



CONSERVATION COMMISSION
MEETING PACKET

MAY 2016

Session Objective:

- Discuss and identify future overall strategic direction for agency based on strategic areas, member discussion of where they want WSCC to be in 5 years in each strategic area, and proposed strategies.

Time	Duration	Activities	Outcomes & Notes
8:30 am	10 minutes	Opening Comments, Session Objectives & Agenda <ul style="list-style-type: none"> ▪ Opening comments by Commission Chair & Executive Director ▪ Review of workshop objectives and agenda 	<ul style="list-style-type: none"> ▪ Participant's knowledge of workshop objective & activities
8:40 am	10 minutes	Mission, Vision, Values <ul style="list-style-type: none"> ▪ Brief review of current Mission, Vision, Values 	<ul style="list-style-type: none"> ▪ Notes on Mission, Vision, Values ▪ Mark present
8:50 am	30 minutes	Strategic Areas <ul style="list-style-type: none"> ▪ Review current strategic areas from 2015 work session ▪ Input from Commission members and guests on strategic areas and opportunities. 	<ul style="list-style-type: none"> ▪ Post Strategic Areas on Easel Paper on large wall for listing member recommendations
9:20 am	40 minutes	Strategic Discussion of Each Strategic Area <ul style="list-style-type: none"> ▪ Members discuss the future strategic vision for the Conservation Commission for one strategic area...revise strategic area vision, if needed ▪ Group discussion of strategic area; including experiences from past, notes from 2015 work sessions, staff input, and potential strategies for the strategic area (one at a time) ▪ Members individually draft two or three strategies to pursue in the next 5 years ▪ Discussion and record of member recommendations for strategies...captured on easel paper by strategic area ▪ Repeat for each strategic area 	<ul style="list-style-type: none"> ▪ Notes on strategic direction from member discussion
10:00 am	15 minutes	Break	
10:15 am	105 minutes	Strategic Discussion of Each Strategic Area (continued) <ul style="list-style-type: none"> ▪ See above activities 	<ul style="list-style-type: none"> ▪ Notes on strategic direction from member discussion
Time	Duration	Activities	Outcomes & Notes
Noon	30	Lunch (on site)	

	minutes		
12:30 pm	90 minutes	Strategic Discussion of Each Strategic Area (continued) <ul style="list-style-type: none"> See above activities 	<ul style="list-style-type: none"> Notes on strategic direction from member discussion
2:00 pm	10 minutes	Break	
2:10 pm	60 minutes	Strategic Discussions (continued) <ul style="list-style-type: none"> See above 	<ul style="list-style-type: none"> Notes on strategic direction from member discussion
3:10 pm	30 minutes	FY17 Strategies <ul style="list-style-type: none"> Each member indicates their recommended strategy for FY17 Action by "dot voting" using one dot for each strategic area on one strategy per area on easel paper. Group discussion 	
3:40 pm	20 minutes	Next Steps, Closing Comments & Adjourn <ul style="list-style-type: none"> Next steps Closing comments by Commission Chair 	
4:00 pm		Adjourn	

Logistics & Room

- regular Commission room setup
- breaks & lunch arranged by Commission

Materials

- agenda and meeting design (WSCC)
- mission, vision, values summary (WSCC)
- worksheets (WSCC)
- summary of strategic areas and past notes

Equipment

- small table
- 3 flipcharts with paper
- markers and tape
- large screen (Ray)
- extension cord with multiple outlets (Ray)
- computer & projector unit (Ray)

Mission Statement

To conserve natural resources on private lands, in collaboration with conservation districts and other partners.

Vision

Washington State shall have healthy soils, water, air, and ecosystems, with sustainable human interaction with these resources.

The Conservation Commission is recognized as the independent and trusted agency of choice that implements stewardship in the state of Washington through support of and partnership with conservation districts and through partnership with other agencies and organizations.

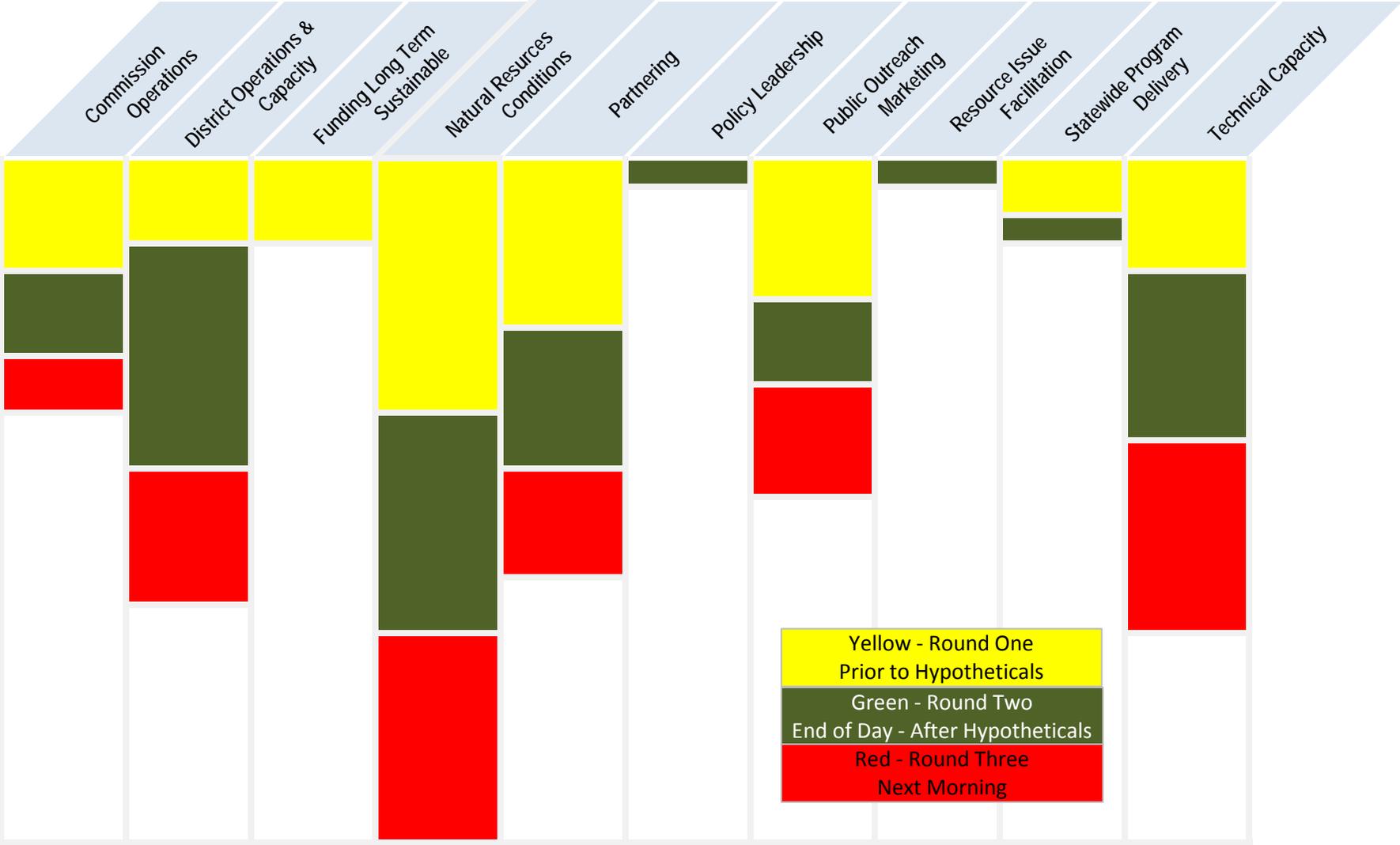
Conservation districts are recognized as the leaders and implementers of actions in local areas to accomplish natural resource conservation goals.

Values

- The Conservation Commission values all Washington lands, both private and public, the state's natural resources, and the people who own and use them. We demonstrate this by valuing:
- Healthy, diverse landscapes that reflect sustainable economic use of natural resources;
- Voluntary application of conservation systems on working lands that reflect state, local, and community priorities;
- Partnerships in resource management that involve local, state, federal and tribal agencies and organizations;
- The highest standards of ethics and personal and institutional integrity for Conservation Commission members and staff, and the conservation districts supervisors and staff;
- ~~The economic contributions of natural resource based industries, operating to achieve sustainability; similar to bullet two. Delete.~~
- Accountability for the effective and efficient use of public funds;
- Policies and governance procedures that assure the effective and efficient use of public resources;
- Open communications and transparency of operations that create trust;
- Diverse cultures and ideas; and,
- Education for current and future generations.
- Locally led conservation

State Conservation Commission Strategic Planning

20-May-15



Strategic Area Vision Statements

Commission Operations

Be the best small agency in Washington State as a result of accomplishments through talented staff, involved members, accountability, clear policy and procedures and decision making based on strategic thinking, planning, doing and evaluation

District Operations & Capacity

Conservation districts meeting or exceeding governmental political subdivision legal, program, and business requirements while delivering high quality technical, financial & educational services and programs for land owners and operators within their district

Long Term Sustainable Funding

Funding for conservation projects, services and conservation district operations becomes sustainable as a result of support and confidence of funding decision makers

Natural Resource Conditions

Be the reliable and relevant source of data and information regarding changes in natural resource conditions from conservation activities on privately owned land in Washington State

Partnering

Become the agency that conservation districts, land owners, operators, private organizations, and agencies want to partner with to share funding, people, programs and project resources that benefit conservation work in Washington State

Policy/Leadership

Be a relevant and respected agency in natural resource conservation policy development and implementation through member and staff leadership

Public Outreach & Marketing

The public is supportive of the Conservation Commission and conservation districts, partners and land owners working on private lands conservation as a result of the effective public outreach and marketing strategies implemented

Resource Issues Facilitation

Be the preferred agency for facilitation on resource issues at the local, area, state levels bringing people together for solutions identified and implemented to address natural resource issues

Statewide Program Delivery

Become the preferred agency for natural resource program delivery as a result of the unique relationship built between local land owners and their conservation district supervisors and staff as the trusted natural resource conservation program provider

Technical Capacity

Conservation Districts have the premier technical capabilities to develop and implement conservation systems with private land owners as a result of training, mentoring, quality assurance and certification on natural resource disciplines needed for their district

TAB 1

**PRELIMINARY BUSINESS MEETING AGENDA
THURSDAY, MAY 19, 2016**

Time	Tab	Item	Lead	Action/Info
8:30 a.m.		Call to Order • Additions and/or corrections to the agenda	Chair Brown	
8:35 a.m. 10 min.		Introductions	All	
*****Public Comment will be allowed prior to each action item*****				
8:45 a.m. 5 min.	1	Consent Agenda • Approval of the March 17, 2016 Business Meeting Minutes (<i>pgs. 10-21</i>)	Chair Brown	Action
9:00 a.m. 75 min.	2	Budget • Agency Budget Update (<i>pg. 23</i>) • Next Fiscal Year Budget Items (<i>pg. 24</i>) • Fire Funding Update (<i>pgs. 25-30</i>) • Okanogan CD Letter- BAER Coordination (<i>pg. 31</i>) • Firewise Funding (<i>pgs. 32-36</i>) • April 20 & 21 All District Meeting Report-out (<i>pgs. 37-40</i>) • 2017 Budget Development	Sarah Groth /Mark Clark Mark Clark Mark Clark Craig Nelson Mark Clark Ron Shultz Mark Clark	Info Action Info Action Action Info
10:15 a.m.		BREAK (15 minutes)		
*****Public Comment will be allowed prior to each action item*****				
10:30 a.m. 60 min.	3	District Operations • Conservation District Elections (<i>pgs. 42-44</i>) • Conservation District Appointments (<i>pgs. 45-47</i>) • Good Governance Revision- timeline (<i>pgs. 48-49</i>) • Implementation Monitoring Update/CREP (<i>pgs. 50-54</i>) • Regional Manager Report (<i>pgs. 55-59</i>)	Stu Trefry Ray Ledgerwood Brian Cochrane Jess Davenport/ Ray Ledgerwood	Action Action Info Info Info
11:30 a.m. 30 min.		Deep Furrow Drill Presentation - Chris Herron, Franklin CD Supervisor - Dr. Schillinger, WSU		

12:00 pm
30 min.

LUNCH PROVIDED: Please RSVP to the Conservation Commission

12:30 p.m.
45 min.

Dairy Nutrient Program Presentation
- Ginny Prest, Department of Agriculture

*******Public Comment will be allowed prior to each action item*******

1:30 p.m.
75 min.

4 Policy/Programs

- Office of Farmland Preservation Easements Josh Giuntoli **Action**
(pgs. 61-62)
- Food Policy Forum *(pgs. 63-67)* Ron Shultz **Info**
- Voluntary Stewardship Program Update *(pgs. 68-69)* Ron Shultz **Info**
- Fire Council Update Ray Ledgerwood **Info**
- "What's Up Stream" Discussion *(pgs. 70-115)* Ron Shultz **Info**

Reports: Review and Discussion of several recent reports.

2:45 p.m.

BREAK (15 minutes)

*******Public Comment will be allowed prior to each action item*******

3:00 p.m.
60 min.

5 Commission Operations

- Communications Partnership Outreach Update Laura Johnson **Info**
- WACD Resolutions *(pgs. 117- 118)* Mark Craven/
Mark Clark **Action**
- June 11, 2016 Joint Commission Meeting with Department of Fish and Wildlife *(pgs. 119-120)* Mark Clark **Info**
- Tri State Meeting and Coordinated Resource Management Meeting and Tour *(pgs. 121-122)* Mark Clark **Info**

4:00 p.m.

Adjourn

Chair Brown

Next Meeting: The Conservation Commission will have a tour and interaction dinner hosted by the Grays Harbor Conservation District on **Wednesday, July 20, 2016** with a Regular Business Meeting scheduled on **Thursday, July 21, 2016.**

Location:

Chateau Westport
710 Hancock,
Westport, WA 98595

Please note that the times listed above are estimated and may vary. Every effort will be made, however, to adhere to the proposed timelines.

If you are a person with a disability and need special accommodations, please contact the Conservation Commission at 360.407.6200

DRAFT



Washington State Conservation Commission Regular Business Meeting
Colville, Washington
March 17, 2016

The Washington State Conservation Commission (Commission/SCC) met in regular session on March 17, 2016, in Colville, Washington. Chairman Brown called the meeting to order at 8:30 a.m.

COMMISSIONERS PRESENT

Lynn Brown, Chairman, Central Region
Jim Kropf, Vice-Chairman, WSU-Puyallup
Dean Longrie, West Region
Larry Cochran, Eastern Region
Daryl Williams, Member
Lynn Bahrych, Member
Todd Welker, Dept. of Natural Resources (DNR)
Perry Beale, Dept. of Agriculture
Michael Kuttel, Dept. of Fish and Wildlife
Kelly Susewind, Dept. of Ecology (DOE)
Mark Craven, President, WA Association
of Conservation Districts (WACD)

COMMISSION STAFF PRESENT

Mark Clark, Executive Director
Ray Ledgerwood, District Operations Manager
Ron Shultz, Policy Director
Mike Baden, Eastern Regional Manager
Shana Joy, Puget Sound Regional Manager
Bill Eller, South Central Regional Manager
Lori Gonzalez, Executive Assistant
Sarah Groth, Fiscal Analyst

PARTNERS AT THE TABLE REPRESENTED AT THIS MEETING

Doug Allen, Natural Resources Conservation Service (NRCS)
Lucy Edmondson, Environmental Protection Agency (EPA)

GUESTS ATTENDED

Margen Carlson, Department of Fish and Wildlife
Dean Hellie, Stevens County Conservation District

Consent Agenda

Motion by Commissioner Longrie to approve the January 21, 2016 meeting minutes. Seconded by Commissioner Beale. Motion passed.

Motion by Commissioner Longrie to approve the executive director to attend Enkon Meeting regarding the Conservation Practice Data System in Canada, May 4-5, 2016. Seconded by Commissioner Craven. Motion passed.

Non-Shellfish Funding

Each conservation commission Regional Manager worked with their districts to get the current status of completing priority 1 and 2 non-shellfish projects and have confirmed the next priority non-shellfish

projects to be funded with capital funds. To view the list of projects presented, please see Attachment A at the end of the meeting minutes.

Motion by Commissioner Bahrych to approve the next non-shellfish project funding amount: \$1,110,820 to fund each of the district's next ready to proceed priority project as recommended by staff. Seconded by Commissioner Longrie. Motion passed.

Fire Council Update

Ron Shultz talked about the Governor's Wild Land Fire Council. JT Austin from the Governor's Policy Office is leading this effort. She has been working hard with the DNR and Emergency Management. The council is designed to bring folks from the local community who were affected by the fires to listen to their comments of what happened during the recent fires and start to gather that information to help provide a better response to future emergencies.

The Governor's office asked the Commission if we would be willing to help facilitate. Ray Ledgerwood will be facilitating the Wildfire sessions. Their first meeting was held in Wenatchee. Governor Inslee kicked off the session and spoke about the role of the Conservation Districts (CD) and the \$8.8 million received. Ray also shared the agenda of the topics and panelists who presented. The Council will have 4 more sessions—Omak, WA April 8th, Colville, WA April 29th, and last one in Spokane, WA June 11th.

Fire Funding

In anticipation of fire recovery funds that were included in the legislative supplemental budget, staff prepared a proposal of Fire Recovery Guidelines and the associated process. Please see proposed guidelines in **Attachment B**.

Motion by Commissioner Williams to adopt the FY 16 & 17 Fire Recovery Funding Guidelines document as presented, March 17, 2016. Seconded by Commissioner Craven. Motion passes.

Implementation Funding

Grant County Conservation District Supervisors, John Preston and Harold Crose, along with District Manager, Marie Lotz, presented a proposal provided in the meeting packet of the funding needed to proceed with the consolidated districts. They have proposed three options: Year 1 \$150K (July 1, 2016), Year 2 \$130K (July 1, 2017) Year 3 \$114K (July 1, 2018). Mr. Crose presented that the CD is poised and positioned to be successful and are looking at other sources for funding. In the meantime, they are requesting funding to aid in that transition. Currently the CD has one technical staff to assist the entire county. This person maybe retiring soon and would also like a transition to happen with that funding.

Motion by Commissioner Craven that SCC accepts Grant CD 3 year grant proposal contingent on funding in the 2nd and 3rd year as presented March 17, 2016. Commissioner Longrie seconded. Motion passed. (Attachment C)

Motion by Commissioner Longrie to approve the FY 17 implementation allocation as listed in the staff memo from the March 17, 2016 Commission meeting, except for Grant CD addressed in the previous motion, and include a letter requesting that all districts receiving more than \$90k be asked to consider giving up a portion of that allocation to be made available to districts with substantially lower allocations in need as determined by the commission. Seconded by Commissioner Craven. Motion passed. (*Attachment D*)

Good Governance

Mr. Ledgerwood briefly talked with Commission members on proposed changes to the Good Governance for districts. San Juan Islands CD sent a letter on March 9th asking districts for comments on the good governance. The SCC has received a dozen or so comments back.

Over time, the Commission would like to gradually raise the bar and take the good governance to the next level. Commissioner Bahrych's home district would like to know what parts are working and what parts are not working. The Good Governance structure will not be a simple thing to re-design.

Motion by Commissioner Bahrych for the SCC to update the Good Governance policy and checklist and to develop a set of performance criteria to measure district conservation outcomes. Seconded by Commissioner Williams. Motion passed.

Chairman Brown adjourned at 4:04 p.m.

Non-Shellfish Project Request Summary

District	Funding Needed for Next Priority Project
Adams	\$6,250
Asotin County	\$62,500
Benton	\$24,645
Cascadia	\$48,750
Central Klickitat	\$62,500
Clallam	\$0
Clark County	\$18,750
Columbia	\$62,500
Cowlitz	\$31,250
Eastern Klickitat	\$0
Ferry	\$14,187
Foster Creek	\$0
Franklin	\$25,000
Grant County	\$24,750
Grays Harbor	\$0
Jefferson County	\$44,438
King	\$3,880
Kitsap	\$40,625
Kittitas County	\$62,500
Lewis County	\$62,500
Lincoln County	\$12,500
Mason	\$9,375
North Yakima	\$62,500
Okanogan	\$0
Pacific	\$62,500
Palouse	\$62,500
Palouse-Rock Lake	\$0
Pend Oreille	\$0
Pierce	\$0
Pine Creek	\$0
Pomeroy	\$0
San Juan Islands	\$36,250
Skagit	\$5,016
Snohomish	\$62,500

South Douglas	\$28,125
South Yakima	\$62,500
Spokane County	\$62,500
Stevens County	\$22,500
Thurston	\$62,500
Underwood	\$25,000
Wahkiakum	\$43,750
Walla Walla County	\$68,350
Whatcom	\$62,500
Whidbey Island	\$0
Whitman	\$0
TOTAL PROJECTS	\$ 1,345,889.82
Return Funds	\$ 235,070.00
TOTAL NEEDED	\$ 1,110,819.82



FY 2016-17 Fire Recovery Funding Guidelines

The following are general guidelines for fire recovery funds appropriated by the legislature for the 2015 fire season and 2014 Carlton Complex Fire. These guidelines may change as information becomes available and changes are necessary. Also, funding available may change as new information becomes available and priorities change.

