSCC budget strategy.

Submitted by: WACD Legislative Committee, September 12, 2013.

Recommend Do Pass by the Legislative Committee.

RESOLUTION PASSED.



Resolution 2013-16

Title: Conservation Budget Development Strategy

Problem:

Funding is appropriated by the State of Washington on a biennial basis for work by conservation districts, through the State Conservation Commission (WSCC). This appropriation includes an Operating and a Capital budget, and includes funding for the state's 45 conservation districts and for WSCC in its role in support of conservation districts. This state appropriation is fundamental to sustaining the basic infrastructure that allows conservation districts to respond to citizen demand for services, to leverage other sources of funding, and to maintain the level of technical assistance, financial assistance and human resources required to help citizens fulfill their role as stewards of natural resources.

Recent years' budget development and appropriation processes have demonstrated the vulnerability of our current budget submittals and source(s) of funding with respect to changing economic conditions and competition for state funds. For the short-term (next two biennia), there is a need to improve the budget development strategy to allow for needed and reasonable growth in both operating and capital budgets, and to clarify the distinction between operating and capital budgets.

Conservation districts and WSCC need to establish a budget development process that, in addition to identifying the actual citizen demand for services, constructs a state budget request that accurately reflects the amount of work that conservation districts are capable of accomplishing during a biennium towards meeting that demand. The process should also reflect a realistic funding objective in terms of legislative support and competing legislative initiatives. Budget submittals are vulnerable to loss of funding or lack of growth due to lack of specifics and lack of prioritization, and due to a lack of consultation with legislative supporters about realistic budget outcomes, despite strong support within the Legislature for conservation districts. Budget proposals should be prepared, packaged and presented in a manner that works to forge partnerships among conservation districts and legislative supporters for particular groups of technical assistance services and projects.

Recommendation:

WACD and WSCC will:

1. Clearly articulate what is needed from the operating budget. The process should include a level of district funding to operate an efficient and effective conservation district program, should reflect consideration of reasonable potential for growth within the operating budget, and should reflect the commitment by the state in funding the infrastructure needed to support conservation districts' role in assisting landowners as stewards of natural resources.



Resolution No. 2013-16 (continued)

2. Clearly articulate what is needed from the capital budget. Define those projects and activities that qualify for capital budget funding, and form the basis for a capital budget request. Establish a process that asks the districts to identify the natural resource funding pools, amounts, and priorities in each district's budget request. The process will further include combining district requests into similar pools. The combined pools will be the basis for the WSCC capital budget proposal. The combined pools will be prioritized by WACD and the WSCC based on the natural resource priorities identified by the districts. This process should be clearly communicated to conservation districts prior to the WSCC budget request to the districts.
3. Districts should recognize that not all projects may be funded by the Legislature, and that some process may be needed to prioritize within and among the funding pools. A competitive process for ranking projects within each combined pool will be established prior to the WSCC's budget request to the districts. The criteria for the competitive process will be clearly communicated to conservation districts prior to the WSCC budget request to the districts.
4. WACD and the WSCC shall consult with the Legislature, OFM and the Governor's Office, prior to the WSCC's budget submittal to OFM, to inform them about the budget strategy and to seek input on the reasonableness of the budget request. WACD and WSCC shall seek to retain, as part of this process, strategies to maintain flexibility in funding sources and options in response to final funding decisions by the Legislature.
5. WACD and the WSCC will establish this process prior to the next biennium (2015-16).

Submitted by: WACD Legislative Committee, September 12, 2013

Recommend Do Pass by the Legislative Committee.

RESOLUTION PASSED.



Resolution No. 2013-17

Title: Consolidation and Budget Issue Separation

Problem:

District Governance and structure are currently linked with the budget in the minds of some decision makers. This manifests itself mainly in the discussion surrounding consolidation of districts. This tends to misrepresent the founding principles of locally led conservation and a district's own governance and sovereignty. While district efficiency efforts are linked to the budget, governance should be a separate issue. This is a current issue related to a 2013 budget proviso, but should be a standing position of WACD and WSCC.

Recommendation:

WACD and WSCC will communicate to the Legislature and other decision makers:

- The locally-led basis for the foundational governance structure of districts, and
- That while district efficiency efforts are linked to the budget, governance should be a separate issue.

WACD and WSCC should align their existing policies on district consolidation, and should incorporate those aligned existing policies into this communication.

Presented by: WACD Legislative Committee, September 12, 2013.