Funding available for landowner assistance: \$6,550,000

1. **Counties eligible for funding will consist of counties that received Emergency Declarations in from the Governor for the year 2015 (unless otherwise noted below):**

Asotin	Okanogan 2015
Chelan	Pend Oreille
Douglas	Skamania
Ferry	Spokane
Klickitat	Stevens
Okanogan 2014	Yakima

2. **Eligible Land ownership within these counties shall be limited to the following:**

- Private Lands

3. **Eligible applicants shall meet at least one of the following:**

- Landowner
- Authorized tenant or operator

4. **Resource Concerns addressed shall be based upon the following provided by legislative appropriation:**

- Protect Water Quality
- Stabilize Soil
- Prevent Crop Damage
- Replace Fencing
- Help Landowners Recover from Losses Sustained from Wildfires – *language in appropriation – needs definition*

5. **Eligible Practices:**

Eligible practices shall be any practice that satisfactorily address one or more of the resource concerns listed above. Practices shall be installed according to NRCS standards or acceptable alternative (P.E., **Industry standard, comparable replacement**)

6. **Funding for Districts**

Funds provided to Districts will be utilized for Cost-Share consistent with the Resource Concerns and Eligible Practices noted above.

- A) The Commission will award funds through a fire recovery grant. **Vouchers shall be submitted according to Commission policies and procedures.**
- B) For these emergency projects, the cost-share limit per landowner **shall be evaluated on a project by project basis.**
- C) An additional 25% will be awarded on top of the cost-share for the purposes of **engineering, technical assistance, permitting, preparation of cultural resources documentation, and other administrative activities similar to other capital funds.** *(or could just be a percentage of awarded funds. Into one pot – not project specific)*
- D) **Cultural resources**

It is understood that the emergency nature of the projects may make it necessary to begin planning and implantation as quickly as possible. A cost-share form is attached as Appendix A *(I believe we had one that was used for Carlton Complex?)*. This shall be deemed adequate for initial producer sign-ups and for work to commence. **However, projects must be entered into CPDS by.....**

7. Funding for Landowners

Funds awarded to landowners shall be in the form of cost-share consistent with Board approved award and approval protocols, cost-share percentages, and cost-share limits within the programmatic limits described above.

8. Allocation of Funds

There will be an initial allocation where funds are **reserved** by county until July 31, 2016. After July 31, unallocated funds (funds that have not been awarded to the District by the Commission and/or have not secured by a cost-share agreement with a landowner) will be placed into a single pot and subsequent funds will be awarded as projects are submitted by a District to the Commission.

Initial reserved funding pools for each county will be allocated as follows below based upon.....

Asotin		Pend Oreille	
Chelan		Skamania ¹	
Douglas		Spokane	
Ferry		Stevens	
Klickitat		Yakima	
Okanogan (2014 and 2015)			

If a District cannot use part, or all, of their initial allocation please let Commission financial staff know as soon as possible. Unused funds may be redistributed during the initial allocation phase. For counties with multiple Districts, or where Districts cross county lines, it will be important for Districts to closely coordinate activities.

¹ Burned areas all on Federal Land

Funds shall be awarded to Districts for projects utilizing the Form linked here: [_____](#).
Projects entered into the form shall be ranked by District priority. District priority should reflect the urgency of the project and project priority should give priority to projects that do not qualify for federal recovery programs such as EWP, EQIP, ECP, etc.

Once received, projects will be approved by a committee made up of Commission staff and Commissioners. Upon approval Districts will be formally notified of the award.

Districts shall not proceed until they have received a notice of award and have a cost-share agreement secured with the eligible applicant. If a district begins work before receiving a notice of award and/or a signed cost-share agreement with an eligible applicant, any work done will not be reimbursable under this program.

9. Expiration of Funds

Funds must be expended by June 30, 2017.

DRAFT



IMPLEMENTATION FUNDING REQUEST

We are suggesting a tiered funding approach to transition from the four Conservation District Structure to current Grant County Conservation District. The following budget is the preferred approach where GCCCD would need the funding to implement the 3 year strategy: By year four we anticipate rates and charges to be in place – VSP implementation to be in place – a minimum of one Grant in place – and continued Conservation Commission annual Implementation funding primarily targeted to conservation application.

Grant County Conservation District Three Year Plan:

Year 1 7/1/16	\$150,000	Continue with Cost Share funding of \$50,000; Fund existing programs; Fund existing staff.
Year 2 7/1/17	\$130,000	Continue with Cost Share funding of \$30,000; Fund existing programs and use reserve cash; Fund existing staff and hire technical staff and use reserve cash. Hire Conservation Planner
Year 3 7/1/18	\$114,000	Continue with Cost Share Funding of \$14,000; Fund existing programs and use reserve cash; Fund existing staff and use reserve cash; Seek a larger facility and use reserve cash; Voluntary Stewardship Program implementation phase; Have Rates & Charges to supplement programs, cost share, staff and facility.

MANAGEMENT	FISCAL YEAR
<ul style="list-style-type: none"> • Build technical staff capacity • Develop targeting plan for conservation cost share program • Develop and implement staff training plans focusing on conservation planning certification • Strengthen partnership with Wash Soil Health Committee • Develop Grant Funding Strategy using County Resource Assessment and partnership to execute; • Hire a Conservation Planner in year two; • Build staff technical capacity hire one resource conservationist/planner; • Conservation District board of supervisor's capacity building and training 	<ul style="list-style-type: none"> • 2018 • 2017 • 2017 • 2017 • 2019 • 2018 • 2017 • 2016

FINANCIAL MANAGEMENT	FISCAL YEAR
<ul style="list-style-type: none"> • Task orders to assist NRCS implement farm programs • Water quality and quantity grants • Soil health grants • Energy grants • Rates & Charges • VSP implementation • WA State Conservation Commission funding • Information Education Public Schools • Develop partnerships with ag associations • Partnering with State and local government 	<ul style="list-style-type: none"> • 2016 • 2017 • 2016 • 2018 • 2020 • 2019 • 2016 • 2016 • 2016 • 2016

PROGRAMS	FISCAL YEAR
<ul style="list-style-type: none"> • Develop and secure County Rates & Charges • Develop plan to implement comprehensive agricultural energy audits program partnering with Bonneville Power Administration and Grant County PUD • Plan and implement Moses Lake shoreline restoration plan • Develop soil health implementation and outreach plan for irrigated and dryland agriculture • Develop targeting plan for conservation cost share program • Partner with Pacific Northwest Direct Seed Association Develop and implement Farmed Smart Plan for irrigated agriculture • Complete VSP plan and develop technical capacity to take the lead on implementing the Voluntary Stewardship Program for Ag in Grant County • Develop water quality and quantity Implementation Plan using findings from the GWMA sole source aquifer plan for Columbia Basin as planning data base • Complete dairy/feedlot plans and provide technical assistance on CNMP implementation 	<ul style="list-style-type: none"> • 2016 • 2018 • 2018 • 2019 • 2017 • 2018 • 2019 • 2019 • 2017

INFORMATION AND EDUCATION	FISCAL YEAR
<ul style="list-style-type: none"> • Expand education/outreach (Soil Health, air quality, energy, irrigation water management, direct seed, cover crops) • Field days • Newsletter • Website, social media • News press releases and featured articles • Education in the classrooms • Outreach through VSP • Grower annual meeting presentations 	<ul style="list-style-type: none"> • 2018 • 2018 • 2017 • 2017 • 2017 • 2017 • 2016 • 2016

District	FY16 Approved by SCC on July 16, 2015
Adams	\$ 97,229
Asotin	\$ 84,866
Benton	\$ 79,625
C Klickitat	\$ 66,033
Cascadia	\$ 90,274
Clallam	\$ 127,156
Clark	\$ 79,625
Columbia	\$ 79,625
Cowlitz	\$ 86,326
E Klickitat	\$ 61,663
Ferry	\$ 79,625
Foster Creek	\$ 67,125
Franklin	\$ 79,625
Grant	\$ 179,825
Grays Harbor	\$ 79,625
Jefferson	\$ 79,625
King	\$ 127,048
Kitsap	\$ 79,625
Kittitas	\$ 79,625
Lewis	\$ 79,625
Lincoln	\$ 79,625
Mason	\$ 95,484
N Yakima	\$ 84,726
Okanogan	\$ 88,923
Pacific	\$ 77,440
Pal Rock	\$ 60,875
Palouse	\$ 68,820
Pend Oreille	\$ 79,625
Pierce	\$ 126,450
Pine Creek	\$ 60,875
Pomeroy	\$ 73,070
S Douglas	\$ 64,940
S Yakima	\$ 67,125
San Juan	\$ 79,597
Skagit	\$ 128,893
Snohomish	\$ 94,026
Spokane	\$ 79,625
Stevens	\$ 79,625
Thurston	\$ 79,625
Underwood	\$ 79,625
Wahkiakum	\$ 85,313
Walla Walla	\$ 79,625
Whatcom	\$ 114,060
Whidbey	\$ 86,092
Whitman	\$ 60,875
TOTALS	\$ 3,858,754
<i>Average</i>	<i>\$ 85,750</i>

TAB 2

Conservation Commission Agency Operational Budget

(Including Commissioners Expenses)

Biennium to date as of 5/10/2016

Fund 001- General Fund Summary

<u>Category</u>	<u>Biennium to date Allotment</u>	<u>Biennium to date Expenditures</u>	<u>Biennium to date Variance</u>
Salaries and Wages	940,510	922,716	17,794
Employee Benefits	344,940	331,603	13,337
Goods and Other Services	277,320	230,948	46,372
Professional Service Contracts	134,170	81,775	52,395
Travel	140,190	140,265	(75)
Grants, Benefits & Client Services	15,111,380	4,200,536	10,910,844
Interagency Reimbursements	(260,840)	(471,302)	210,462
Sum:	<u>16,687,670</u>	<u>5,436,540</u>	<u>11,251,130</u>

	SCC Proposed Allocations for Operations, Grants, & Contracts	
	Appropriation FY17	
	General Fund & Other Funds	
	7,298,000	
SCC Operations	Proposed FY17	% of Total Appropriation
SCC Salaries & Benefits	1,583,875	21.70%
Goods & Services	706,977	9.69%
Travel	236,979	3.25%
Equipment	5,500	0.08%
Subtotal SCC Operations	2,533,331	34.71%
SCC Grant Programs & Contracts	Proposed FY17	% of Total Appropriation
Implementation Grants *Commission Approved 3/2016 Meeting*	3,828,929	52.47%
Engineering Grants	675,000	9.25%
TSP Grants	350,000	4.80%
Technical Training Group	248,000	3.40%
District Services	138,500	1.90%
WACD	65,000	0.89%
WADE Training	20,000	0.27%
Envirothon	10,000	0.14%
Ag Forestry	5,000	0.07%
Subtotal SCC Grant Programs & Contracts	5,340,429	73.18%
TOTAL	7,873,760	107.89%
Difference Between Appropriation & Proposed Budget	575,760	7.89%
Anticipated Reimbursements	576,000	7.89%
Total with Anticipated Reimbursements	7,297,760	100.00%
Difference Between Appropriation & Proposed Budget w/ Anticipated Reimbursements	240	0.00%
LiveStock TA	667,955	

May 19, 2016

TO: Mark Clark, Executive Director
Conservation Commission Members

FROM: Mike Baden, Regional Manager

SUBJECT: **Fire Recovery Funding Status Update**

Background/Summary:

Governor Inslee signed the supplemental budget on April 18th. The budget included the expected \$6.8 million in fire recovery funds. The fire recovery funding guidelines and a Q&A document were sent to eligible districts on April 19th and districts are now able to start submitting projects for consideration. The guidelines were approved at the March Commission meeting.

Projects can be submitted by CD's on an ongoing basis and will be compiled on the 1st and 3rd Thursday of each month. The project review committee will meet following each of these submittal deadlines to evaluate each project. The members of the committee are as follows:

- Commissioner Longrie
- Commissioner Beale
- Karla Heinitz
- Mike Baden
- RM for project area

Cultural Resources will be addressed through the Cascadia Conservation district and coordinated by their staff archaeologists for efficiency and consistency in Cultural Resources review. They have already started initial consultations with DAHP and tribes for the affected areas. The Cascadia CD is currently procuring cooperative agreements with those districts where work may take place.

We continue to work with NRCS and FSA on the status of **federal funds**:

EWP

There are approximately 6-8 expected EWP projects requiring Commission sponsorship. The contract with NRCS has been signed. Landowners can continue to sign up but the turnout is much lower than expected. Commission staff is working on a contract with Chelan County Natural Resources to provide state match for EWP projects in Chelan County where that department is the sponsor for EWP.

EQIP

EQIP sign-up period has ended. State NRCS has received EQIP funding for deferred grazing. Additional funds are needed for sign-ups that included structural or forestry practices. This funding has been requested but an answer may not be available right away as to whether or not

funding will be allocated. For high priority projects it may be necessary to move forward with State funding prior to knowing if additional EQIP is available although it would be preferable, if possible, to remain highest in order of precedence although the uncertainty makes it difficult to wait for too long.

ECP

Questions still remain as to how, or if, state funding is compatible with ECP funds for fencing projects. Addition of state funds affects the federal reimbursement in most cases. There is still a strong desire to use state funding to assist with inspections of implemented projects through a task order with NRCS utilizing CD personnel. Commission staff and NRCS staff remain in close contact regarding this possibility.

Commission staff is also currently working with Cascadia and Okanogan CD's to address fire recovery project needs with partner agencies.

We will continue to monitor funds and shift funds as necessary as well as adjust the guidelines as necessary as more experience is gained and emerging needs become apparent.

Action Requested:

None

Staff contact:

Mike Baden mbaden@scc.wa.gov

The following questions and answers are intended to provide clarification and interpretation of the fire recovery guidelines.

	Question	Answer
1	Can these funds be used on leased <u>private lands</u> to replace/repair infrastructure damaged by fire?	Projects would be eligible on private lands such as this. However, the lessee would need to be working with someone within the company who is authorized to sign the cost-share agreement on behalf of the landowner as it is the <u>landowner</u> that will be responsible for maintaining the practice for the practice life. Replacements and repairs would need to be installed to NRCS standards.
2	Are lands under tribal ownership eligible?	It is our understanding that tribes are seeking USDA assistance for tribal lands. Tribal members should speak to the State Conservationist. This will be evaluated as the process moves forward, private projects are being addressed, and federal funding becomes more clear.
3	Are projects located on leased tribal land eligible?	The types of projects can be submitted with the following caveats: <ul style="list-style-type: none"> • We will start with private lands first and work through the projects. We will take a look again to see where money stands when projects on private lands are addressed. • It would need to be determined who is responsible for the infrastructure as described by the underlying lease (lessee or lessor). • It would need to be clear that if state funding is provided to the lessee the continuation of the lease is guaranteed and evidence that the landowner will allow immediate grazing. • Would be reviewed on a case by case basis.
4	Are projects located on leased state or federal lands eligible?	<ul style="list-style-type: none"> • See answer for #3
5	Are irrigation systems eligible?	Yes, however care must be taken to make sure that work conducted pertains to the portions of the system impacted by fire (i.e. not an opportunity to upgrade an old system)
6	What types of fencing are eligible?	All practices installed with this funding must have a basis in a resource concern related to fire. Boundary and exclusion fencing are eligible. Cross-fencing would be considered on a case by case basis – must be tied to a resource concern and case should be made to show that it is critical at this time.

7	Are culverts (stream, road, driveway, etc.) eligible for cost-share funding?	Yes, as long as it is based on a resource concern
8	Can we expend cultural resource review funding for projects beyond the approved cost-share projects so if additional funding is made available such as funds returned by other CDs, we can have the projects already approved and ready to go?	Highest priority is to make sure that cultural resources are covered for approved projects. Would need to request CR funds for these types of projects prior to CR funds being expended and requested projects must be identified. Approval would be based on status of available CR funding.
9	Can funding be used to match federal EWP funds?	Yes. Projects eligible and contracted for EWP will be directly matched by state funds. This is the only federal program that will receive direct matching funds
10	Can funds be used to match federal EQIP funds?	Yes, as long as the total coast share provided between all sources on a project does not exceed 100%
11	Can funds be used to match federal ECP funds?	In order to maximize federal funding, state funds cannot be contributed to ECP projects where the total cost if the implemented project is below the maximum ECP funds allowed per landowner. Funds would be eligible for use if the total project cost exceeds the ECP limit provided the project has a resource concern that is consistent with the fire recovery funding guidelines. It is very important for CD's to work with FSA to understand ECP funding rules and requirements.
12	Can we use some of these funds as match for other federal sources such as FEMA grants?	Match for FEMA projects would be submitted as any other project and prioritized by the CD. Highest priority would be for funds to match FEMA for on the ground projects with resource concerns consistent with the fire recovery guidelines. Match for FEMA funds assessments, studies, etc. would be considered lower priority. Highest emphasis is projects on the ground. The only federal funds to be directly matched are NRCS-EWP projects.
13	Will there be an opportunity for the CDs that are eligible to receive these funds participate in a conference call or in-person meeting at some point along the line, maybe more than once, to discuss what is working well, what is not working, and how we can collectively learn from each other on how to most effectively and efficiently implement these funds?	Yes, we will work to provide these opportunities.
14	In terms of eligibility for project funding, does a private landowner have to be directly affected by a fire, i.e. the fire burned their land, or are private landowners eligible for funding if they indirectly affected, i.e. debris flows that come through their property?	Can apply but would need to show linkage to the fire and would be addressed on case by case basis. Need to make a case as to how debris (or other indirect effect) is creating a loss. Funding is to help those that were directly impacted. So would need to make the case that it is a direct impact on these landowners. Also, has the source of the problem been addressed and will the project be successful if the source of the problem has not been addressed?
15	Can funding be used to assist with reseeding and fence replacement?	Must be based on a resource concern. Seeding for erosion control is clear cut. Seeding to replace pasture forage would need to make the connection to a resource concern.

16	Are logging companies that own land considered private landowners? On that same note, is a non-profit organization, such as a Museum, considered a private landowner?	Yes, but see notes on #1
17	Based on the comments and questions, is the Commission going to create some sort of ranking assessment that the Districts can use for ranking fire related projects, or is that something that we need to come up with on our own?	Ranking criteria for different types of projects would be up to each district. We are just asking that priority be given to projects that are not eligible for federal funds and projects that are matching federal funds if that comes into play or is applicable when you are determining priority between projects.
18	What is meant by “prevent crop damage”?	Projects that would address to fire-related items such as wildlife fencing around crops, irrigation systems that were burned, etc.
19	Can funding be used for EWP/BAER identified projects that are not being funded by EWP?	<p>Yes, with the following considerations:</p> <ul style="list-style-type: none"> • Must meet a qualifying resource concern (in the guidelines) • Must be cost-share between district and landowner following the guidelines • District should discuss how projects will be prioritized when they are submitted • If the project was identified by NRCS as eligible for EWP and the landowner declined, then it would not be eligible. Landowners should be encouraged to pursue EWP if they are eligible.
20	Where can we find the fire recovery cost-share contract and will we need to use the CPDS version later or will this one be sufficient?	It will be available on the Commission website. The CPDS cost share contract form will not be used for fire recovery projects.
21	Will projects need to be entered into CPDS?	Project information will need to be entered into CPDS prior to receiving reimbursement for a voucher.
22	Who will be making decisions in regards to cultural resources? If a federal agency is providing funds and not requiring CR will WSCC?	If there is federal funding (or funding from another agency) their process would trump ours (similar to with normal cost-share). Our process would only apply if it is solely Commission funded.
23	Are there any restrictions regarding cost-share % or per unit rates? Is that up to each District? Is it too late for the board to approve emergency protocols if the board wanted to fund projects in a different manner than other projects not due to fire?	This is up to each district – it should be consistent with CD policy governing cost-share. The CD’s cost-share resolution can be updated at any time during the year so similarly, I do not see a reason that the board could not implement emergency protocols.
24	How long do districts have to allocate funds utilizing the initial funding allocation to each county before the funding reverts to one funding pot?	Funds not awarded and allocated to projects in each county by July 31 st will revert to one funding pot.
25	What is the role of the review committee?	The review committee is meant to serves the following purposes:

		<ul style="list-style-type: none"> • The ensure consistency with funding guidelines and funding intent • To request clarity or additional information on the nature of specific projects • To provide for case by case consideration of projects that are unique cases • To provide formal award of funds for projects
26	How often can projects be submitted and how often will the review committee meet?	To get started, the committee will meet twice per month. Project submissions for consideration will be due by close of business on the 1 st and 3 rd Thursday of each month. The review committee will meet twice per month following the cut-off dates for project submittal. Frequency will be evaluated in later stages as the process moves forward.
27	Who will be on the review committee?	2 commission members, RM for that area, WSCC financial staff representative



Okanogan Conservation District

1251 S. Second Ave, Room 102

Okanogan, WA 98840

May 4, 2016

Lynn Brown
Washington State Conservation Commission
PO Box 407721
Olympia, WA 98840-7721

Re: Interagency Burned Area Emergency Response Team Coordination.

Dear Commissioner Brown,

The Okanogan Conservation District Board of Supervisors directed me to request that the Washington State Conservation Commission take over the support and coordination of the interagency Burned Area Emergency Response Team (IBAER) functions our District has done for the past two years. We believe that a coordinated emergency burn evaluation team for state and private lands is a critical service that should be provided in specific cases to identify post wildfire dangers that may not otherwise identified.

The Okanogan Conservation District successfully deployed post-wildfire multi-disciplined teams to evaluate burn severity and potential structures at risk. These teams have followed the burn severity evaluation process developed by the USDA Forest Service and USDI Bureau of Land Management known as the Burned Area Emergency Response teams. These teams are comprised of several scientific disciplines such as soil scientists, hydrologists, engineers, archeologists, biologists, and more.

The teams have been comprised of conservation district, state agency, federal agency, and tribal agency staff members. The reports and analyses developed by the three teams organized to date have been extensively used by the local conservation districts, state agencies, and emergency management officials to prioritize wildfire recovery actions. Support for a state managed team is high.

I will be in attendance at the May 2016 Conservation Commission meeting where I can answer questions or provide additional input if necessary. Okanogan CD staff will be happy to help support the development of a team and the process necessary to establish how the team is organized and functions based upon our experiences to date.

Sincerely,

Craig T. Nelson
District Manager



Washington State Conservation Commission

May 19, 2016

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Shana Joy, Puget Sound Regional Manager and Policy Assistant

SUBJECT: Firewise supplemental funding

Summary: In the 2016 legislative session, the legislature appropriated one-time funding of \$1,000,000 to the Conservation Commission for conservation districts to implement Firewise. Commission staff have developed a proposed process for allocation of these funds.

Action Requested: Commission authorization for allocation of the funding consistent with the Firewise programmatic guidelines enclosed, dated May 10th, 2016. I am also requesting two (2) Commission members volunteer to participate with staff in making final funding decisions.

Staff Contact: Shana Joy, Puget Sound Regional Manager and Policy Assistant, sjoy@scc.wa.gov

Background: Firewise is a nationally recognized outreach and education program that provides valuable information to landowners and communities about actions they can take to prepare for and prevent damage from wildfire. The WA DNR is the lead agency for the Firewise program. DNR interacts with the National Fire Protection Association to guide individuals and communities through the Firewise program and recognition process as well as maintaining data about currently recognized Firewise communities and providing information about the risk levels for wildfire across Washington.

Many conservation districts in WA have been implementing Firewise programs in cooperation with DNR and local fire districts and other local jurisdictions. As these programs have increased in importance, many conservation districts have included implementing the Firewise program as a high priority in annual and long-range plans. These proposals include providing Firewise information and financial assistance for Firewise recommended practices to landowners and communities in their districts.

Prior to the 2016 legislative session, several legislators expressed interest in providing Firewise funding directly to conservations districts through the WSCC rather than through DNR. After lengthy discussions during the legislative session, the legislators ultimately included the \$1 million funding in the WSCC supplemental operating budget. These funds are one-time for the current biennium only.

Concerned about potential negative impact to our working relationship with DNR staff, the WSCC regional managers recently met with DNR staff to explore ways to strengthen our partnership around this Firewise program opportunity. These conversations will continue as we move into the 2017-19 biennium budget development process.

Firewise Allocation Proposal

Because the supplemental funding for Firewise is one-time, there is significant pressure to move the money out to the conservation districts as quickly as possible. There's also the desire to move the funds to projects that can be implemented in the current summer season. To accomplish these and other tasks, Commission staff worked with an advisory committee of conservation district staff with Firewise experience to craft the enclosed Firewise Programmatic Guidelines.

The Firewise Funding Guidelines set forth:

- Program rules for funding allocation.
- Cost share policies.
- Funding criteria.
- Reporting requirements.
- Vouchering process.

Generally, under these Guidelines:

- All conservation districts are eligible to apply for funds.
- Funds will be allocated all at once and as soon as possible.
- All work must be completed by June 30, 2017.
- At the recommendation of the advisory committee, funding is limited to \$50,000 per proposal, and districts are limited to one proposal.
- There are examples of what a proposal may include.
- All projects must be entered into the WSCC CPDS system.

WSCC Firewise Programmatic Guidelines



May 10, 2016

Program Background:

Increasing frequency and severity of wildfires in Washington State, increasing populations in rural and suburban areas, and drought, make it vitally important that private landowners be prepared for wildfire. The Firewise program is an educational program providing important information for private landowners and communities about actions they can take to prepare for and prevent damage from wildfire.

Historically conservation districts have been an important local provider of Firewise program information to landowners/homeowners as well as assistance to implement Firewise recommended practices and fuels reduction. In previous years funding for this work has been provided to conservation districts through DNR. In the 2016 legislative session the WSCC was provided \$1,000,000 for conservation districts to implement Firewise program activities. Funding is for the current 2015-17 biennium only with no guarantee for future funding.

These guidelines detail rules for the WSCC Firewise program, describe the cost share policy, funding criteria, reporting, and the vouchering process requirements.

Program Rules:

- Funds will be allocated all at once and as soon as possible. However, if funds are turned back, additional allocations may be made at a later date. Districts shall complete a project proposal form (to be built in Formstack) in order to apply for funds. A deadline for project proposals to be submitted to the Commission will be established and will be no fewer than 15 business days from the time notice is provided to conservation districts that the window has opened to submit proposals.
- All work including cost share projects must be complete by June 30, 2017.
- This program utilizes operating funds appropriated directly to the Commission by the legislature specifically for conservation districts to implement Firewise.
- Districts may apply for funds individually or in groups. Districts are limited to participation in one proposal.
- Funding is limited to \$50,000 per proposal regardless if a proposal includes one district or multiple districts.
- Proposals may include: all Firewise recommended practices, cost-share with landowners for fuels reduction work, installing signage for homes and evacuation routes, conducting homeowner/landowner Firewise risk assessments, assisting landowners/communities

with implementing recommendations based on Firewise assessments, outreach and education to landowners within current or potentially new Firewise communities, mentoring neighboring districts with capacity building for existing staff/outreach assistance/on the ground projects implementation.

Cost Share Policy:

- The maximum cost share per landowner per fiscal year is \$50,000.
- Cost share projects must be entered into CPDS (similar to cost share projects funded under an implementation grant) and cost share contracts must be printed from the CPDS system.
- All cost share projects must adhere to the Commission's policy on cultural resources located here: <http://scc.wa.gov/cultural-resources-2/>. [Exemptions](#) may exist for projects that are not ground-disturbing.
- Cultural resource costs are awarded on a case by case basis in addition to the initial proposal funding.

Funding Criteria:

- Projects should be located in high priority areas identified in [Community Wildfire Protection Plans](#) or in high risk areas identified in conjunction with local stakeholders (regional DNR staff, local fire districts, etc...).
 - Districts may refer to a county hazard mitigation plan that indicates implementing Firewise is a priority for their county.
 - Districts may also refer to long-range and annual work plans that identify Firewise as a priority.
- Project proposals should include on-the-ground work implementing Firewise recommended practices and fuels reduction. Chipping biomass for fuels reduction is encouraged to reduce local concerns about air quality from burning.
- Outreach and education efforts should focus on: recognition of new Firewise communities, continuing recognition of existing Firewise communities, and growing participation of individual landowners within existing Firewise communities.
- Districts are highly encouraged to leverage funds and other resources with local entities/agencies.
- Districts are highly encouraged to partner with local stakeholders and regional DNR staff.
- Districts are encouraged to work together and mentor each other to build local and regional capacity to educate and assist landowners through Firewise.

Reporting:

- Districts must describe in project proposals how the district will track measurable accomplishments under this program such as: acres treated, number of landowners assisted, number and names of new Firewise communities, number and names of re-recognized Firewise communities, number of Firewise risk assessments completed, growth of participation in existing Firewise communities, and chipper-hours provided to landowners/communities.
- Each district allocated funds must provide a descriptive report with measurable accomplishments such as those listed above no later than July 31, 2017. A format/template for this report will be provided by the Commission.

Vouchering Process:

- Monthly grant vouchers are required.
- Refer to the Grants and Contract Procedures Manual for more detailed information about vouchering <http://scc.wa.gov/grants-and-finance/gp-manuals/>.



Washington State
Conservation Commission

May 12, 2016

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Ron Shultz, WSCC Policy Director

SUBJECT: Update from April 20-21 SCC / CD / WACD Meeting

Summary:

The WSCC and WACD hosted an all-districts meeting on April 20-21 in Ellensburg. Attached is a summary of what occurred at the meeting and listing of next steps. Further next steps will be discussed at the Commission meeting.

Action Requested: Information and discussion.

CD / WSCC / WACD Strategic Planning Meeting

Wednesday, April 20, 2016 and Thursday, April 21, 2016 Kittitas

Valley Event Center

Room: Armory

901 E. 7th, Suite 1, Ellensburg, WA 98926

Meeting Summary

The meeting opened with comments from Mark Clark, WSCC Executive Director; Mark Craven, WACD President; and Lynn Brown, WSCC Chair:

Comments from Mark Clark, WSCC Executive Director

- Commission members introduced (Dean, Daryl, Lynn, Mark)
- Here to listen and understand
- Reevaluate things the next couple of days...from threat of being eliminated...fire recovery funding, FireWise, VSP...through work done have elevated our visibility
- See Commission and Districts as a unit working together
- Base can be larger...gets legislature and Governor's office to recognize our work
- New financial person recruitment led to Jim Cahill discussion...finance lead for natural resource agencies...need to Jim to tell Mark where we are on budget decision packets...new person needs to write decision packets that make Cahill "tingle"
- Jim Cahill and Heather Mathews, OFM came to Mark's office to meet on our budget...looked at decision packet and was critical...looking for ways to help us
- Allocation of base budget funding...working on this two years ago...better today and tomorrow to talk about how to get additional funding...historical review of how we got to where we are
- If we want...convene a group to work on a recommendation for allocation system
- Challenging state budget discussion

Comments from Mark Craven, WACD President

- Appreciate support from Commission for events like this
- Seeing the diversity of our conservation districts from across the state
- Different projects, same work of getting conservation work done
- Partnership – WACD, WSCC, WADE, NRCS...sometimes seen as one...importance of working together on activities
- Jim Jesernig met with each officer regarding the future activities of WACD
- Spoke about the need for WACD leaders and members to reach out to legislators, Governor's office
- Great opportunities...need a plan by tomorrow afternoon

Comments by Lynn Brown

- Like these Ellensburg meetings
- Skies the limit about what we can do together
- Not seeing the competition
- Keep optimism and work to

The purpose of the meeting was to develop a path forward for conservation districts and the Commission in the development of the base budget for the 2017-19 biennial budget. The path forward includes strategies to protect the base budget through outreach and engagement with local landowners, local and statewide groups, and legislators, to inform them of our work and build commitments for their support going into next legislative session.

The meeting agenda included the topics of:

Strategic Approach to Budget and Funding

- This discussion included the strategic approach needed for budget development, identification of resource needs, and building broad support for CD and SCC work over the next year.

Building the Base

- This session focused on identifying our existing base funding levels and how to build on the base funding. The discussion included the potential opportunities for increasing our current base in both operating and capital funding. But any increase is dependent upon building third party support for our programs.

Protecting the Base

- Focusing on how to protect and build support for our base funding. What is this work? Who will do this work? How will the work be done?

Needs and Funding the Needs

- How do we identify the needs? How do we demonstrate what we've done with the funding so far? What is the path forward for pursuing a fund source?

Timeline for Budget Development and Submittal:

- April 2016 throughout – local contacts with stakeholder groups on their needs and legislature
- May 2016 - Commission Meeting & Strategic Planning Session
- May – June 2016 – Finalizing decision packets
- July 2016 – Draft budget submittal for decision packets
- September 2016 – send to Governor's office

Next steps and action items were developed by the group following discussions in each of the agenda topic areas. These action items are:

1. Each district with land owner testimonies...lots of people with testimony on district services provided and what is still needed...**each district manager with district supervisors...used at individual district and forwarded to WACD Executive and Communications Work Group to be utilized to build support for decision packages by June 1, 2016 and beyond (communication group to develop guidance)**

2. Start today and by September 2016 the local stakeholder groups will be supporting funding for conservation **needs important to their members** as a result of connections and communication back through WACD Channels...stakeholder groups take to their respective organization and to the legislature...**each district, then results to the WACD Task Force, regional manager assistance by September 2016 and beyond**
3. Each district meet with legislators at local level...host an event (meeting, meal, reception, tour, or other)...not just meeting but going for a more “specific unmet needs” ask to the next level...communicated to WACD lobbyist and task group...**by local districts...April to October 2016**
4. Committee (WACD)to work with districts and track elected officials education activities including a focused group to work with Jim & Ron...include crafting messages (talking points) for working with legislators and keep districts informed of contacts(four managers, four supervisors, WACD)...by WACD Committee
 - a. Develop and distribute checklist of ideas for elected officials education by districts (from protecting the base ideas)...WACD Committee by May 15
 - b. Talking points or one pager developed for districts regarding incentive-based approach complementing other approaches...Ron & Laura...**by May 15**
5. WSCC to build decision packages...working teams formed to draft decision packets (signup)...descriptions by May Commission Meeting...teams formed...**drafting and review, and finalize by September 2016**

A key decision point of the meeting was the collective agreement to focus immediate, near-term work on outreach and engagement with local cooperators, stakeholders, and legislators. The reason for this priority was an understanding among the meeting participants that more work could be done to provide information to these entities to build support for conservation district work. That this was a necessary and critical step before any long-term fund source could be pursued. There is still significant interest among conservation districts for evaluating and pursuing a long-term fund source, however the more immediate need is to build a strong foundation of support to protect our base funding.

Decision packet development for the 2017-19 operating and capital budgets was also discussed. Decision packets are formal funding requests from a state agency to the Governor’s Office and the legislature. These packets include statements as to the need for the proposed funding, the amount of funding needed, a description of the work to be completed, and how the proposal supports other state priorities.

Conservation district staff provided considerable input into the development of the 2015-17 decision packages and we want to use that approach again for the development of the 2017-19 budget. At the 20/21 meeting the titles for possible decision packages were presented to the group for review. We then listed the package titles on flip charts and asked meeting participants to write their names next to those decision packages participants were interested in helping review and/or write. The list of the decision packages and volunteers will be provided in separate communication that will include instructions for participation. For more information contact Ron Shultz, WSCC at (360) 407-7507 or rshultz@scc.wa.gov

TAB 3



Washington State
Conservation Commission

May 19, 2016

TO: Mark Clark, Executive Director
Conservation Commission Members

FROM: Bill Eller, Elections Officer

SUBJECT: 2016 Conservation District Elections

Summary: Staff recommends the Commission board certify and announce the official winners of all 45 district elections.

Staff recommendation

Action Item: The Commission should certify and announce the official winners of all 45 conservation district elections as none of these districts had any issues of significant noncompliance with WAC Section 135-110 and the election procedures published for this election cycle.

Election Compliance: As has happened in prior years, the vast majority of issues involving the lack of compliance with WAC Section 135-110 came to the attention of Commission staff in enough time to resolve the issue before it became irreversible. The result is a continued downward trend in errors committed by districts during the election cycle.

Converting all election forms that could be converted to an electronic format also seemed to contribute to a substantial reduction in noncompliance with WAC Section 135-110. Last year the Commission approved converting all election forms that could be so converted to an electronic format. Staff accomplished that task in enough time for districts to use the new form format this election cycle. Some election forms that couldn't be easily translated into electronic format were kept as paper forms.

There were a few technical glitches during this process, but overall compliance with production of the information necessary for the Commission to certify and announce district elections was greatly increased, and mistakes associated with compliance with the election WAC were decreased.

So, for all districts, errors in the election process (minor and serious) were substantially reduced from prior years. Virtually all errors involved submittal of the electronic forms. Commission staff answered approximately 200 questions from conservation districts related to elections. Errors that were committed but didn't affect the outcomes of the election that couldn't be corrected will be addressed in the good governance process.

The continued reduction in election errors should be attributed to a number of different efforts:

- *District Familiarity with WAC Section 135-110.* Districts have become accustomed to using the election administrative regulations adopted in 2010.
- *September 2015 Elections Webinar.* Commission staff presented an election webinar to districts highlighting areas for improvement based on last years' election cycle, outlining election forms and manual changes, and reminding districts of important timelines and election procedures.
- *Fall 2015 Elections Outreach.* Commission staff made a concerted effort during the fall of 2015 to communicate with districts the intricacies of the election cycle, timelines, deadlines, and procedures. A special email list of election supervisors was updated to disseminate information directly to election supervisors for each district.
- *Election Cycle (Dec 2015-Mar 2016) Outreach.* Commission staff was able to work with districts during the election cycle to reduce errors in real time using the GovDelivery notification system.
- *Election and Appointment On-line form submittal.* Misplaced documents or lost data was not an issue this year since the Commission moved almost all election and appointment forms on-line. Districts submitted their forms on-line and that reduced the processing burden on Commission staff and raised the level of data accuracy in the forms that were submitted.

Conservation District Election Results Summary:

35 CD's automatically re-elected their incumbent. Those are: Adams, Asotin County, Central Klickitat, Clark, Columbia, Cowlitz, Ferry, Foster Creek, Grant, Grays Harbor, Jefferson County, King, Kitsap, Kittitas County, Lewis County, Lincoln County, Mason, North Yakima, Okanogan, Pacific, Palouse, Palouse Rock Lake, Pend Oreille, Pierce, Pine Creek, Pomeroy, San Juan Islands, Snohomish, South Douglas, South Yakima, Stevens County, Wahkiakum, Walla Walla County, Whidbey Island, and Whitman.

There were 10 CD's that held elections. Those were Benton, Cascadia, Clallam, Eastern Klickitat, Franklin, Skagit, Spokane, Thurston, Underwood, and Whatcom. Two of the 10 elections were observed by Commission staff (20%).

A total of 1,580 ballots were cast. Three ballots were disqualified. Therefore, a total of 1,577 eligible ballots cast.

Of the 10 districts that held elections, three (Franklin, Thurston, and Whatcom) had candidates pre-printed on the ballot, meaning they were declared-nominated candidates ([WAC 135-110-135\(2\)](#) and [WAC 135-110-500](#)).

Five districts (Benton, Clallam, Eastern Klickitat, Skagit, and Spokane) had declared candidates, but not nominated (meaning the candidate's name wasn't pre-printed on the ballot, but the candidate otherwise declared their candidacy before the election ([WAC 135-110-135\(1\)](#) and [WAC 135-110-500\(c\)](#)).

Two districts (Cascadia and Underwood) had no declared or declared-nominated candidates, meaning only write-in candidates were eligible to be elected. [WAC 135-110-135\(3\)](#), [WAC 135-110-360](#), and [WAC 135-110-500\(c\)](#). Underwood CD complied with proper procedure, but Cascadia CD submitted their EF2 late for the write-in candidate, but otherwise verified within the correct time limits that the write-in candidate was eligible to be elected and serve. Per [WAC 135-110-360\(2\)](#), a write-in candidate who receives the most votes must submit their candidate information within four weeks (28 days) following the election. Candidates do this by filing form [PF-A](#) with the District. The PF-A is analyzed by the District and submitted by form [EF2](#) to the Commission. Cascadia's only write-in candidate submitted the PF-A on time, and the District did the analysis on time, but didn't submit the EF2 to the Commission until after the deadline to submit the form.

Conservation District Election Results:

District:	Election:	Supervisor Elect	Supervisor Elect	Supervisor Elect	ARI	Observed
Adams	26-Jan-16	Ronald	John	Hennings	Y	
Asotin County	3-Mar-16	Levi	Richard	Luhn	Y	
Benton	9-Mar-16	Michael		Crowder		
Cascadia	19-Jan-16	James		Bartelme		
Central Klickitat	16-Feb-16	Doug		Miller	Y	
Clallam	8-Mar-16	Joseph	F.	Murray		
Clark	3-Mar-16	Steven	D.	Keirn	Y	
Columbia	21-Jan-16	David	W.	Carlton	Y	
Cowlitz	24-Mar-16	John		Keatley	Y	
Eastern Klickitat	11-Feb-16	Ronald	D.	Juris		
Ferry	23-Mar-16	Dave	Steven	Konz	Y	
Foster Creek	26-Jan-16	Wade		Troutman	Y	
Franklin	10-Mar-16	Mark	J.	Wieseler		
Grant	9-Feb-16	Glenn	Eugene	Burkholder	Y	
Grays Harbor	19-Feb-16	Steve	E	Hallstrom	Y	
Jefferson County	2-Mar-16	Mike		McFadden	Y	
King	23-Feb-16	Max		Prinsen	Y	
Kitsap	25-Mar-16	Nikki	M	Johanson	Y	
Kittitas County	9-Feb-16	Mark	A	Moore	Y	
Lewis County	10-Mar-16	Delores	Ann	Tuning	Y	
Lincoln County	10-Feb-16	Mike	B.	Carstensen	Y	
Mason	20-Feb-16	Myron		Ougendal	Y	
North Yakima	31-Mar-16	George		Cameron	Y	
Okanogan	9-Feb-16	Steven	B	Colvin	Y	
Pacific	2-Mar-16	Bob		Falkner	Y	
Palouse	9-Feb-16	Joan		Folwell	Y	
Palouse Rock Lake	17-Feb-16	Thomas	R.	Kucklick	Y	
Pend Oreille	21-Mar-16	David	Joseph	Marcell	Y	
Pierce	23-Mar-16	Sheila	A	Wynn	Y	
Pine Creek	23-Mar-16	Tom		Henning	Y	
Pomeroy	1-Feb-16	Paul	H.	Weimer	Y	
San Juan Islands	2-Feb-16	Henning		Sehmsdorf	Y	
Skagit	22-Mar-16	Eben		Twaddle		
Snohomish	15-Mar-16	Steven	John	Van Valkenburg	Y	
South Douglas	26-Jan-16	William	Eddie	Greer	Y	
South Yakima	30-Mar-16	Jim		Newhouse	Y	
Spokane	8-Mar-16	Jaki	Anne	Shrauger		Y
Stevens County	18-Feb-16	John		Dawson	Y	
Thurston	5-Mar-16	Thomas	Aslan	Meade		Y
Underwood	16-Feb-16	Todd	Anthony	Hill		
Wahkiakum	16-Mar-16	Joe		Florek Jr	Y	
Walla Walla County	28-Jan-16	James	P	Kent	Y	
Whatcom	15-Mar-16	Theresa		Sygitowicz		
Whidbey Island	2-Feb-16	Tim	J	Keohane	Y	
Whitman	9-Feb-16	John	Corwin	Aeschliman	Y	

"ARI" means the district automatically re-elected their incumbent.