Recommend Do Pass by the Legislative Committee

RESOLUTION PASSED.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-18

Title: Long-Term Conservation Funding Opportunities

Problem:

In 2012, the WACD and WSCC recognized the need to evaluate and develop opportunities to secure long-term, stable funding for conservation districts and the Conservation Commission in its role in support of conservation districts. Recent state budgets have illustrated the long-term need to find suitable and reliable sources of funding to support conservation. There is a need to develop and implement a campaign for long-term conservation funding to supplement basic state infrastructure support.

Recent work by the WACD Past Presidents Task Force (PPTF) and conservation district supervisors and employees under the 2013 “20/21 series” of meetings held by Commission staff has identified a number of potential candidate sources of funding for conservation. Each potential source requires thorough evaluation and consideration related to feasibility, reliability and stability prior to launching the funding campaign.

WACD and the WSCC will need to help build the required unity across conservation districts with regard to any funding source(s) (together with their associated natural resource priorities) selected for the funding campaign. Also, considerable work will be required to develop and maintain the new partnerships required to help secure selected funding option(s). Additional work is needed to prepare most promising candidate funding options for inclusion in a campaign that can be developed and implemented over the course of future biennial state budgets.

Recommendation:

WACD and WSCC will collaborate to evaluate the proposed long-term funding sources and to develop a campaign to secure needed conservation funding. This evaluation will include those long-term funding options identified by the WACD PPTF in 2012 and in the 2013 20/21 process.

WACD and WSCC will employ appropriate WACD committee(s) and task force(s), member conservation districts (including interested conservation district supervisors and employees) and other interested parties and partners to thoroughly analyze and consider the funding options.

The WACD and the WSCC will express their joint support for the proposed funding campaign prior to its enactment.

The WACD and WSCC will report on progress at the 2014 WACD annual meeting.

Submitted by: WACD Legislative Committee, September 12, 2013.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-18 (continued)

Recommend Do Pass by the Legislative Committee.

RESOLUTION PASSED.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-20

Title: Harmonizing Local and State Natural Resource Priorities (*with special consideration to connection to budget development process*)

Problem:

During this year's Conservation Commission's budget allocation process, there has been debate about how best to reconcile the locally-led conservation district process with state natural resource priorities. There is a need for clarity on questions about how state resource priorities are developed (with or without district input), how state priorities are shared with conservation districts, when information on state priorities is shared with districts as part of the budget development cycle, and about the role of Commission overall and Commission member agencies in this process.

The time to consider how local conservation district budget proposals can best address state natural resource priorities is early in the budget development process, rather than after funding is appropriated by the Legislature. First, conservation districts should make some contribution towards identifying state resource priorities, by providing local resource data and other relevant information. Second, conservation districts should be made aware of the natural resource priorities identified by state natural resource agencies in advance of their development of budget proposals for the Conservation Commission. Commission member agencies have a special obligation to provide data and other information with respect to their natural resource priorities that can be shared with conservation districts. The Commission should play a vital role in facilitating the exchange of such information.

There is a need to identify to WSCC member agencies the mutual benefits of sharing information on natural resource priorities and of collaboration among WSCC member agencies and conservation districts in achieving their natural resource protection and management goals, such as those identified under the Governor's Results Washington Initiative.

Recommendation:

WACD will request that the WSCC and WSCC member agencies enter into an agreement no later than December 2014, to implement the requirements of RCW 89.08.070(8) with respect to identifying and sharing information about natural resource priorities. The requirements of this section are:

Pursuant to procedures developed mutually by the commission and other state and local agencies that are authorized to plan or administer activities significantly affecting the conservation of renewable natural resources, to receive from such agencies for review and comment suitable descriptions of their plans, programs and activities for purposes of coordination with district conservation programs; to arrange for and participate in conferences necessary to avoid conflict among such plans and programs, to call attention to omissions, and to avoid duplication of effort.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-20 (continued)

This agreement will include the following:

- WSCC member state agencies will identify and share data and other information on their agencies' natural resource priorities through WSCC to conservation districts.
- WSCC (including its member state agencies) will distribute data and other information on state priorities to conservation districts **in advance of** the biennial budget development process, beginning in 2015-2017 budget cycle.
- WACD and WSCC will encourage and support conservation districts' input to the state resource identification and prioritization process, including watershed plans, monitoring data, implementation of practices, etc.

WACD will request that WSCC member agencies consider and provide agency feedback to this request to WACD and the WSCC during the regularly scheduled January, 2014 WSCC meeting.

Submitted by: WACD Natural Resources Committee, September 16, 2013

Recommend Do Pass by the Natural Resources Policy Committee.