May 19, 2016

TO: Mark Clark, Executive Director
Conservation Commission Members

FROM: Lori Gonzalez, SCC Staff
Bill Eller, Elections Officer

SUBJECT: Conservation District Appointed Supervisor Applications

Summary: The Conservation Commission received a total of 25 applications for Appointed Supervisor in districts that have terms expiring on May 19, 2016. Applications were due into the Commission Office by paper form or by using the new on-line submittal form by the March 31, 2016 deadline. Conservation Districts are required to advertise upcoming vacancies to the public describing the process of applying.

Each Commission member was e-mailed a copy of the applications for review prior to the Commission meeting. Commission staff reviewed the applications for completeness, original signatures; date received and then followed procedures according the Election and Appointment Procedure Manual.

All applications were sent for further review to Commissioner Dean Longrie, elected representative for the southwest region, Commissioner Lynn Brown, elected representative in the central region, and Commissioner Larry Cochran, elected representative for the eastern region.

A recommendation will be given by each regional member for your consideration at the regular business meeting on May 19, 2016 in Goldendale, Washington.

Below is a listing of the districts showing the incumbent, the names of the applicants, and the Commissioner vetting the applications. In some districts, you will see multiple applicants for the one position available.

Action requested: Appoint applicants as recommended and discussed for appointment to the appropriate conservation district board of supervisors for a full term, beginning May 19, 2016 and ending May 16, 2019.

Staff contact: Bill Eller beller@scc.wa.gov or Lori Gonzalez lgonzalez@scc.wa.gov.

**2016 Applications received for the Western Region
Commissioner Longrie**

Conservation District	Incumbent	Name of Applicant	Regional Manager
Clallam CD	Matthew Heins	1. Matthew Heins	Shana Joy
Mason CD	Jason Ragan	2. Jason Ragan	Shana Joy
Pacific CD	Victor Niemczek	3. Victor Niemczek	Stu Trefry
Pierce CD	Vacant	4. Brian Sullivan	Shana Joy
Pierce CD	Vacant	5. Mark Weed	Shana Joy
Skagit CD	Dean Wesen	6. Dean Wesen	Shana Joy
Snohomish CD	Mark Craven	7. Mark Craven	Shana Joy
Thurston CD	Eric Johnson	8. Eric Johnson	Shana Joy
Thurston CD	Eric Johnson	9. David Hall	Shana Joy
Thurston CD	Eric Johnson	10. Joe Hanna	Shana Joy
Wahkiakum CD	Vacant	11. Jason Will	Stu Trefry

**Applications received for the Central Region
Commissioner Brown**

Conservation District	Incumbent	Name of Applicant	Regional Manager
Cascadia CD	Josh Koempel	1. Josh Koempel	Mike Baden
Foster Creek CD	Vacant	2. Kelsey Tanneberg	Mike Baden
Franklin CD	Richard S. Moore	3. Richard S. Moore	Ray Ledgerwood
Franklin CD	Richard S. Moore	4. David Dorsett	Ray Ledgerwood
Grant County CD	Richard Leitz	5. Richard Leitz	Mike Baden
Kittitas County CD	William (Bill) Boyum	6. William (Bill) Boyum	Stu Trefry
Okanogan CD	Lorah Super	7. Lorah Super	Mike Baden
South Douglas CD	David Linville	8. David Linville	Mike Baden

**Applications received for the Eastern Region
Commissioner Cochran**

Conservation District	Incumbent	Name of Applicant	Regional Manager
Lincoln Co. CD	Alan Stromberger	1. Alan Stromberger	Mike Baden
Pine Creek CD	Jeffrey Pittman	2. Jeffrey Pittmann	Ray Ledgerwood
Spokane CD	Gerald Scheele	3. Gerald Scheele	Mike Baden
Stevens County CD	Connie Bergstrom	4. Connie Bergstrom	Mike Baden
Walla Walla Co. CD	Pat McConnell	5. Pat McConnell	Ray Ledgerwood
Whitman CD	Rhod McIntosh	6. Gary Luft	Ray Ledgerwood



Washington State
Conservation Commission

March 19, 2016

TO: Mark Clark, Executive Director
Commission Members

FROM: Ray Ledgerwood – Regional Manager Coordinator – Program Facilitator

SUBJECT: Good Governance Revision Timeline

Background/Summary: At the March 2016 Conservation Commission meeting a motion was passed to form a committee and revise the Good Governance System to include a performance based element for the next cycle.

Attached is a proposed timeline for Committee formation and development of the new Good Governance System.

Action Requested: Information and revision of timeline if needed

Staff contact: Ray Ledgerwood

Good Governance Revision Timeline

	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17
Complete FY16 Good Governance Process																		
Organize Good Governance Committee & Initial Meeting																		
Drafting New Good Governance System																		
Review of Revised Good Governance System by Conservation Districts																		
Presentation at to WSCC Members																		
Approval of New Good Governance System																		
Introduction and use of New Good Governance System to Conservation Districts																		
Webinars, FAQ, other introductory materials																		
Good Governance Report to Commission																		
Evaluation of New System																		
Revisions if Needed May Commission Meeting																		



March 19, 2016

TO: Mark Clark, Executive Director
Commission Members

FROM: Ray Ledgerwood – Regional Manager Coordinator – Program Facilitator

SUBJECT: Implementation Monitoring

Background/Summary:

The Regional Managers have conducted implementation monitoring of cost share practices funded through Conservation Commission by action of the WSCC in May 2011, Biennium 13-15 being a full biennium of information gathering for programs other than the CREP Program that has had an active implementation monitoring program for years before 2011.

Purpose:

What is Implementation Monitoring?

Implementation monitoring answers the question: was the practice installed as promised? It does not address whether or not the practice is effective or has made a change in the environment, as that is effectiveness monitoring. Implementation monitoring is an important accountability step. Other agencies have faced issues when audits revealed insufficient implementation monitoring. We did not want to put our funding at risk.

Process:

1. A random number generator is used to randomly select cost share projects to do an implementation monitoring by the Regional Manager serving the district.
2. Financial staff notifies the RM of the number “hit” including the information on the cost shared project.
3. RM makes arrangements with conservation district to do the implementation monitoring activity.
4. At the district the RM checks the cost share records, vouchers, bills for materials and work done by others, conservation practice plan, cooperators share of expenses based on conservation district cost share policy, and other support documentation. Financial staff occasionally accompany the RM.
5. RM, with district technical staff go to the cost share site to review the practice installation, many times accompanied by the land owner or operator.
6. RM takes pictures of the practice installation
7. If practice and documentation is in order, the RM enters the notes and pictures into the CPDS system and the implementation monitoring is complete.
8. If the practice and documentation is not in order, technical staff are asked to do an additional review and the conservation district is notified of the issues being reviewed.

Implementation Monitoring Completed:

For Biennium FY13-15- There were 433 cost share applications and of those, 23 of those sites were monitored by SCC. That is equal to 5% monitored. These did not include CREP monitoring. Only for the following programs: Implementation, Category 1, Critter Pads, Non Shellfish and Shellfish grant programs were reviewed.

For Biennium FY 15-17- More active implementation monitoring is being done in the current biennium. There have been 30 projects completed to date in FY16 with 10 projects that have had numbers 'hit' for implementation monitoring. Our intention is to have implementation monitoring on 25% of the projects this biennium.

Issues Addressed:

- One district was conducting soil samples, but not developing nutrient management plans with the cooperators
- One district utilized manufacturer's recommended installation specifications for a micro-irrigation system...NRCS did not have specific installation
- Occasional issue with disorganized practice/project/cooperator files, that did not affect the practice installation and operation

Action Requested: Information only including implementation monitoring form.

Staff contact: Ray Ledgerwood

WSCC IMPLEMENTATION MONITORING INTERNAL PROCEDURE

AUGUST 11, 2015

1. Staff responsible: Courtney

Task: Notify the Regional Manager (RM) by email of the Conservation District (CD) project that was selected for Implementation Monitoring (IM).

2. Staff responsible: RM

Task: Acknowledge receipt of the email from Courtney with an email back to her. Coordinate with the CD on setting a date and time for the IM field visit. Inform the CD of the IM process, including the requirement to view meeting minutes and project specifications (if necessary).

3. Staff responsible: RM

Task: Inform Debbie by email of the date and time for the IM field visit so that she can determine if financial staff can participate in that IM field visit.

4. Staff responsible: Fiscal Manager

Task: Notify by email the RM and the financial staff person who will attend the IM field visit. If no financial staff will attend the field visit, Debbie will notify the RM.

5. Staff Responsible: RM (and financial staff person, if selected)

Task: Conduct the IM with the CD. At this point, once the field visit is concluded, the financial staff person (if one was present for the field visit) is finished. If further review of the practice is needed, the RM will contact the appropriate agency representative for further review. That agency representative could be a member of the Technical and Professional Development Workgroup, Area Engineer, NRCS, or other agency, as appropriate. The RM will coordinate with the CD on setting a follow-up visit with the agency representative, RM, and CD. The further review will be conducted. If more review is needed after that, the formal IM policy (Policy #13-10 Management Practice Implementation Guidance Policy) will control.

6. Staff Responsible: RM

Task: Fill out IM paperwork, input paperwork in CPDS system, email Courtney of the completed IM field visit.

Project Implementation Monitoring

District Name	
District Staff Contact	
Reviewer Name	
Review Date	
Practice Name	
Practice Completion Date	
Landowner Name	
NRCS Code	
Other Funding Sources	

Checklist:

	Yes	No		Notes
Board Approval (Inspect Minutes)?			Date:	
Project Specifications Available?				
District Inspected?			Date:	
Before and After Photographs?			In CPDS?	
Engineering Required?			Engineer Name & License #:	

Grant Outcome Measures (Unit)	Planned Quantity	Actual Quantity	Percent Compliance	Notes

Follow-up, if needed:

Additional comments:

March 2016 Commission Meeting

District Operations Staff Report

(March 2016 to May 2016)

Conservation District Assistance Topics

1. Schedule 22
2. District policies & procedures
3. Non-shellfish and shellfish project development, funding & match
4. Internal Audit
5. Audit exit conference
6. NRCS/WSCC Task order assistance
7. District operations
8. Annual & long range planning
9. Rates & charges & workshop
10. Vouchering
11. Coaching
12. New supervisor orientation
13. Supervisor appointments
14. Supervisor resignation
15. Supervisor oath of office
16. Cost-share processes
17. Partnering
18. RCPP program activities
19. Public relations & perception issues
20. Fire recovery
21. District boundaries
22. Records retention
23. Vehicles & marking
24. Email
25. All-districts meeting promotion
26. Local government relations
27. Funding opportunities
28. Employee job announcements
29. Meeting with county council members,
30. Public comment sessions
31. Grant related questions
32. Fire recovery

On Going Services

- Cultural Resources Assistance
- District Operations Issues Resolved
- Orientation & Open Government Training of new Supervisors & employees
- Good Governance District Assistance
- District Capacity Building Assistance
- CPDS & Project Development
- Sharing of Examples, Templates, Information
- Fire Recovery Assistance
- CRM Facilitation

33. Funding & work progress
34. Cultural resources
35. HPAs
36. Travel policies
37. Financial reports
38. Hiring staff
39. Finding new office space
40. Marketing & communications
41. Supervisor elections
42. District policy for appointing a vacant mid-term elected seat
43. Good Governance
44. Forestry assistance
45. FireWise funding
46. Surplus equipment
47. Building ownership
48. New employee orientations
49. Watershed tour
50. Telecommuting policy
51. Implementation grant
52. Forestry assistance
53. Drones policy template
54. Personnel management
55. Funding decision timelines
56. Project entries in CPDS
57. Districts holding a patent
58. Implementation monitoring for projects

See Listing on page 4 & 5 for summary listing of Regional Managers in-person assistance and follow-up with Conservation Districts

Fire Recovery Need and Funding

Mike Baden worked on fire recovery related tasks (data gathering framework, etc.) this reporting period including; Drafting final fire recovery funding guidelines and distributing to affected districts; Collected and compiled comments from CD's on funding guidelines; Meeting to review comments and questions from CD's on draft funding guidelines; Drafting final fire recovery funding guidelines; Answering fire recovery related questions from CDs; Worked on fire recovery cultural resources tasks; Work regarding Chelan County EWP and Chelan County Noxious Weed Control Board; Phone Conference regarding Chelan County EWP with Mike Kaputa and Karla Heinitz; Follow up on EWP with Larry Johnson re: WSCC contract; Keeping tabs on federal funding status; Multiple meetings with Larry Johnson, Alan McBee, Doug Allen and District Conservationists regarding federal fire recovery funding and to discuss NRCS fire recovery work/task orders; Worked with Laura Johnson on WSCC Fire Recovery Funding webpage; Significant research and development for draft funding framework – initial draft developed and forwarded for Commission meeting, refined form for information gathering on fire recovery need. For more information contact [Mike Baden](#).

FireWise

All regional managers participated in a meeting with DNR Regional staff on FireWise activities throughout the state as well as proposed coordination and activities with conservation districts. Shana Joy hosted an advisory committee of CD staff to work with her on a Firewise funding allocation structure and had an initial discussion with the committee. Shana also developed the draft structure for FireWise funding and is receiving comments from the advisory committee. For more information contact [Shana Joy](#)

All Districts Meeting

All regional managers participated in the all-districts work session held April 20-21 in Ellensburg to develop strategies for the 17-19 Biennium Budget development. Participants discussed protecting and building the funding base for both operating and capital budgets, decision packet topics, tools for elected official education. Session notes will be available next week. For more information, contact [Ray Ledgerwood](#).

Technical Professional Work Group

Jess Davenport began work with the Technical Professional Work Group this reporting period by contacting TPDW leaders and getting familiar with TPDW charter, plans, and meeting notes. Jess also attended first TPDW meeting and provided follow-up on task orders 4/27; drafted talking points for Mark Clark, due 5/13; scheduled a meeting with Nicole scheduled for 4/28; drafting request for training needs from Districts, and worked on the TPDW progress report for May Commission Meeting. For more information contact [Jess Davenport](#)

Cultural Resources

Larry Brewer provided the following services with districts on cultural resources this reporting period; Central Klickitat CD on practice exemption on soil sampling, South Douglas CD on some non-ground disturbing practices for sprinkler irrigations and the exemption list, South Douglas CD on exemption for pounding in fence posts, Palouse Rock lake CD on pounding in fence posts, Stevens CD on tree planting exemption. Larry also performed other CR Work including; Participated in 0505 agency meeting (by phone) in April; Submitted a CR article for the TPDW April newsletter and Regional Manager's quick notes; Provided comments on the Westside Task Order for CR surveys and reviews with NRCS; Updated Cultural Resource Website with new exemption information; Participated in a Fire and Cultural Resources net conference with Cascadia and Mike Baden. For more information contact [Larry Brewer](#)

Non-Shellfish Project Funding

Regional Managers completed work with contacted all 45 districts regarding status of priority one and two non-shellfish projects, and readiness to implement a third priority project. Projects approved at March WSCC meeting and financial staff have begun granting procedure. Regional Managers completed work with districts on a summary of the next priority non-shellfish projects that could be considered for another round of funding for districts that have not met the \$150,000 limit per biennium, nor have 3 projects funded, and still have viable projects for funding. For more information, contact [Ray Ledgerwood](#)

Engineering Clusters

Shana Joy continued work on revisions to a draft engineering cluster agreement with four CDs as well as working with each to moderate disagreements about the terms of the agreement. Stu Trefry participated in the quarterly teleconference of the SW engineering cluster. For more information, contact [Shana Joy](#)

Facilitation

Ray Ledgerwood developed session designs for upcoming work sessions with the Washington Cattlemen Association, WACD Plant Materials Center, Mud Creek CRM, Newaukum CRM (Lewis County) and the Eastern Stormwater Group. For more information, contact [Ray Ledgerwood](#)

Ecology Tour – Livestock Operations

Ray Ledgerwood assisted with organizing and participated in a two-day tour of livestock operations in Whitman County that had received letters from Ecology. Kelly Susewind and David Knight from Ecology were shown work completed and heard from livestock producers about recommendations to improve the Ecology non-point pollution program. Commissioner Larry Cochran and Representative Joe Schmick also participated in the tour. The tour was sponsored by Whitman Conservation District and Whitman County Cattlemen. For more information, contact [Ray Ledgerwood](#)

Regional Manager – Technical Work Group Position

The lead candidate for this position was offered the job based on the recommendation of the interview panel that included RMs, TPDW, District Supervisor, and District Manager representatives. Official announcement to follow Mark Clark's written job offer to be sent this week. Jess Davenport accepted the Central WA Regional Manager & TPDW Coordination position. Jess joins us from her current position as interim manager for the Central and Eastern Klickitat Conservation Districts and began work on April 18th. Ray Ledgerwood and RMs worked with Jess Davenport on early orientation, training, equipment use, state employment logistics. Jess made contact with each of the district managers and chairs in the area she will be serving. Jess also reviewed all FY2016 Annual Reports and Long Range Plans for her districts and developed a reference spreadsheet for district information. For more information contact [Ray Ledgerwood](#)

Regional Manager's In-Person Meeting

Regional Managers held an in-person meeting this reporting period in Spokane. Topics included; complete evaluation of all 45 conservation districts on Good Governance status, non-shellfish projects, supervisor training, program delivery, district capacity building. For more information, contact [Ray Ledgerwood](#).

Training & Development

Mike Baden participated in the CRP grazing management/soil health webinar. Stu Trefry participated in the monthly VSP webinar. For more information contact [Mike Baden](#)

District Supervisor Training

Stu Trefry completed development of 3 supervisor orientation modules which will appear on the WSCC website soon. The Three modules are 10-12 minutes in length. Module 1 provides a brief overview of the history, principles and mission of conservation districts. Module 2 covers governance and operations of conservation districts. Module 3 talks about conservation districts and partnering. Stu Trefry worked with Laura to place new supervisor orientation modules on line. If you [click on this link](#) and then click on the "Training and Development" tab, you will see three new supervisor orientation modules that can be used for staff as well. In total they run about 38 minutes. These modules will be used by the Commission's Regional Managers as they provide initial service to new supervisors. More will be added to the tabs on this page to increase the availability of good information to supervisors and staff. For more information contact [Stu Trefry](#).

Envirothon

Stu Trefry represented the Commission on the monthly conference call of the State Envirothon Committee. For more information contact [Stu Trefry](#).

Rates & Charges

Shana Joy met with Jefferson Co staff and CD staff to make progress on a system of rates and charges for the district. Formed a positive relationship with the County Administrator and Assessor in Jefferson County. For more information contact [Shana Joy](#)

Task Orders

Regional Managers continue work with districts and NRCS local staff on task order development for Farm Bill Conservation Program work including CRP reviews, cultural resources, conservation planning, CSP planning and reviews, and irrigation water management. Task orders are a win-win situation where districts assist NRCS with workload needs and receive funding to do so. The Commission contributes 40% of the funding for each task order. For more information, contact [Ray Ledgerwood](#).

State Technical Advisory Committee

Mike Baden participated in the State Technical Advisory Committee Meeting. Topics included RCPP, Conservation Innovation Grants, Future Directions Funds, Shellfish Initiative, Joint Chiefs Forestry Project, CNMP, Local Work Groups, State Initiatives, and EQIP. For more information contact [Mike Baden](#)

CRM

Ray Ledgerwood and Jack Myrich participate in meetings and field review with Walla Walla CD staff of the Mud Creek watershed area including irrigation efficiencies and water quality project potential. Ed Chautel, District Supervisor, Kay Mead and Rick Jones, district employees provided background information on the watershed. Ray Ledgerwood also participated in the Olympic Peninsula Forest Collaborative public meeting held in Shelton and sponsored by Congressman Kilmer. For more information, contact [Ray Ledgerwood](#)

Chehalis Basin Flood Authority

Stu Trefry participated in the Chehalis Basin Flood Authority meeting and worked on correspondence for best management practices and measurements. For more information contact [Stu Trefry](#)

National Partnerships

Mike Baden, Stu Trefry and Shana Joy participated in the NASCA RCPP webinar with 6 state leaders presenting their experiences with planning and implementing RCPP projects. Stu Trefry represented NASCA on a special teleconference of the NACD Urban & Community Resource Policy Group. The Group is finalizing rules and criteria for a NACD urban agriculture grant program funded with \$1 million from NRCS. Commission staff participated in the regular monthly discussion of the National Association of State Conservation Agencies' (NASCA) Policy Committee. The committee is in the process of developing policies for NASCA related to leadership development and the need for increased technical assistance funding, especially to provide services to an increasing number of small and urban farmers. Stu Trefry also represented NASCA on the monthly teleconference of the NACD Urban and Community Resource Policy Group. For more information contact [Shana Joy](#) or [Stu Trefry](#).

In-Person & Follow-up Work with Districts

Regional Managers provided in-person assistance this reporting period with Cascadia, Clark, Cowlitz, Ferry, Foster Creek, Grant County, Grays Harbor, Jefferson County, Lewis, Lincoln County, King, Underwood, Okanogan, Pacific, Palouse, Pend Oreille, Pine Creek, San Juan, South Douglas, Spokane, Thurston, Underwood, Wahkiakum, Walla Walla, Whatcom, Whidbey Island and Whitman Conservation Districts this reporting period.

Regional Managers provided follow-up assistance with Adams, Asotin County, Benton, Cascadia, Clark, Columbia, Eastern Klickitat, Ferry, Franklin, Foster Creek, Grant County, Grays Harbor, Jefferson, King, Kittitas, Lewis County, Lincoln County, North Yakima, Okanogan, Pacific, Palouse, Palouse Rock Lake, Pend Oreille, Pine Creek, Pomeroy, South Douglas, South Yakima, Stevens County, Spokane, Thurston, Underwood, Wahkiakum, Walla Walla, Whatcom, Whidbey Island, and Whitman Conservation Districts.

TAB 4



Office of Farmland Preservation

Washington State
Conservation Commission
PO Box 47721
Olympia, WA 98504-7721

STAFF BRIEF

DATE: May 19, 2016
TO: Mark Clark, Executive Director, WSCC
FROM: Josh Giuntoli, OFP Coordinator
SUBJECT: Agricultural Conservation Easement Program

Summary

The Washington State Conservation Commission, at their March 2016 regular business meeting requested staff prepare a recommendation for next steps in development of the dormant Agricultural Conservation Easement Account (RCW 89.08.530).

As part of the stakeholder engagement process, commissioners directed staff, through passage of a motion, to seek feedback from interested stakeholders. To that end, staff shared the motion and request for input from interested stakeholders including members of the Farmland Roundtable, natural resource leads for tribes, natural resource government agencies, program leads for local purchase of development right programs, and conservation districts. In addition, staff participated in stakeholder briefing calls and fielded stakeholder questions.

Evaluation of stakeholder feedback

Stakeholder feedback was generally supportive of SCC moving forward to implement RCW 89.08.530. Comments are categorized below:

Timing: Requested consideration of both perpetual and/or fixed term easements. This will be a decision point by SCC. While perpetual is the most effective and efficient, most programs do not provide for fixed term easements.

Eligibility: Firstly, this would be a program available for farmers and ranchers. Inclusion of both farmer & rancher speaks to both crop farmers and livestock ranchers. As for partner entities, there were a few comments recommending this be a program available explicitly for conservation districts as they exercise their authority to hold and steward interests in property. The similar conservation goals between conservation districts and the state conservation commission could be furthered by working exclusively with CDs. CDs are currently not eligible for the WWRP farmland category and must seek sponsorship through the conservation commission. The working relationship between CDs and their constituents in defined geographic areas could lead to not only preservation of agricultural land, but strategic conservation. In addition, the long term nature of easements will allow for continued access to landowners who may be eligible for further conservation programs that enhance their land for production and natural resource considerations.

Project types: There were recommendations to lend priority if supporting new program, Work in areas not currently served, Compliment WWRP, serve new farmers, Cover all kinds of Ag land, not just the most prime soils

Funding: One of the primary funding recommendations was that any money that is available be available on an annual basis. Easement work is lengthy by its very nature and the extended lag time for existing state money can be a deterrent to active landowner participation.

Lending funding priority if supporting a new program was a suggestion to aid in kick-starting local efforts by providing for early success.

There was a push to see that any new funding not be linked to the state's capital budget so as to not interfere with existing WWRP funding as well as potentially be a match source for WWRP. There is interest to see this new funding be compatible with existing WWRP funding.

Comments also recommended that funding be as flexible as possible and allow for costs associated with acquisition and then provide some level of stewardship monitoring. There was also interest in not conditioning funds to certain conservation practices.

Easement: Respondents would like to see the conservation commission develop a consistent, straight forward defensible easement document.

In conclusion, stakeholders want a transparent process that allows for periodic review.

Recommendation and Timeline

The recommendations below reflect a goal of having a program policy ready for adoption at the December 1, 2016 regular business meeting. This timeline takes into account scheduled commission meetings, participation by commissioners, stakeholders, and conservation districts.

1. At the May 2016 meeting, prioritize implementing the Agricultural Conservation Easement Program in SCC strategic planning.
2. At the May 2016 identify two Commission members to engage with staff in review of work and progress. Commitment would be around 2 hours a month. In addition to complete the team, identify a LEAN representative within the SCC to consult on program design in an effort to keep program elements streamlined and efficient.
3. Prior to the July 2016 meeting, develop core program elements, process, and eligible applicants.
4. Concluding a staff update at the July 2016 meeting, approve sending a draft program policy to stakeholders for public comment and incorporate as appropriate.
5. At the September 2016 regular business meeting, receive an update on feedback and staff responses.
6. In October and November 2016, finalize program design.
7. Present final product at December 2016 regular business meeting for approval and adoption.



Washington State Conservation Commission

May 19, 2016

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Ron Shultz, WSCC Policy Director

SUBJECT: Food Policy Forum – Background and Next Steps

Summary: The Food Policy Forum has been established at the WSCC via a proviso in the supplemental operating budget passed this session. This memo describes the elements of the Forum and the process for moving forward on implementation.

Action Requested: Review and comment.

Staff Contact: Ron Shultz, WSCC Policy Director

Description:

The recently completed 2016 Legislative Session saw the passage of a supplemental operating budget. Included in the supplemental budget is additional, one-time funding (\$50,000) for the implementation of a Food Policy Forum. The funding and direction on the Forum are described in a proviso to the WSCC budget, the complete text of which is at the end of this memo.

Some key points on the funding:

- The \$50,000 is new funding from the state general fund.
- There are no restrictions on the use of the funds – i.e. sometimes such funding is not allowed to be used for administrative costs. This isn't the case for these funds.
- Funding is "one-time" for the current biennium only.
- Funding is for fiscal year 2017. Work on the project cannot begin – or more accurately cannot be charged to the funds provided – until July 1, 2016.

Implementation guidance in the proviso:

- The WSCC shall coordinate with the Office of Farmland Preservation and WSDA to avoid duplication of effort.
- The WSCC must report to the appropriate committees with the forum's recommendations by October 31, 2017.

Legislative members of the Forum:

- Four legislators may serve on the Forum in an ex officio capacity.
- Legislative participants must be appointed as follows:
 - (i) The speaker of the House shall appoint one member from each of the two largest caucuses of the House; and
 - (ii) The president of the Senate shall appoint one member from each of the two largest caucuses of the Senate.

Other members of the Forum:

- The WSCC director is responsible for appointing participating members.
- Appointments are made in consultation with the director of WSDA.
- Appointments must attempt to ensure a diversity of knowledge, experience, and perspectives by building on the representation established by the food system roundtable initiated by executive order No. 10-02. [NOTE: Executive order No. 10-02 was rescinded by Governor Inslee in his executive order No. 15-04.]

Executive order No. 10-02 does not provide for a list of representatives on the Roundtable other than specifying agency participation:

The Departments of Health, Agriculture, and Social and Health Services shall work collaboratively with other agencies and non-governmental organizations to examine state food policy, food-related programs, and food-related issues. In addition, I request the Conservation Commission and the Office of Superintendent of Public Instruction join as full partners in this effort.

Given no specified membership for the Roundtable was outlined in the executive order, the state agencies set out to develop a charter identifying participation. The charter identifies membership as:

“...individuals committed to improving the Washington State food system through active participation in the Roundtable. 25-30 representatives from varied food system sectors will be chosen/elected to manage direction for the Roundtable. Members will be ultimately responsible for decision making.”

See the list of members of the Food Policy Roundtable in the attached “Food Policy Roundtable – Members”.

A key point in the current member composition of the Roundtable is the absence of agricultural representatives. This has been an issue as the Roundtable moves forward to complete their work. It was also an issue in the recent legislative discussions on the Food Policy Forum. It will be a key focus of member participation in the Forum.

Path Forward and Next Steps

Commission staff have been in contact with legislative staff to discuss legislative expectations around the Forum. Next steps in the proviso implementation include:

1. Letters to the House Speaker and Senate President requesting appointments to the Forum.
2. Meeting with WSDA and OFP leadership to discuss the Forum and WSDA perspectives on moving it forward.
3. Discussion with various stakeholders including those participating in the Roundtable and those in the agricultural community and other entities who did not participate in the Forum.
4. Proposed list of appointees presented to the WSCC executive director for final appointment to the forum.
5. Possible RFP for contract consultation and facilitation of the Forum.

2016 Supplemental Operating Budget – 2ESHB 2376

Section 306:

(4)(a) \$50,000 of the general fund—state appropriation for fiscal year 2017 is provided solely for the commission to convene and facilitate a food policy forum. The director of the commission is responsible for appointing participating members of the food policy forum in consultation with the director of the department of agriculture. In making appointments, the director of the commission must attempt to ensure a diversity of knowledge, experience, and perspectives by building on the representation established by the food system roundtable initiated by executive order No. 10-02.28

(b) In addition to members appointed by the director of the state conservation commission, four legislators may serve on the food policy forum in an ex officio capacity. Legislative participants must be appointed as follows:

(i) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives; and

(ii) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(c) The commission shall coordinate with the office of farmland preservation and the department of agriculture to avoid duplication of effort. The commission must report to the appropriate committees 43.01.036, with the forum's recommendations by October 31, 2017.

Food Policy Roundtable Members (as of April 2016)

Vic Colman**

Roundtable Co-Chair, Childhood Obesity Prevention Coalition

Babs Roberts**

Roundtable Co-Chair, Washington State Department of Social & Health Services

Branden Born**

University of Washington College of Built Environments

David Bobanick**

Rotary First Harvest

Christy Carr*

American Farmland Trust

Janet Charles**

Washington State Department of Health

Richard Conlin**

Puget Sound Food Policy Council

Lael Duncan**

Okanogan County Community Action Council

Bev Emery*

Washington State Department of Commerce

Josh Giuntoli**

Washington State Conservation Commission

Dick Grader*

National Frozen Foods

Ellen Gray**

Washington Sustainable Food & Farming Network

Rosalinda Guillen**

Farmworker Representative

Karen Kinney**

Washington Farmers Market Association

Claire Lane**

Anti-Hunger & Nutrition Coalition

Kara Martin**

Healthy Community Planning, LLC

Jason McGill**

Washington State Office of the Governor

Jennifer Mitchell**

Washington State Office of Superintendent of Public Instruction

Sharon Ness*

United Commercial & Food Workers

Sara Osborne**

Safeway, Inc.

Marcia Ostrom**

Washington State University Center for Sustaining Agriculture & Natural Resources

Jennifer Otten**

University of Washington Center for Public Health Nutrition

Kirk Robinson*/Kyle Merslich**

Washington State Department of Agriculture

Shelley Rotondo**

Northwest Harvest

Valerie Segrest**

Muckleshoot Food Sovereignty Project

Phyllis Shulman**

Community Relations & Public Policy Consultant

Lisa Smith**

Enterprise for Equity

Linda Stone*

Children's Alliance

Tom Tebb* / Sage Park**

Washington State Department of Ecology

Julie Washburn*

Washington Food Coalition

Brenda Weist**

Teamsters Local 117

*Former Member

**Current Member



Washington State Conservation Commission

May 19, 2016

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Bill Eller, VSP Program Coordinator
Ron Shultz, WSCC Policy Director

SUBJECT: VSP Status Update

Summary: Nearly all VSP counties have completed contacts with the WSCC for VSP implementation. Staff have convened the VSP Technical Panel for continuing discussions on local work plan development. Upcoming discussions will include 2017-19 biennium budget development.

Action Requested: No action requested. Information only.

Staff Contact: Bill Eller, VSP Program Coordinator

Description:

To date the Commission has entered into VSP agreements with 26 of the 28 opt-in counties. One county, Skamania, has dropped out of VSP. One remaining county – Adams – has yet to sign a contract. A decision from the Adams County Commissioners is expected soon.

Currently, there are 10 conservation districts serving as the VSP lead for their county. These include: Foster Creek; Ferry; Pomeroy; Grant County; Kittitas County; Lincoln County; Mason; San Juan Islands; Spokane; and Walla Walla.

Commission staff set up a periodic VSP newsletter using GovDelivery. The newsletter will include periodic reports on the status of VSP and other issues that come up during work plan development by local VSP work groups.

One of the statutory requirements of the VSP is for the Commission to set up a web page. We have done so. The VSP web page at the Commission's web site can be accessed through the WSCC agency website. One purpose of the VSP page will be to serve as a clearinghouse for VSP information for stakeholders from around the state. The web page will be updates meeting dates, times and locations for all 27 county work group meetings, as well meetings of the technical panel and statewide advisory committee.

Commission staff hosted the first of what will be a monthly teleconference/webinar for those interested in VSP at a state-wide level. The conference calls will be an opportunity for those

implementing or engaged in local VSP process to hear the latest in implementation issues and ask questions. It is open to any who want to phone in, but mainly directed at County staff, Conservation District staff, and consultants and facilitators responsible for VSP.

Several VSP counties have started their local work group meetings and Commission staff have been participating in as many as possible. Generally WSCC staff give a VSP PowerPoint presentation on the background of VSP and key elements of the program for local groups to keep in mind as they develop work plans. The public continue to express concerns regarding the amount of work the work groups have to complete to get the VSP work plans to the Commission, the amount of state agency involvement available for each of the 27 work groups, and the decision-making processes of the state-level VSP Technical Panel.

WSCC staff assisted WDFW staff with a VSP presentation for their own internal staff as WDFW starts to respond to requests for assistance, information and data from the 27 work groups. Commission staff stressed that the ultimate responsibility for work plan success lies with the work group and each individual county, not landowners who might choose to participate in VSP.

Most VSP work group consultants and CD/County administering staff have had questions about whether the Open Public Meeting Act (OPMA) applies to VSP work group. The Commission has taken the position that the VSP work-groups are subject to the OPMA (RCW 42.30). As such, there are some requirements that need to be met, such as the requirement for training of work group members (RCW 42.30.205), for posting of agendas on a county's website 24 hours in advance (RCW 42.30.077), for taking meeting minutes (RCW 42.30.030) (as per county policy and in compliance with the OPMA), and conducting meetings that are open for the public to attend (RCW42.30.030). Commission staff put together a VSP OPMA Bulletin and distributed it to the VSP subscribers on GovDelivery.

Budget development for the 2017-19 biennium will begin in the next month. WSCC staff will work with the VSP Statewide Advisory Panel to assist in the identification of budget needs. Staff will also work with those state agencies involved in VSP implementation to get their budget estimates.



Washington State Conservation Commission

May 10, 2016

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Ron Shultz, WSCC Policy Director

SUBJECT: "What's Up Stream?" Website

Summary: Recent controversy over a webpage titled "What's Up Stream?" generated significant reaction from agricultural groups towards EPA and the entities sponsoring the site. The issue may have implications for several discussions relating to agricultural impacts to water and salmon habitat.

Action Requested: None. Information only.

Staff Contact: Ron Shultz, WSCC Policy Director

Description:

A website targeting agricultural impacts to salmon habitat and water quality drew considerable attention recently. The site is sponsored by the Swinomish Tribe and supported by several other environmental groups. The site takes what some consider a hard hitting approach to the impacts of agriculture on these resources. The site went further, at one point including a button where viewers could click to "take action" on the issue. The communications effort also included at least two billboards to attract attention to the campaign and "What's Up Stream?" website.

The controversy escalated when it was reported that funding used to develop the website came from EPA National Estuary Program (NEP) via a grant to the NW Indian Fish Commission who sub-awarded to the Swinomish Tribe.

Attached is a variety of information on the issue:

1. "What's Up Stream?" website text.
2. Seattle Times article: "EPA under fire for money to 'anti-farmer' campaign"
3. Capital Press article: "What's Up with 'What's Up Stream?'"
4. Congressional Letter to EPA Administrator Gina McCarthy, April 20, 2016
5. Swinomish Letter to Congressional Members, April 25, 2016
6. NACD Letter to EPA Administrator Gina McCarthy, May 10, 2016
7. Swinomish Water Quality Survey

“What’s Up Stream?” Web Page Text

NOTE: Because the website has a variety of complex graphics, it's very difficult to make a print copy. The following pages include the text from the “What’s Up Stream?” website as of May 10, 2016.

(/)

About Us (./#footer)

Our Research (./our-research.html)

Polluters of our waterways should be held accountable for their impacts on our water, our health and our fish.

The Problem

Clean water is essential for our health, and especially critical for our children. Cold, clean water is also essential to the health of our fish and shellfish ([assets/017-68.pdf](#)). That's why, in 1972, Congress passed the landmark Clean Water Act (<http://www2.epa.gov/laws-regulations/summary-clean-water-act>) and set the goal of "fishable, swimmable, and drinkable" for all our nation's waterways, declaring that "the discharge of pollutants into the navigable waters be eliminated by 1985." (<http://www.gpo.gov/fdsys/pkg/USCODE-2011-title33/html/USCODE-2011-title33-chap26-subchapl-sec1251.htm>)

But, throughout the country, we are far from meeting this goal—including right here in Washington. One major reason: the agriculture industry has been largely exempted from federal rules (<https://www.law.cornell.edu/cfr/text/40/122.3>) designed to achieve this goal, and our state has no permit system in place to regulate many agricultural practices. (<https://fortress.wa.gov/ecy/publications/documents/1510015.pdf>)

A number of these unregulated agricultural practices send harmful pollutants ([assets/017-86.pdf](#)) into our waterways, degrading our water, destroying vital habitat and endangering our fish. (<http://www.ecy.wa.gov/programs/wq/nonpoint/Agriculture/agwqrisks.html>)

Other industries that use land—such a timber harvesting and land development—operate under regulatory requirements and permitting systems to protect our waterways.

For agriculture, however, protecting our waterways from polluted run-off (<http://water.epa.gov/polwaste/nps/whatis.cfm>) is voluntary, and farmers are merely encouraged to use public funding to do pollution management practices (<http://www.ecy.wa.gov/programs/wq/nonpoint/Agriculture/agnpssolutions.html>) of their own choosing.

The voluntary approach that has been tried for decades is insufficient. ([assets/EST%202012.pdf](#)) A recent GAO report of nationwide trends (<http://www.gao.gov/products/GAO-12-335>) finds that "at historical funding levels and water body restoration rates, it would take longer than 1,000 years to restore all the water bodies that are now impaired by non-point source pollution."

And according to the Environmental Protection Agency, "agricultural nonpoint source pollution was the leading source of water quality impacts on surveyed rivers and lakes, the second largest source of impairments to wetlands, and a major contributor to contamination of surveyed estuaries and ground water."

In Washington, (<https://fortress.wa.gov/ecy/publications/documents/1403028.pdf>) over three quarters of state water pollution clean-up funds were used to clean up waters contaminated by agriculture between 2005 and 2013.

([assets/Nonpoint%20Pollution%20Assesment%20-%2057.pdf](#))

[See more of our findings \(our-research.html\)](#)

Negative Effects

Many farms use chemical pesticides, fertilizers and manure. Unlined manure lagoons at feedlots leach into groundwater aquifers, often contaminating neighboring wells. Farming to the edge of our streams causes pesticides, fertilizers, and land-applied manure to enter into our waterways, which can result in harmful impacts to:



**Public
Health**



The Solution

The answer is simple.

Streamside buffers help other industries, such as timber harvesting and land development, dramatically reduce stream pollution.

Planting buffers can help the agriculture industry do its part to protect our water resources, too.

Requiring 100 feet of natural vegetation between farmland and our waterways would keep most pesticides, fertilizers, cows and manure out of our streams. Trees and other natural vegetation alongside our waterways would promote healthy habitat for salmon.

Learn More About Riparian Buffers ([our-research.html#habitat-health](#))

According to opinion polls conducted among 600 Washingtonians in 2012 and again in 2014 (margin of error of plus/minus 4 percent):

THREE-QUARTERS of Washingtonians are concerned about the impact of agricultural practices on our water resources.

MOST Washingtonians believe that protecting our water resources is even more important than growing our economy. Only about a third of Washingtonians believe economic growth is more important than clean water.

See the Results of Public Opinion Surveys from 2012 and 2014 ([our-research.html#habitat-health](#))

THREE-QUARTERS of Washingtonians support stronger laws protecting the health of our water resources in Washington.

May Commission Meeting

Page 77 of 118

TWO-THIRDS of Washingtonians support 100-foot natural buffers between agriculture lands and streams.

Mouse-over to learn more



Grazing cattle, pesticides, and fertilizer run-off contaminate rivers and streams, deplete water quality, erode riverbanks and harm habitat.



By creating a 100 foot riparian buffer, we can stabilize stream banks and foster vegetation critical for water quality and salmon health.



May Commission Meeting



Riparian buffers are a simple, natural way to mitigate much of the harm caused by pesticides, fertilizers, and tilling and grazing at the edge of waterways and streams.

We must ensure that our children and future generations have water that is fishable, swimmable and drinkable.