RESOLUTION PASSED.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-02

Title: WACD and WSCC work with the Washington State Legislature, the Washington State Conservation Commission and the Office of Financial Management to ensure that District Consolidation remains a voluntary action of the boards involved.

Problem:

In May 2013, both the House and Senate 2013-15 budget proposals included proviso language that requires the Washington State Conservation Commission (WSCC) to consider district consolidation options related to district overhead costs and efficiencies. Conservation Districts desire to provide sufficient information to decision makers so that supplying better policies will be made. And better policies will mean better conservation on the ground.

There is often misunderstanding of the roles of counties and conservation districts in terms of organization, purpose, funding and governance. Conservation Districts are a state-subdivision special purpose districts under state law. Therefore the Conservation District fulfills a role unrelated to local jurisdictions. In terms of natural resources, agriculture, urbanization and other conservation issues, there is nothing special about political boundaries. These boundaries are not set using criteria related to natural resources.

A forced consolidated district will lead to a loss of true local representation, leadership and accountability. Examples are: 1) a larger district may lose the ability to govern effectively with a five-member board; or 2) a smaller district may be swamped by another leading to a loss of local leadership; or 3) adjacent conservation districts may be sufficiently different in terms of resource needs, customer type, agricultural practices, etc., where one area's issues will come at the expense of another.

Critical local district collaboration will be lost if local ties are weakened. As smaller districts grow into county-size districts there will be a loss of accountability to the direct electorate. This will lead to pressure to involve county officials with supervisor appointments by county officials versus public elections. With increased local pressure, conservation districts are more susceptible to becoming general purpose, local government entities rather than the current special purpose districts resulting in shifting of funds away from conservation work to general purpose government functions.

Recommendation:

WACD and WSCC will share information with legislators and others to educate decision-makers about consolidation as an option for conservation districts. Consolidation can only come at the initiative of involved conservation districts, in response to a shared need for joining together and to sustain the locally-led principle or to improve efficiencies and conservation services. It should not come from external influence seeking to force conservation districts to consolidate, against their will, regardless of the reasons. Neighboring conservation districts already share resources even though they have very different approaches to resource conservation, based on local knowledge of the board of supervisors.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-02 (continued)

Submitted by: Foster Creek Conservation District

Recommend Do Pass by the Legislative Committee.

RESOLUTION PASSED.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-07

Title: WACD Consolidation Policy

Problem:

There have been discussions regarding consolidations of conservation districts throughout the State of Washington. Due to political and financial stipulations, there appears to be some pressure for conservation districts to consolidate. This undermines the autonomy provided by law for individual conservation districts to operate as separate legal entities.

Recommendation:

That the WACD membership does hereby adopt and support both in word and in action, the consolidation policy adopted by the WACD Board of Directors, and the Washington State Conservation Commission is to be encouraged to do the same.

Submitted by: Skagit Conservation District

Recommend Do Pass by the Legislative Committee.

RESOLUTION PASSED.



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2013-06

Title: Communicating the Work of Conservation Districts with the General Public

Problem:

- 1) Districts have varying abilities to communicate effectively to the public.
- 2) The general public generally does not know what a Conservation District is let alone what it does.
- 3) Generally, districts communicate well with their active cooperators. However, the procedures and skill sets required to communicate effectively with the general public differ.
- 4) Districts have long considered it important that they have control over their own local messaging to the people in their area.
- 5) The variety of platforms of communication can represent overwhelming complexity (i.e. Twitter, Facebook, E mail, websites, cable TV, radio, YouTube, etc...)
- 6) Some communication platform requirements are more expensive than others (i.e. radio, video spots) and individual districts cannot afford to develop these resources.
- 7) There is enough commonality between districts in the work they implement to warrant collaboration between Districts and state level conservation partners (WSCC and WACD) in creating effective messaging with the general public.

Recommendation:

Individual conservation districts, WACD, WADE, and WSCC will collaborate on communication efforts to create individual yet cohesive messages to engage the general public. Individual Districts will have ultimate control over communication in their own locale using the methods and materials collaboratively developed. The state level communications will be able to effectively focus on broader issues at the state and national level. Because of the ever increasing complexity of communication platforms, all parties will assist in identifying how and when to use a particular platform. The result of this collaborative communication process will be to deliver effective and similar messages as well as receive feedback from the general public.

Submitted by: Whidbey Island Conservation District

Recommend Do Pass by the District Operations & Education Committee.

RESOLUTION PASSED.