Have you witnessed an incident of harmful water pollution? Report it [HERE \(http://www.pugetsoundkeeper.org/pollution-reporting-form/\)](http://www.pugetsoundkeeper.org/pollution-reporting-form/) on Puget Soundkeeper's Pollution Reporting Form

Our Partners



May Commission Meeting



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[\(http://www.celp.org/\)](http://www.celp.org/)



[\(http://cforjustice.org/riverkeeper/\)](http://cforjustice.org/riverkeeper/)

[\(http://nwifc.org/\)](http://nwifc.org/)



[\(http://www.westernlaw.org/\)](http://www.westernlaw.org/)

[\(http://www.pugetsoundkeeper.org/\)](http://www.pugetsoundkeeper.org/)



[\(http://www.swinomish.org/\)](http://www.swinomish.org/)



[\(http://www.friendsoftoppenishcreek.org/\)](http://www.friendsoftoppenishcreek.org/)

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What's Upstream? is a project of the Center for Environmental Law and Policy, Puget Soundkeeper Alliance, the Swinomish Tribal Indian Community, and the Western Environmental Law Center. Our goal is to inform the public about leading causes of water pollution and how that pollution affects the health of Washington's waterways, people and fish. This project has been funded wholly or in part by the United States

Environmental Protection Agency under assistance agreement PA-00J32201 to the Northwest Indian Fisheries Commission. The contents of this document do not necessarily reflect the views and policies of the Environmental Protection Agency, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.

If you have any questions please contact us:

Email Us (<mailto:info@whatsupstream.com>)

Seattle Times

EPA under fire for money to ‘anti-farmer’ campaign

Originally published May 1, 2016 at 6:15 pm

Recent advertisements, splashed across billboards, buses and radio waves, have taken a pointed approach to discussing the link between farms and water pollution. Now, the Environmental Protection Agency is under fire for its indirect funding of the campaign.

By
Joseph O’Sullivan

Seattle Times Olympia bureau

OLYMPIA — A block of text on the homepage for the What’s Upstream? advertising campaign projects a simple message: “Polluters of our waterways should be held accountable for their impacts on our water, our health and our fish.”

Video behind the text features a blue tractor rumbling across a farm, before giving way to a scene of swirling, muddy water.

Similar messages recently have been splashed across billboards, buses and radio waves in the Puget Sound region, linking farms with water pollution.

One example, which ran on buses in Whatcom County, included a photo of livestock standing in a stream and text that read: “Unregulated agriculture is putting our waterways at risk.”

The What’s Upstream? campaign has drawn criticism for both its approach and its funding — which includes grant money from the Environmental Protection Agency (EPA).

Lawmakers have called it an “anti-farmer campaign.” The Whatcom Transportation Authority pulled the ads from its buses, deeming them too political.

And the campaign itself yanked billboards and early radio spots after blowback from Republican lawmakers and the discovery that some advertisements lacked disclaimer notes on where the campaign’s funding came from.

Supporters of the campaign, led by the Swinomish Indian Tribe, say it’s designed to educate people about agricultural pollution in the Puget Sound region.

But a letter last month to the EPA signed by 145 members of Congress cited federal law prohibiting EPA from using money for advocacy or propaganda without approval from Congress.

“Whether you characterize it as propaganda or not,” said U.S. Rep. Dan Newhouse, R-Sunnyside, and a co-author of the letter, “it’s still a misuse of public funds.”

Newhouse, a farmer and former head of the state Department of Agriculture, said the EPA’s funding of the campaign diminishes trust in the agency in an area where agricultural groups, tribes and agencies often must work together on issues.

In his own letter to the EPA, state Sen. Doug Ericksen, R-Ferndale, went further. Ericksen, a vocal critic of Democratic environmental proposals, called the What’s Upstream? campaign a “deliberate effort to blame agriculture for water pollution.”

In a hearing before Congress, EPA Administrator Gina McCarthy said her agency “also was distressed about the use of the money and the tone of that campaign.”

Now the EPA is reviewing the grant given to the Northwest Indian Fisheries Commission, which then subgranted money to the Swinomish Indian Tribe for the campaign.

“We have requested that the commission not allow any further expenditure of funds under this grant until the review is complete,” regional EPA spokesman Mark MacIntyre wrote in an email.

Caught in the middle of the controversy is the Swinomish Tribe itself, whose tiny reservation inhabits 15 square miles along the Puget Sound, southeast of Anacortes.

Tribal Chairman Brian Cladoosby said that decades of pollution have affected the Skagit River, where, under a treaty with the federal government, the tribe is entitled to fish for salmon.

Pollution runoff from farms and construction sites remains the biggest impairment to the nation’s waterways, according to a 2012 federal government report. Cladoosby called the What’s Upstream? campaign a public-education effort to highlight that.

And he likened the threat to salmon to the high-profile lead-contamination problems happening in Michigan.

“This is our Flint, Mich.,” Cladoosby said.

Money for the What’s Upstream? campaign came from a five-year EPA grant of more than \$12 million to the Northwest Indian Fisheries Commission, according to Bill Dunbar, a regional policy adviser for the EPA.

The commission, in turn, awarded some of that grant money — about \$570,000 over five years — to the Swinomish Indian Tribe, Dunbar said.

The EPA consulted with the tribe on the campaign, “and our attorneys let them know what the legal boundaries were for that kind of thing, for spending federal money,” said Dunbar.

But his agency didn’t see the ads before they ran, Dunbar added.

Larry Wasserman, environmental-policy director for the Swinomish, acknowledged that early radio spots did not have a funding disclaimer necessary for when grant money is involved.

But Wasserman said billboards that appeared in Olympia, Bellingham and other locations were paid for by tribal money and didn't need a disclosure note.

Those billboards have been pulled down, "in order to sort out the differences" over the campaign, Wasserman said.

But, "we will continue the campaign, in one way or another," he added.

He believes criticism of the funding is actually about "folks upset because they don't like the facts," Wasserman said.

"These issues of funding are secondary," said Wasserman. "Because there's a resistance on the part of agriculture" to acknowledge pollution.

Puget Soundkeeper Executive Director Chris Wilke said agricultural operations "are responsible for a big part of our water-quality problems."

Puget Soundkeeper is one of the organizations that appear as collaborators on the What's Upstream? campaign website. Although his organization was not involved in making decisions for the campaign, "We do support the mission of Whatsupstream.com," Wilke said.

Joseph O'Sullivan: 360-236-8268 or josullivan@seattletimes.com. On Twitter @OlympiaJoe

Capital Press

The West's Ag Weekly



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"At what point did (the EPA) become aware of the misuse of the EPA funds for the What's Upstream campaign and what role did EPA have in reviewing that bill-board and website?"

— Sen. Deb Fischer, R-Neb.



The Environmental Protection Agency was "distressed by the use of the money and the tone of that campaign."

— Environmental Protection Agency Administrator Gina McCarthy



"I have never seen anything this bad. This is really amazing. To fund a program that tries to influence the state Legislature, that I find totally shocking."

— Karen Budd-Falen, a Wyoming property-rights lawyer



"The truth hurts sometimes."

— Puget Soundkeeper Executive Director Chris Wilke



"This is just a new low. It's shocking to me our tax dollars went for that."

— Washington state agriculture lawyer Toni Meacham



"I can't believe two bills got that much attention. We didn't see that coming at all."

— Swinomish tribal Chairman Brian Cladoosby

WHAT'S UP WITH 'WHAT'S UPSTREAM?'

'WHAT'S UPSTREAM?'

EPA's involvement in anti-farm campaign ran deep, documents show

By **DON JENKINS**
Capital Press

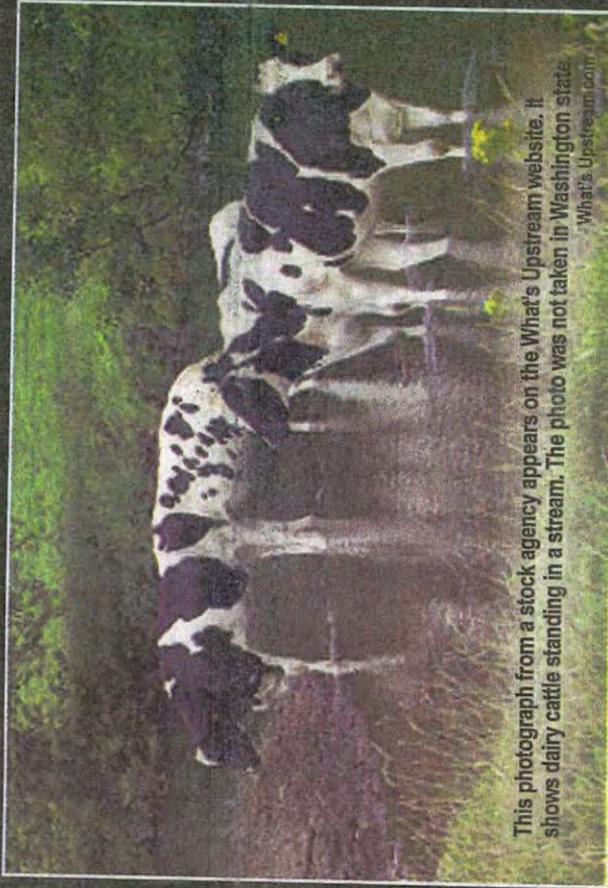
A little more than a month ago, What's Upstream was an obscure political advocacy campaign backed by Environmental Protection Agency money, a Washington state Indian tribe and a handful of environmental groups.

Today, the campaign has been condemned by one-third of the U.S. House as an attack on agriculture, and the inspector general of the EPA has promised to investigate whether it is a misuse of taxpayer money.

If it is, the Northwest Indian Fisheries Commission may have to repay the money and could be cut off from receiving future grants. The commission funneled the EPA money to the Swinomish tribe to fund an advertising and letter-writing campaign aimed at the Washington Legislature seeking mandatory 100-foot buffer zones between farms and rivers.

The website features a photograph — not taken in Washington — of cattle standing in a river and salmon that apparently had died after spawning, a natural occurrence. The implication was that farming in Washington state is not adequately regulated.

Turn to EPA, Page 12



This photograph from a stock agency appears on the What's Upstream website. It shows dairy cattle standing in a stream. The photo was not taken in Washington state.
What's Upstream.com

PAGE 2 OF 5

EPA

CONTINUED from Page 1

Wyoming property-rights attorney Karen Budd-Falen, who has followed the environmental movement for years, said she's reviewed a lot of EPA-funded projects, but nothing quite like What's Upstream.

"I have never seen anything this bad," she said, while taking her first look at the What's Upstream website. "This is really amazing."

The website included a "Take Action" button that allowed visitors to send letters to Washington legislators urging the mandatory buffer zones, which promoters say would prevent farm runoff from reaching rivers. The letters made no mention of EPA funding or involvement.

"To fund a program that tries to influence the state Legislature, that I find totally shocking," said Budd-Falen. "If that's the goal, I don't believe it is a legitimate goal."

Swinomish tribal Chairman Brian Cladoosby said the tribe's goal is to draw attention to water pollution that threatens the tribe's treaty rights. Stronger federal and state laws are needed, he said.

"At the end of the day, we have to do what we think is right. We didn't do anything wrong by trying to educate the public on agricultural practices," he said. "You call people out for pollution, and they're going to react like you've seen them react."

Ongoing controversy

The "Take Action" button has been removed from the website, but the controversy remains.

In addition to condemning the campaign, some members of Congress question whether lobbying laws that may carry fines have been broken.

In the meantime, the EPA has disassociated itself from What's Upstream, but members of Congress want to know how deep the agency's involvement was and how the agency will prevent grants from being misused in the future.

Sen. Deb Fisher, R-Neb., confronted EPA Administrator Gina McCarthy about What's Upstream at a budget hearing April 19.

"At what point did your agency become aware of the misuse of the EPA funds for the What's Upstream campaign and what role did EPA have in reviewing that billboard and website?" Fischer asked.

McCarthy said she didn't have an exact date and that the campaign was the result of a "subcontract."

However, EPA records show the agency's involvement was hands-on. EPA spent more than four years and more than a half-million dollars directing the campaign to lobby Washington state legislators to impose on agriculture rules tougher than allowed under the federal Clean Water Act, according to EPA records.

The campaign was designed by a Seattle public relations firm to grab attention. And it did.

As a result, the EPA has stopped taking questions about What's Upstream, including an important one: How much has the agency spent?

EPA records are incomplete. An estimate by the Capital Press puts the figure at roughly \$570,000, though neither the EPA, the fisheries commission nor the Swinomish tribe have answered requests for a full accounting.

The EPA responded to a list of questions for this story with a brief statement, saying the agency expects the fisher-

ies commission to cut the flow of money to the Swinomish tribe and to review the tribe's actions. EPA declined to answer follow-up questions. The fisheries commission also declined to comment.

Some lawmakers — including U.S. Senate Agriculture Committee Chairman Pat Roberts and Senate Environment Committee Chairman Jim Inhofe — have compared EPA's funding for What's Upstream with the "covert" campaign last year to promote the Waters of the United States rule.

In that case, the Government Accountability Office faulted the methods EPA used to rally support for the controversial rule, spreading messages via social media and outside websites without disclosing EPA's involvement.

What's Upstream has sometimes not disclosed EPA funding on its materials. Billboards that were erected in Bellingham and Olympia made no mention of the EPA's involvement. The billboards have now been taken down, but for a time they overshadowed the website.

Roberts called them "malicious," and McCarthy said they were the most "egregious" aspect of What's Upstream.

"I can't believe two billboards got that much attention," the tribe's Cladoosby said. "We didn't see that coming at all."

Besides the letter-writing campaign and inadequate disclosure about EPA funding, the content of the website and the rest of the campaign has become the issue.

"This is just a new low," said Washington state agriculture lawyer Toni Meacham. "It's shocking to me our tax dollars went for that."

Corrective action?

The EPA initially defended the campaign as "public education" on Puget Sound fish recovery, but on April 5, the agency reversed course and blamed the fisheries commission and the Swinomish tribe for misusing EPA money on the campaign. The EPA said it would take corrective action.

However, more than four weeks later, the What's Upstream website remains online. Asked about the campaign's future, Cladoosby said, "Stay tuned."

The EPA's McCarthy assured the Senate Environment and Public Works Committee on April 19 that her agency was "distressed by the use of the money and the tone of that campaign."

One year earlier, on April 16, 2015, McCarthy spent the afternoon with Swinomish tribal leaders, according to EPA records and photographs posted on the EPA website. McCarthy met with the leaders for 30 minutes and then went on a 90-minute walking and boating tour of the Skagit River with a group that included Cladoosby, the tribe's environmental policy director Larry Wasserman and the EPA's Northwest administrator, Dennis McLerran.

The meeting and tour were closed to the press. An EPA spokesman said the agency had no information to indicate that the What's Upstream campaign was discussed. Cladoosby said McCarthy visited in response to President Barack Obama's call for leaders in his administration to visit Indian Country. The What's Upstream campaign did not come up, Cladoosby said.

EPA's involvement

Public records show the EPA has been aware for several years that the tribe hired Seattle public relations firm Strategies 360 to develop a message and campaign strategy.

Strategies 360 has offices in 10 states and the District of Columbia and lists Shell Oil Co., Starbucks and Microsoft among its clients. Strategies 360 employees also spoke to reporters on behalf of Central Washington dairies that were sued over groundwater pollu-

tion in 2013 in what became the landmark Cow Palace Dairy case.

The EPA was kept informed as the tribe recruited some of agriculture's sharpest critics as partners and wanted the outcome to, as the EPA records put it, "increase the level of regulatory certainty."

The EPA issued specific directions, including demands for advertisements and the placement of news stories, which in turn did not disclose EPA's involvement.

The EPA also reviewed the website, but did not prevent What's Upstream from adding the "Take Action" button to send letters to state legislators.

The EPA also received a marketing report in the fall of 2014 from Strategies 360. The firm reported that people were going to the What's Upstream website as long as \$1,000 a week was being spent on advertising.

The EPA posted the reports from the tribe's Wasserman and Strategies 360 online on the agency's Puget Sound Financial and Ecosystem Accounting Tracking System.

According to the agency, the system allows anyone — from the White House to the press — to monitor how EPA money is being used in the Puget Sound. EPA adds its expectations to the report.

According to an EPA fact sheet, the reports "will give EPA and awardees the ability to tell a story." The reports, the fact sheet states, "Will allow us to make a strong case for additional Puget Sound investments."

Campaign's nature

The campaign's partners include the environmental groups Puget Soundkeeper, Spokane Riverkeeper, Western Environmental Law Center and the Center for Environmental Law and Policy.

The groups vigorously defend the campaign, saying the protests are the sound of an agriculture industry playing the part of the wounded victim. "The truth hurts sometimes," Puget Soundkeeper Executive Director Chris Wilke said.

What's Upstream angered Washington farm groups only partly because EPA funded it,

farm advocates say, adding that the campaign's line of attack — that agriculture is "unregulated" — is flat-out wrong and vilifies producers for water pollution that's the sum total of rural life and urban development around the Puget Sound.

"No one is disputing water quality is an issue that needs to be addressed," said Gerald Baron, director of Save Family Farming, a farmer-funded group formed this year to push back against agriculture's critics in northwestern Washington.

"It's not honest to say it's not an anti-farming campaign because it blames all the water issues on farmers," he said.

Cladoosby acknowledged that it may overstate the case to say agriculture is unregulated.

"It's possibly not 100 percent true, not 100 percent lie," he said.

Campaign's claims

The What's Upstream billboard image turned out to be a picture from a stock photo service labeled, "Amish Country cows in stream."

A similar photo on the What's Upstream website shows cows standing in a bucolic stream. The photo is also available from a stock photo service and was taken by a British nature photographer.

Asked where the photo was taken, the tribe's Wasserman, who's in charge of the website, said he didn't know.

Another photo meant to link farming to dead fish showed a spawned out salmon.

Wasserman and the environmental groups have defended the website as factual, saying links back up the claims.

For example, the website states: "In Washington, over three-quarters of state water pollution clean-up funds were used to clean up waters contaminated by agriculture between 2005 and 2013."

The statement links to a Washington Department of Ecology report on federally funded pollution-control projects.

The website claim appears to be based on the percentage of projects funded in Eastern Washington.

Actually, 46 percent of the funds statewide were spent on agriculture-related projects. In the Puget Sound area, where the Swinomish tribe is based, more money was spent to control urban sources of pollution.

Asked about the website's images and some of the claims, Wasserman responded by emailing a report issued in April by the Western Environmental Law Center. The 151-page report presents a case for stricter regulations on agriculture.

The report includes a commentary by Wasserman on the importance of streamside vegetation buffers but does not answer questions about What's Upstream.

PAGE 4055

Frost Protection

Authorized Factory Dealer of.

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598 Baseline
Cornelius, OR
Office
503-357-4217
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-- Wind Machines are not only for protecting your crops against frost. They can be critical for assisting in protecting your new plantings. Also additional benefits of summer winds and assist in drying.

What's Upstream ad campaign: What we know so far

April 5, 2016 — EPA reverses course and says its grants should not have been used for What's Upstream.



April 12, 2016 — House Agriculture Committee Chairman Mike Conaway, R-Texas, writes EPA Administrator McCarthy requesting records related to its involvement with What's Upstream.

April 18, 2016 — EPA inspector general Elkins states in a letter to Roberts and Inhofe that his office will investigate three grants awarded to the fisheries commission totaling \$20.5 million.



April 19, 2016 — McCarthy tells the Senate Environment Committee that her agency has stopped funding What's Upstream. Sen. Deb Fischer, R-Neb., asks McCarthy when her agency became aware of the campaign. Answers McCarthy: "I can't give you an exact date, but I can assure you that EPA also was distressed about the use of the money and the tone of that campaign."

Don Jenkins and Alan Kenaga/Capital Press
Source: Capital Press research



Courtesy of Save Family Farming
March 2016 — What's Upstream ads appear on public buses in Whatcom County in northwestern Washington. Transit officials quickly remove the advertisements.

March 25, 2016 — EPA says it's neutral on the content of the What's Upstream website, which includes a "Take Action" link that allows people to send a form letter to state lawmakers urging mandatory 100-foot farm buffers.

March 31, 2016 — Responding to a Capital Press inquiry, EPA acknowledges that What's Upstream billboards in Olympia and Bellingham should have disclosed EPA's involvement in campaign.



April 4, 2016 — Senate Agriculture Committee Chairman Pat Roberts, R-Kan., calls billboards "disturbing" and "malicious." He and Senate Environment Committee Chairman Jim Inhofe, R-Okla., write the inspector general for the EPA, Arthur Elkins, asking for an investigation.

April 30, 2015 — After consulting with Strategies 360, Wasserman files a report with the fisheries commission which states, "An increased expenditure of funds will begin in mid-May with a focus on north Puget Sound."

Sept. 30, 2015 — In another report to fisheries commission, Wasserman states, "Project has been delayed as a result of extensive reviews and engagement by EPA."

Oct. 30, 2015 — Wasserman reports to fisheries commission: "As a result of extensive review and engagement by EPA, we have been revising the website, and have to (restart) media outreach."

Dec. 14, 2015 — Government Accountability Office finds EPA misspent federal funds on a "stealth" campaign to promote new Waters of the United States rule via social media platform Thunderclap and select websites. EPA has yet to report to Congress on the matter.



Courtesy of EPA

Oct. 24, 2013 — What's Upstream, an online ad program to drive web traffic, is launched.

March 20-23, 2014 — Another Strategies 360 survey finds farmers and ranchers are popular, but most voters also say they support mandatory 100-foot buffers between farm fields and waterways.

July 15, 2014 — Inspector General for the EPA releases an audit of Puget Sound grants which states EPA "... should improve oversight of subaward monitoring policies and activities." The EPA's Northwest office disputes the critical audit.

Oct. 24, 2014 — Strategies 360 submits a "What's Upstream marketing report," outlining ways the website is being promoted, "... to insert the campaign's messaging and themes into coverage of water-quality and other environmental issues."

April 16, 2015 — On a visit to Washington state, EPA Administrator Gina McCarthy meets with Swinomish tribal leaders. She then tours the Skagit River with a group that includes the tribe's chairman, Brian Cladoosby, and Wasserman. The meeting and tour are closed to the press.



Dec. 28, 2010 — EPA awards six-year, \$18 million grant to the Northwest Indian Fisheries Commission for projects in the Puget Sound region. The Swinomish Indian tribe receives a portion of the money.

April 24, 2012 — Swinomish tribe environmental policy director Larry Wasserman reports to the EPA Puget Sound intergovernmental coordinator that a consultant (Seattle PR firm Strategies 360) had been hired.

July 8-11, 2012 — Strategies 360 survey finds voters satisfied with STRATEGIES 360 water quality; environmental issues are the least of their concerns. However, a Strategies 360 memo to Wasserman describes voter opinions as "malleable."

Oct. 25, 2012 — EPA assigns new "sub-tasks" to tribe which include another statewide survey, newspaper ads, social media, so-called earned media and "creative" advertisements.

April 30, 2013 — Wasserman foreshadows focus of What's Upstream. "Regionally targeted messaging to raise awareness of non-point source pollution problems and potential solutions will be delayed until December ..."

Congress of the United States
Washington, DC 20515

April 20, 2016

The Honorable Gina McCarthy
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, D.C. 20460

Dear Administrator McCarthy,

We write to you today to express our extreme concern with the Environmental Protection Agency (EPA) Region 10 funded whatsupstream.com website and campaign, which recently has come to our attention. While we appreciate EPA's recent admission that wrongdoing occurred and that the campaign should never have been federally funded,¹ we are still confused why EPA would have approved an award clearly violating a number of federal laws pertaining to funding propaganda, advocacy, and lobbying efforts. We find this revelation particularly disturbing, as it follows closely to both the EPA Office of Inspector General (OIG) questioning of Region 10's award monitoring and a December 2015 Government Accountability Office (GAO) report that found EPA had committed similar violations on social media advocacy campaigns supporting EPA's Waters of the United States (WOTUS) regulation (also known as the "Clean Water Rule").

As you are no doubt aware, federal law clearly directs that, "No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress."² Further restrictions clearly prohibit federal funds being used for many of the advocacy and publicity materials used by the whatsupstream.com campaign, including publications, radio, and electronic communications.³ Despite this stark prohibition, the website whatsupstream.com has a button at the top of its site directing visitors to, "Take Action! We've made it simple." This button loads auto-generated text that will be sent to the visitor's respective Washington State legislators, urging the legislators to support, "stronger laws protecting the health of our water resources in Washington," by encouraging, "100-foot natural buffers between agriculture lands and streams." Additionally this site asserts that, "state government must hold the agricultural industry to the same level of responsibility as other industries...." To be clear, whatsupstream.com has a disclaimer at the bottom of its website stating, "This project has been funded wholly or in part by the United States Environmental Protection Agency." Based on our review of EPA Puget Sound Financial and Ecosystem Accounting Tracking System (FEATS) project reports, it appears that this campaign has been wholly funded by the EPA with no matching funds provided by any private or state and local government entities.⁴

Currently, the Washington State Department of Ecology is in the process of renewing the requirements for its National Pollutant Discharge Elimination System (NPDES) permits for Concentrated Animal Feeding Operations (CAFOs). The Washington State legislature has also considered other water quality and agricultural related legislation during this same time period. These state regulatory and legislative initiatives were pending and under consideration during the same time of the lobbying efforts funded by EPA.

¹ Don Jenkins, *Capital Press*, April 5, 2016, http://www.capitalpress.com/Nation_World/Nation/20160405/epas-reversal-on-whats-upstream-rings-hollow-to-ag-groups

² *Consolidated and Furthering Continuing Appropriations Act, 2013*, Public Law 113-6, 127 Stat. 269 (2013)

³ *Consolidated Appropriations Act, 2014*, Public Law 113-76, 128 Stat. 408 (2014)

⁴ EPA Puget Sound Financial and Ecosystem Accounting Tracking Systems, PA-00J322-01, September 30, 2015, <http://blogs.nwifc.org/psp/files/2016/02/Swinomish-FY12-4.1.15-9.30.15.pdf>

What is more disturbing is that a July 14, 2014 report by the EPA's OIG found that Region 10 EPA project officers, "emphasized overall progress rather than compliance with specific subaward requirements. This emphasis on overall progress increased the risk that project officers would not detect issues needing corrective action that might impact the project meeting its goals." The report also found that of a sample of ten different EPA subawards, only three had protocols in place to ensure 501(c)(4) subaward recipients did not engage in lobbying activities.⁵ Despite these warning signs, an October 30, 2015 EPA Region 10 FEATS report pertaining to the whatsupstream.com project concluded that, "As a result of extensive review and engagement by EPA, we have been revising the website, and have to [sic] restarted media outreach."⁶ This conclusion would seem to suggest that, even in spite of OIG's report, EPA reviewed, engaged, and approved of the current whatsupstream.com website that is in blatant violation of federal law.

As mentioned, on December 14, 2015, GAO issued an opinion finding that EPA violated propaganda and anti-lobbying laws by using certain social media platforms in association with the WOTUS regulation. By obligating and expending appropriated funds in violation of specific prohibitions contained in appropriations acts for fiscal years 2014 and 2015, GAO found EPA also violated the *Antideficiency Act*.⁷ The whatsupstream.com campaign appears to be part of an alarming trend where EPA engages in funding advocacy efforts against the very entities it is seeking to regulate. EPA cannot systematically choose when it wishes to follow the law and when it does not. Congress has made it explicitly clear that EPA's funding may not be used, "for publicity or propaganda purposes designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government."⁸

We are aware that Senators Inhofe and Roberts recently sent a letter to the EPA OIG requesting an official audit and investigation into the whatsupstream.com campaign and related activities, and the House Committee on Agriculture is conducting a related oversight investigation of EPA grant management. We fully support these requests, and strongly advise EPA's full and swift cooperation with all investigations and imminent oversight inquiries into this matter.

Sincerely,



Dan Newhouse
Member of Congress



Brad Ashford
Member of Congress

⁵ Collins, Eileen et al., *EPA Should Improve Oversight and Assure the Environmental Results of the Puget Sound Cooperative Agreements* (EPA OIG Report No. 14-P-0317) (Washington, DC: Environmental Protection Agency Office of Inspector General, 2014), 8, <https://www.epa.gov/sites/production/files/2015-09/documents/20140715-14-p-0317.pdf>

⁶ EPA Puget Sound Financial and Ecosystem Accounting Tracking Systems, PA-00J322-01, October 30, 2015, <http://blogs.nwifc.org/psp/files/2016/02/Swinomish-FY13-4.1.15-9.30.15.pdf>

⁷ Poling, Susan A., *Environmental Protection Agency--Application of Publicity or Propaganda and Anti-Lobbying Provisions* (B-326944) (Washington, DC: U.S. Government Accountability Office, 2015), <http://www.gao.gov/assets/680/674/674163.pdf>

⁸ *Consolidated and Further Continuing Appropriations Act, 2015*, Public Law 113-235, 128 Stat. 2393 (2014)



Swinomish Indian Tribal Community

A Federally Recognized Indian Tribe Organized Pursuant to 25 U.S.C. § 476
* 11404 Moorage Way * La Conner, Washington 98257 *

April 25, 2016

Senator James Inhofe
205 Russell Senate Office Building
Washington, D.C. 20510-3605

Representative Dan Newhouse
1641 Longworth Building
Washington, D.C. 20515

Senator Pat Roberts
109 Hart Senate Office Building
Washington, D.C. 20510-1605

Dear Senator Inhofe, Senator Roberts and Representative Newhouse:

I read with interest your respective letters regarding a public education program that the Swinomish Indian Tribal Community (the "Swinomish Tribe") has been conducting about the detrimental impacts that unregulated agricultural practices can have on water quality.

First of all, I want to thank you for being my trustee. This federal responsibility originated in the Point Elliott Treaty that the Swinomish Tribe signed with the United States on January 21, 1855. It is an honor for the Swinomish Tribe to have a special trust relationship with the United States Government.

As my trustee, I hope that you appreciate the importance of protecting the Swinomish Tribe's inherent treaty rights as co-equal among your other constitutional obligations. For the record, the Point Elliott Treaty ensures that we can continue to gather, hunt and fish as our ancestors did since time immemorial. Federal Courts have recognized that the environment, on which our treaty rights depend, must be protected.

Over the last 100 years we have lived under a pollution-based economy. Until the last several decades, industry polluted the environment thinking there would be no consequences. Unfortunately, that was not the case. Our rivers, our bays, and the Salish Sea, have all been damaged as a result of this pollution-based economy.

Today we find ourselves struggling to maintain clean air, clean water and clean soil. After years of exploring other options to protect our environment, we started a program to educate the public about the harmful effects of non-point source pollution. We did so with financial support and substantive guidance of the Environmental Protection Agency (the "EPA"). Staff from the EPA were intimately involved in helping us develop the content of public materials to ensure that they were both compliant with federal grant requirements and rooted in sound science. These efforts were consistent with the Skagit Chinook Recovery Plan which specifically identified non-point source pollution as a problem.

Senator Inhofe
Senator Roberts
Representative Newhouse
April 25, 2016
Page Two

I understand that you may have received comments from some in the agricultural community suggesting that our materials were too hard hitting, or that the messages were too direct. We find it hard to believe that at this point in history anyone would think that unregulated agricultural practices that introduce toxic chemicals into the environment would have a no impact. Scientific studies conclusively demonstrate their harmful effects. We are living with the effects of such actions and as our trustee, I hope that you will consider those impacts as you respond to what you hear.

Your letters call for an investigation into our project. We welcome the inquiry. I am confident that if you or others take an honest look at the content of our educational initiative you will see that we are merely providing the public with facts based on research from EPA and other agencies and organizations so the public can make informed decisions regarding the health of their communities. Further, your investigation could be most beneficial if it also sought to explore the causes of and remedies available to address agricultural impacts on human health, water quality, habitat, and treaty resources.

Finally, as you continue to learn more about the detrimental water quality impacts we are facing and how they are affecting our fisheries, I would like to invite you to visit our area to see for yourselves both positive and negative agricultural practices. I would be delighted to meet with you to discuss our challenges in detail. On behalf of the Swinomish Tribe, thank you for your support as our trustee.

Sincerely,

A handwritten signature in cursive script that reads "Brian Cladoosby". The signature is written in dark ink and is positioned below the word "Sincerely,".

M. Brian Cladoosby, Chairman



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

APR 18 2016

OFFICE OF
WATER AND WATERSHEDS

Ms. Fran Wilshusen
Habitat Services Manager
Northwest Indian Fisheries Commission
6730 Martin Way E
Olympia, Washington 98516

Dear Ms. Wilshusen:

I am following up regarding the Environmental Protection Agency 2010-2016 Puget Sound Tribal Lead Organization grant to the Northwest Indian Fisheries Commission (NWIFC), sub-award to the Swinomish Tribe for public education and outreach.

A number of external parties have raised questions as to the legality and appropriateness of the activities funded by this sub-award. The EPA must take these allegations seriously and is committed to following up as expeditiously as possible based on review of the facts. Your thorough analysis as grantor is an important element in verifying the allowability of costs. As the recipient, NWIFC agreed to "Maintain primary responsibility for ensuring successful completion of the EPA-approved project (this responsibility cannot be delegated or transferred to a subrecipient);" and "monitor the performance of their recipients and ensure that they comply with all applicable regulations, statutes, and terms and conditions which flow down in the subaward;" Administrative Condition 16.a(2) and (7).

In conversations over the past two weeks, the EPA has shared our concerns with you that some of the work on the Swinomish sub-award related to the "whatsupstream" public education project may not be in compliance with the terms and conditions of the cooperative agreement (PA-00J32201).

We request that you immediately conduct a review to ensure compliance with all the grants terms and conditions that flow down to the Swinomish sub-award.

We propose a meeting with you no later than Wednesday, April 27, to review the issues and assess the sub-award that funded the expenditures. The EPA staff will call in the next day to schedule this meeting.

In the interim, we are requesting that all "whatsupstream" advertising in all media cease immediately and no EPA funds be drawn down to pay for costs associated with this sub-award until we have had the chance to discuss the results of the review and assessment.

The EPA remains committed to working with NWIFC to resolve these concerns. If you have any questions, please do not hesitate to contact me at (206) 553-1148.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Murchie', with a long horizontal flourish extending to the right.

Peter Murchie,
Puget Sound and NEP Program Manager

cc: Dietrich Schmitt (NWIFC)
Ken Currens (NWIFC)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF THE REGIONAL
ADMINISTRATOR

MAY - 2 2016

The Honorable K. Michael Conaway
Chairman, Committee on Agriculture
U.S. House of Representatives
Room 1301, Longworth House Office Building
Washington, D.C. 20515-6001

Dear Mr. Chairman:

Thank you for your April 12, 2016, letter to the U.S. Environmental Protection Agency, Administrator Gina McCarthy, regarding the EPA's cooperative agreement with the Northwest Indian Fisheries Commission and a sub-award made under that cooperative agreement by NWIFC to the Swinomish Indian Tribal Community for a "Non-Point Pollution Public Information and Education Initiative." The Administrator asked that I respond on her behalf.

The EPA places a high value on collaboration with our partners in the agricultural and tribal communities. Puget Sound in northwest Washington is an estuary of national significance under the U.S. Clean Water Act National Estuary Program. The EPA provides expertise and financial assistance to state, local, and tribal governments to support research and restoration projects that help implement the State of Washington's Puget Sound Action Agenda. This action agenda serves as the state's Comprehensive Conservation and Management Plan required under the Clean Water Act National Estuary Program.

In support of the action agenda, the EPA, Region 10 awarded a cooperative agreement to the Northwest Indian Fisheries Commission in 2010, to support the work of 21 federally-recognized Puget Sound tribes and tribal consortia who implement protection and restoration projects consistent with the Puget Sound Action Agenda. The Swinomish Tribe is one of the sub-recipients and, accordingly, received annual incremental funding for an education and outreach project focused on the critical need to reduce non-point source water pollution to protect Puget Sound's water quality and critical salmon habitat. Four Pacific salmon species in Puget Sound are listed as threatened under the Endangered Species Act in turn threatening the treaty-reserved rights of many Puget Sound tribes to harvest this natural resource so central to their communities, economies, and cultures.

The Swinomish Tribe's project included building a public information and awareness website. The EPA engaged with the Commission and the Swinomish Tribe over the past 5 years to discuss proposed annual work plans and some specific tasks such as the website. The EPA has provided technical assistance and coordination in the form of comments and recommendations; however, a cooperative agreement is fundamentally different from a contract, and the EPA does not have the ability to direct the content of the work product of a grantee or sub-recipient in the same manner as a contractor. In addition, under the terms of the cooperative agreement, the Commission has the responsibility of monitoring sub-recipients' performance and ensuring compliance with applicable terms and conditions, regulations, and statutes.

The EPA's involvement in the sub-recipient's project has focused on providing technical input during routine proposal reviews and flagging potential areas of non-compliance with grant terms and conditions, laws, regulations, and policies. For example, the EPA has provided guidance to the Commission and the Swinomish Tribe regarding the lobbying restrictions applicable to grants.

The EPA understands the many concerns that have been raised. In an April 18, 2016, letter (enclosed), the EPA asked the Commission to suspend all expenditures under the sub-award to the Swinomish Tribe and requested the Commission conduct a review of its sub-award to the Tribe. During a meeting on April 25, 2016, the Commission confirmed that all public outreach related to the sub-award had stopped and costs related to billboards have not and will not be paid with funding Congress appropriates to the EPA. The Commission is continuing its assessment of the sub-award in relationship to the EPA grant policies, terms, and conditions and will be setting up a meeting between the EPA, the Commission, and the Swinomish Tribe to review the results.

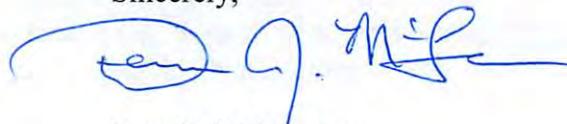
I want to assure you that collaboration with our partners in the agricultural community is of great importance to the EPA. To exemplify our efforts regarding work with the agricultural community, in the past 3 years over \$12 million of the EPA funds have been used to support collaboration with agriculture partners in Puget Sound to restore and protect riparian habitat and to reduce non-point source pollution. We are particularly proud of the work we have done with the agriculture community and the tribes in seeking, and frequently finding, common ground on issues such as water quality monitoring, scientific research, and uplands restoration projects.

The 2014 OIG report cited in your letter concluded, "that the EPA, Region 10 is effectively administering cooperative agreements and monitoring project progress to determine whether proposed outputs and outcomes were achieved" (OIG, Report 14-P-0317, At a Glance, July 15, 2014.) The OIG provided several recommendations, which EPA has addressed. We continue to provide strong oversight of the grants funded through the Puget Sound program.

With respect to the Committee's request for documents, the EPA is working diligently to identify and collect responsive materials and will coordinate with your staff to make appropriate productions as expeditiously as possible.

Again, thank you for your interest in the EPA's grant activities. If you have any further questions, please contact me or your staff may contact Kyle Aarons, in the EPA's Office of Congressional and Intergovernmental Relations. Kyle may be reached by phone at (202) 564-7351 or by email at aarons.kyle@epa.gov.

Sincerely,



Dennis J. McLerran
Regional Administrator

Enclosure

National Association of Conservation Districts



May 10, 2016

The Honorable Gina McCarthy
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

Dear Administrator McCarthy:

The National Association of Conservation Districts (NACD) represents America's 3,000 conservation districts and the 17,000 men and women who serve on their governing boards. Conservation districts are local units of government established under state law to carry out natural resource management programs at the local level. Districts work with millions of cooperating landowners and operators to help them manage and protect land and water resources on all private lands and many public lands in the United States.

NACD is extremely concerned regarding the recent controversy surrounding the Environmental Protection Agency's (EPA) \$3 million cooperative agreement with the Northwest Indian Fisheries Commission that funded a campaign that promoted regulatory approaches and attacked farmers and ranchers. We support Congressional and Office of Inspector General efforts underway to investigate how this situation occurred.

The narrowly focused perspective of the "What's Upstream Campaign" ignores collaborative, voluntary conservation work, is counterproductive to the work of farmers, and is an inaccurate portrayal of the success that has been realized through locally-led conservation efforts.

Conservation districts, working in close partnership with other government partners, use EPA grant programs to support cooperative water quality activities. Districts use these grants to more effectively work with landowners to cooperatively and voluntarily improve water quality.

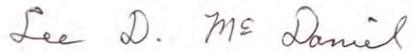
Conservation districts in the state of Washington and across the country are proud of the relationships that have been built with tribal communities. The Washington Association of Conservation Districts has created a Tribal Outreach Task Force for the sole purpose of establishing an avenue for the tribal communities to work directly with local conservation

National Headquarters
509 Capitol Court, NE, Washington, DC 20002
Phone: (202) 547-6223 Fax: (202) 547-6450
www.nacdnet.org

districts to promote voluntary conservation on the ground and regularly recognizes individual tribes and conservation districts who have worked together towards those efforts.

NACD and conservation districts remain strong supporters of these types of programs and believe using the locally led, voluntary, incentive-based model to conservation is the key to long-term success. We look forward to working with you, the agency, and lawmakers to ensure these programs continue to be an effective tool for conservation districts and our partners in delivering voluntary conservation assistance.

Sincerely,

A handwritten signature in cursive script that reads "Lee D. McDaniel".

Lee McDaniel
President, National Association of Conservation Districts

National Headquarters
509 Capitol Court, NE, Washington, DC 20002
Phone: (202) 547-6223 Fax: (202) 547-6450
www.nacdnet.org

Swinomish Water Quality Survey

NOTE: The following survey can be found on the “What’s Up Stream?” website. This information is included in this issue memo because it contains interesting information on public perceptions on these issues.

1.	Form		3.	Region	
	A	50%		King County	30%
	B	50		Northwest Washington	17
2.	Gender			Southwest Washington	31
	Male	47%		Eastern Washington	22
	Female	53			

DNR = Volunteered response, do not read
*** indicates responses totaled 0.4% or less**

Hello, may I please speak with (NAME ON LIST)? My name is _____ from _____, a public opinion polling firm. We're not selling anything and I will not ask for a donation at any time. We are conducting a short survey about some issues people have been talking about lately. It will take only a few minutes and all responses will be anonymous and used only for research purposes.

4.	First, have I reached you on a landline or mobile telephone?	
	Landline.....	67% GO TO Q6
	Mobile.....	33

ONLY READ IF MOBILE

5.	Are you in a place where you can safely take this survey?	
	Yes.....	CONTINUE
	No.....	SCHEDULE CALL BACK
	--	
	DK/NA/REFUSED.....	TERMINATE

6.	Are you 18 years or older and registered to vote at your home address in Washington? (IF YES:) Which of the following best describes your age? (READ LIST)	
	18-24.....	4%
	25-34.....	12
	35-44.....	15
	45-54.....	23
	55-64.....	22
	65-74.....	13
	75 or older.....	10
	--	
	DK/NA/REFUSED.....	1
	Not old enough / Not registered.....	TERMINATE

7.	Some people were not able to vote in the 2012 election for president and other offices. How about you? Were you able to vote in the 2012 election or were you not able to vote for some reason?	
	Yes, voted.....	98%
	No, did not vote.....	1
	Too young (DNR).....	1
	--	
	DK/NA/REFUSED.....	-

8.	As you may know, there will be an election in November of this year for several federal and state offices including US Congress and state legislature. I know that's a long time from now, but how likely it is that you will vote in this election? Is it... (READ LIST)	
	Almost certain.....	93%
	Probably.....	7
	About 50-50.....	TERMINATE
	Not very likely.....	TERMINATE
	Not likely at all.....	TERMINATE
	--	
	DK/NA/REFUSED.....	TERMINATE

IF DIDN'T VOTE IN 2012 AND NOT CERTAIN TO VOTE IN 2014, THANK AND TERMINATE

9. To start, in general, would you say things in the state of Washington are heading in the right direction or are things off on the wrong track? (IF MIXED OPINIONS:) If you had to choose between the two, would you say right direction or wrong track?

		<u>Apr 2013</u>
RIGHT TRACK	45%	39%
WRONG TRACK	46%	45%
Right direction	35%	32%
Mixed opinions, lean right direction	10	7
Mixed opinions, lean wrong track	6	6
Wrong track	40	39
Mixed opinions, no lean	5	10
--		
DK/NA/REFUSED	4	7

10. What would you say is the most important issue facing Washington today? (READ LIST AND RANDOM ROTATE)

Economy and jobs	29%
Education	21
Government budget and taxes	19
Health care	10
Transportation and congestion	7
Environmental issues	3
Public health	1
Something else	6
--	
DK/NA/REFUSED	3

Now, I'm going to read you a list of some public figures, organizations, and institutions you may have heard of and I'd like you to tell me whether you have a very favorable, somewhat favorable, somewhat unfavorable or very unfavorable opinion of each one. If you don't recognize the name or if you recognize the name but do not have an opinion, please just say so and we will move to the next name. Here is the first one...

RANKED BY TOTAL FAVORABLE

RANDOM ROTATE ALL	TOTAL FAV	TOTAL UNFAV	Very Fav	SW Fav	SW Unfav	Very Unfav	No opin	Don't recog.	DK/ REF
11. Farmers and ranchers in Washington	72%	5%	41%	32%	3%	1%	14%	8%	1%
12. Indian tribes in Washington State	57%	16%	24	33	10	7	22	3	2
13. The Environmental Protection Agency	57%	32%	17	40	15	17	7	3	1
14. Environmental groups	54%	29%	16	37	15	14	13	2	2
15. Barack Obama	51%	46%	26	25	12	34	3	*	1
16. Washington state government	49%	44%	9	40	27	17	6	*	1
17. Jay Inslee	44%	33%	14	30	14	19	16	5	1
18. The Washington Farm Bureau	35%	6%	14	22	4	2	27	29	2
19. The Puget Sound Partnership	12%	4%	4	8	2	2	15	68	2

Moving on....

20. Overall, would you say you are satisfied or dissatisfied with the health and condition of Washington's water resources, which includes salt water, shorelines, beaches, bays, lakes and the rivers, creeks, and streams found throughout the state? **(PROBE)** Is that very <satisfied/dissatisfied> or only somewhat?

		<u>Apr 2013</u>
SATISFIED	71%	66%
DISSATISFIED	22%	21%
Very satisfied	21%	22%
Somewhat satisfied.....	50	44
Somewhat dissatisfied	15	15
Very dissatisfied.....	7	6
Neither / no opinion / neutral (DNR)	5	10
--		
DK/NA/REFUSED.....	2	4

21. Would you support or oppose stronger water resource protection regulations on agriculture and farm activities? **(PROBE)** Is that strongly <support/oppose> or not so strongly? **(IF UNSURE)** Which way would you say you lean at this time?

		<u>Apr 2013</u>
SUPPORT	56%	59%
OPPOSE	32%	28%
Strongly support.....	34%	41%
Not strongly support.....	11	13
Lean support.....	10	5
Lean oppose.....	5	5
Not strongly oppose.....	9	9
Strongly oppose.....	18	14
--		
DK/NA/REFUSED.....	12	13

22. One idea for protecting water resources is requiring farms and ranches to maintain 100 foot buffers of natural vegetation between cultivated land and salmon streams. Would you support or oppose this rule? **(PROBE)** Is that strongly <support/oppose> or not so strongly? **(IF UNSURE)** Which way would you say you lean at this time?

SUPPORT	66%
OPPOSE	25%
Strongly support.....	43%
Not strongly support.....	15
Lean support.....	9
Lean oppose.....	3
Not strongly oppose.....	6
Strongly oppose.....	16
--	
DK/NA/REFUSED.....	9

ONLY READ IF SUPPORTIVE – MULTIPLE RESPONSES ACCEPTED, TOTALS DO NOT ADD TO 100%

23. What is the main reason you support this? (OPEN ENDED)

Conserve/protect water	29%
Protect salmon/fish	28
Keep pollutants/farms/animals from water.....	27
Protect environment/resources	14
Good idea/need it	7
Protect health.....	3
Protect the future/children	3
Protect vegetation	3
Protect/assist farmers	3
Protect wildlife.....	2
Other	5
--	
DK/NA/REFUSED.....	2

ONLY READ IF OPPOSED – MULTIPLE RESPONSES ACCEPTED, TOTALS DO NOT ADD TO 100%

24. What is the main reason you oppose this? (OPEN ENDED)

Government involvement/political	21%
Too many regulations already	17
Hurts farmers	17
100 ft is too much/unusable land.....	13
Private property/rights.....	13
Do not see harm/unnecessary	13
Costs	6
Other	10
--	
DK/NA/REFUSED.....	4

25. Moving on, which of the following statements comes closest to your own opinion, even if neither is exactly your opinion? (ROTATE STATEMENTS; IF UNDECIDED:) Which statement would you say you lean toward?

The best way to protect our water resources is public-private partnerships that provide incentives for the private sector to use responsible environmental practices. – OR – The best way to protect our water resources is for Washington to enforce water quality laws and fine those who are breaking these laws.

		<u>Apr 2013</u>
INCENTIVE	54%	49%
ENFORCEMENT	42%	47%
Incentive	44%	47%
Lean incentive.....	9	3
Lean enforcement.....	6	2
Enforcement	36	44
--		
DK/NA/REFUSED.....	4	4

26. And how about these statements? (ROTATE STATEMENTS; IF UNDECIDED:) Which statement would you say you lean toward?

Protecting water resources in Washington State should be given priority even at the risk of slowing economic growth. – OR – Economic growth should be given priority, even if Washington's water resources suffer to some extent.

		<u>Apr 2013</u>
WATER RESOURCES	54%	57%
ECONOMIC GROWTH.....	37%	33%
Water resources	48%	54%
Lean water resources	7	3
Lean economic growth.....	8	2
Economic growth	29	31
--		
DK/NA/REFUSED.....	8	10

Earlier I read you a rule that would require farms and ranches to maintain 100 foot buffers between cultivated lands and salmon streams. Here are a few more specifics about that rule. For each one, please tell me if it makes your opinion of this rule more favorable or less favorable. You can also say it doesn't change your opinion. **(PROBE)** Is that much <more/less> likely or only slightly?

RANKED BY TOTAL MORE

RANDOM ROTATE ALL		TOTAL MORE	TOTAL LESS	Much More	Slightly More	No Diff.	Slightly Less	Much Less	DK/REF
27.	This rule requires that toxics such as pesticides, fertilizers and manure stay at least 100 feet from salmon streams.	76%	8%	62%	14%	14%	4%	4%	2%
28.	This rule prohibits new construction or new buildings within 100 feet of salmon streams.	59%	17%	42	17	22	7	9	3
29.	This rule prohibits the clearing of natural vegetation located within 100 feet of salmon streams.	52%	20%	33	20	24	10	10	4
30.	Farms or ranches that violate this rule will be fined.	52%	22%	32	20	23	8	15	3
31.	Any farm or ranch with existing roads, buildings, or utilities lines in the buffer zone would be exempted from this rule.	49%	20%	23	25	28	10	9	3
32.	This rule prohibits the growing or cultivation of crops within 100 feet of salmon streams.	47%	20%	28	19	30	9	11	4
33.	This rule would only apply to farms and ranches near salmon streams.	44%	22%	24	20	30	9	13	4
34.	This rule prohibits the grazing or roaming of livestock within 100 feet of salmon streams.	44%	27%	27	16	26	12	15	4
35.	(SPLIT B) The Washington Department of Ecology would be in charge of enforcing this rule and ensuring compliance.	42%	22%	26	16	32	7	16	3
36.	(SPLIT A) Any farm or ranch smaller than 10 square acres would be exempted from this rule.	41%	26%	18	24	28	11	15	4
37.	(SPLIT B) Any farm or ranch smaller than 5 square acres would be exempted from this rule.	41%	26%	21	21	30	12	14	3
38.	(SPLIT A) Washington state government would be in charge of enforcing this rule and ensuring compliance.	41%	26%	22	20	28	9	17	5

39. Now that you've heard a little more, would you support or oppose requiring farms and ranches to maintain 100 foot buffers of natural vegetation between cultivated land and salmon streams. **(PROBE)** Is that strongly <support/oppose> or not so strongly? **(IF UNSURE)** Which way would you say you lean at this time?

SUPPORT 72%
OPPOSE 22%

Strongly support..... 49%
 Not strongly support..... 15
 Lean support..... 8

Lean oppose..... 2
 Not strongly oppose..... 4
 Strongly oppose..... 16
 --
 DK/NA/REFUSED..... 6

Here are some reasons others have given for why they OPPOSE this buffer rule. Please tell me if each one causes you to have very serious doubts, somewhat serious doubts, not many doubts, or no serious doubts about this rule. Here is the first one...

RANKED BY VERY/SW SERIOUS DOUBTS

RANDOM ROTATE ALL	VERY/SW SERIOUS	NOT SERIOUS	Very Serious	SW Serious	Not Many	No Doubts	DK/ REF
40. This regulation infringes on the property rights of Washington's farmers and ranchers. Large portions of private property will become off limits and property owners are not being offered any compensation for the lost of that fertile, productive land.	60%	35%	32%	28%	11%	23%	5%
41. (SPLIT B) This is a rule written by environmentalists in Seattle that allows state bureaucrats in Olympia to tell farmers and ranchers in rural and small town Washington how to use their land. This is a one-size-fits-all solution with no room for local input or expertise.	59%	38%	38	22	9	29	2
42. This rule harms small farmers and ranchers by reducing the amount of their own land they can use. This rule would force them to stop farming on large parts of their land so that they can establish a buffer between waterways.	53%	43%	26	27	13	30	3
43. The biggest threat to a healthy salmon population is overfishing, not agriculture. This rule puts a heavy burden on farmers without addressing the bigger issue of years of unsustainable fishing practices that have led to declining salmon runs.	50%	41%	23	27	12	29	9
44. (SPLIT A) This rule puts Washington's notoriously bureaucratic and inefficient state government in charge of enforcing and fining farmers and ranchers. We can't rely on bureaucrats in state government to do what's best for farmers or ranchers.	49%	45%	29	20	18	27	6
45. This regulation would drive up the cost of food and produce in Washington's grocery stores. When farmers have to jump through more hoops to get their foods to market, that cost gets passed on to everyone else. Many families already struggle to get their children healthy foods and increasing the cost of those healthy foods is just a bad idea.	47%	49%	27	20	14	34	4

46. Now that you've heard a little more, would you support or oppose requiring farms and ranches to maintain 100 foot buffers of natural vegetation between cultivated land and salmon streams. **(PROBE)** Is that strongly <support/oppose> or not so strongly? **(IF UNSURE)** Which way would you say you lean at this time?

SUPPORT **58%**
OPPOSE **34%**

Strongly support.....40%
 Not strongly support.....10
 Lean support.....9

Lean oppose5
 Not strongly oppose.....6
 Strongly oppose.....23
 --
 DK/NA/REFUSED.....8

Here are some reasons others have given for why they SUPPORT this buffer rule. Please tell me if each one is a very convincing, somewhat convincing, not very convincing, or not convincing reason to SUPPORT the rule. Here is the first one...

RANKED BY VERY/SW CONVINCING

RANDOM ROTATE ALL	VERY/SW CONV.	NOT CONV.	Very Conv.	SW Conv.	Not Very	Not Conv.	DK/REF
47. Many farms use chemical pesticides, fertilizers, and manure which can get swept into our waterways. It's reasonable to ask agriculture to put distance between toxic chemicals and the state's waterways to ensure that water resources are protected.	81%	16%	53%	28%	7%	9%	3%
48. Clean water is essential for our health and especially critical for children. We need better protections to ensure that all children and future generations have access to water that is drinkable, fishable, and swimmable.	77%	21%	50	26	11	11	2
49. (SPLIT B) Taxpayers are the ones who foot the bill for cleaning up polluted waters and reversing environmental damage. Our water protection laws should be focused on prevention rather than clean up. A 100 foot buffer helps avoid costly cleanup projects by keeping toxics out of streams in the first place.	75%	24%	44	31	11	13	1
50. (SPLIT A) Taxpayers are the ones who foot the bill for cleaning up polluted waters and reversing environmental damage. In fact, Washington spends \$100 million annually on environmental cleanup. Our water protection laws should be focused on prevention rather than cleanup. A 100 foot buffer helps avoid costly cleanup projects by keeping toxics out of streams in the first place.	74%	22%	39	35	11	11	3
51. Every other industry that uses land, like timber and city developers, are already required to keep a distance of between 50 and 150 feet from waterways. However, agriculture gets an exemption and doesn't need to keep any distance from waterways. Agriculture creates pollution just like any commercial industry and should be subject to water protection rules just like other industries.	71%	26%	42	29	10	16	3
52. We have a responsibility to protect fish and wildlife in Washington and our current efforts are not getting the job done. In Washington, 17 populations of salmon, steelhead and trout are listed as endangered or threatened because of polluted habitat.	69%	27%	39	30	13	13	4
53. Only 3% of all farmland in Washington would be affected by this buffer rule, and small farms and ranches are exempted. This rule has a narrow impact on farmers and ranchers while also protecting our water resources.	66%	31%	34	31	13	18	3
54. Currently, the state relies on incentives to protect water resources from agricultural pollution. It pays polluters to try to adopt better practices but it does not require those who are being paid to show any improvement in the conditions of our water resources. This new rule is a more accountable system.	59%	37%	25	34	17	20	4

55. One last time, now that you've heard a little more, would you support or oppose requiring farms and ranches to maintain 100 foot buffers of natural vegetation between cultivated land and salmon streams. **(PROBE)** Is that strongly <support/oppose> or not so strongly? **(IF UNSURE)** Which way would you say you lean at this time?

SUPPORT	66%
OPPOSE	30%
Strongly support.....	46%
Not strongly support.....	10
Lean support.....	9
Lean oppose.....	4
Not strongly oppose.....	5
Strongly oppose.....	20
--	
DK/NA/REFUSED.....	5

Finally, I'm going to read you two alternative ideas for protecting Washington's water resources, and I'd like you to tell me if you support or oppose each rule. Here's the first one...

(ROTATE Q56 – Q57)

56. Requiring farms and ranches to maintain 50 foot buffers of natural vegetation between cultivated land and salmon streams. Would you support or oppose this rule? **(PROBE)** Is that strongly <support/oppose> or not so strongly? **(IF UNSURE)** Which way would you say you lean at this time?

SUPPORT	60%
OPPOSE	35%
Strongly support.....	34%
Not strongly support.....	15
Lean support.....	10
Lean oppose.....	4
Not strongly oppose.....	9
Strongly oppose.....	21
--	
DK/NA/REFUSED.....	5

And here is the second one...

57. Requiring farms and ranches to maintain buffers ranging from 50 to 150 feet between cultivated lands and salmon streams with the specific size of the buffer determined by each individual county in Washington. Would you support or oppose this rule? **(PROBE)** Is that strongly <support/oppose> or not so strongly? **(IF UNSURE)** Which way would you say you lean at this time?

SUPPORT	50%
OPPOSE	45%
Strongly support.....	29%
Not strongly support.....	11
Lean support.....	10
Lean oppose.....	9
Not strongly oppose.....	10
Strongly oppose.....	26
--	
DK/NA/REFUSED.....	5

To finish up, I have just a few questions left for statistical purposes.

58. In politics, as of today, do you consider yourself **(ROTATE:)** a Republican, a Democrat, or an independent? **(IF DEMOCRAT OR REPUBLICAN:)** Would you say you are a strong <Democrat/Republican> or a not strong <Democrat/Republican>? **(IF INDEPENDENT:)** As of today, do you lean more to the Democratic Party or the Republican Party?

DEMOCRAT	36%
REPUBLICAN	32%
Strong Democrat.....	20%
Not strong Democrat.....	8
Independent, lean Democratic	8
Independent.....	24
Independent, lean Republican.....	9
Not strong Republican	7
Strong Republican	16
Other (DNR)	3
--	
DK/NA/REFUSED.....	5

59. Politically, would you say you are... **(READ AND ROTATE LIST, KEEP MODERATE IN MIDDLE)**

Progressive.....	20%
Moderate	33
Conservative.....	38
Other (DNR)	3
--	
DK/NA/REFUSED.....	6

60. Are you of a Hispanic, Latino, or Spanish-speaking background? **(IF NO:)** How would you describe your race? **(READ LIST)**

White or Caucasian.....	82%
Black or African American.....	1
Native American	2
Asian or Pacific Islander.....	2
Something else	3
Hispanic or Latino (DNR)	6
--	
DK/NA/REFUSED.....	4

61. Which of the following best describes the last level of education you fully completed? Is it... **(READ LIST)**

Some high school	2%
High school graduate or GED	14
Some college or two year college graduate.....	35
Four year college graduate	25
Postgraduate or completed an advanced degree ...	22
--	
DK/NA/REFUSED.....	2

62. How would you describe the type of community you live in? Is it... **(READ LIST)**

A big city.....	21%
Suburban	29
Small town.....	25
Rural.....	23
--	
DK/NA/REFUSED.....	2

63. In the 2012 election for president, did you vote for Democrat Barack Obama or Republican Mitt Romney?

Obama.....	47%
Romney.....	38
Can't remember (DNR)	1
Someone else (DNR)	3
Didn't vote (DNR)	3
--	
DK/NA/REFUSED.....	8

That completes our survey. Thank you VERY MUCH for your time.

TAB 5

State Conservation Commission's Action Register

WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

2015 Final Annual Meeting Resolutions

Resolution	Title	Commission Action	Date	Staff Assigned
2015-06	Changes in Timing, Conduct and Responsibilities for Conservation District Supervisor Elections	Motion by Commissioner Craven to pass WACD resolution 2015-06 regarding elections to allow Commission staff to continue the work. Seconded by Commissioner Williams. Motion passed.	January 21, 2016	Ron
2015-09	Long-Term Sustainable Funding	Motion by Commissioner Craven for Commission staff to reach out to conservation districts, stakeholders, state agencies, and state and local elected officials to gather feedback and input on potential long-term funding options. Commission staff are to report progress and results at the Commission January and March Commission regular meetings. Seconded by Commissioner Bahrych. Motion passed.	December 3, 2015	Mark
2015-10	Emergency Response Funding	No Vote Required. CC not named in this resolution.		No Vote Required
2015-11	Professional Engineering Program Funding	<i>Does not specifically say Commission, asks WACD to work with partners? It will come up again in budget development. See also 23</i>		
2015-12	District Building Capacity Needs	<i>The resolution says districts shall bring their needs to WACD Board prior to budget development. CC role would be in decision on budget inclusion.</i>		
2015-16	Central Washington Weather Radar	No Vote Required. CC not named in this resolution. It is included in DC packet around fire issues.		No Vote Required

Resolution	Title	Commission Action	Date	Staff Assigned
2015-17	Improve Forest Land Management on State and Federal Lands	No Vote Required. CC not named in this resolution. It is included in DC packet around fire issues.		No Vote Required
2015-18	Fuel Buffers along Roads	No Vote Required. CC not named in this resolution. It is included in DC packet around fire issues.		No Vote Required
2015-19	Sharing Burned Intensity Data with Non-Federal Burned Area Evaluation Teams	No Vote Required. CC not named in this resolution. It is included in DC packet around fire issues.		No Vote Required
2015-20	Preparedness for Resource Assessments after a Natural Disaster	<i>Much of this is underway or in discussion. Recommend support</i>		
2015-21	Conservation of Aquatic Farm Lands and Habitat related to Burrowing Shrimp Degradation	Motion by Commissioner Craven to direct staff to open dialogue to address the concerns raised in resolution 2015-21. Seconded by Commissioner Williams. Motion passed.	January 21, 2016	Ron
2015-22	Recognition for Associate Supervisors	No Vote Required. CC not named in this resolution.		No Vote Required
2015-23	Increased Funding for Professional Engineer Grant	<i>Will come up in budget development and again in budget allocation. Recommend support</i>		
2015-24	Cultural Resources Review Process Efficiencies	<i>Recommend support and many actions underway</i>		

May 19, 2016

TO: Commission Members

FROM: Mark Clark, Executive Director

SUBJECT: Fish and Wildlife & Conservation Commission Committee Meeting June 11

Background: The Department of Fish and Wildlife Habitat Committee has invited members from the Conservation Commission to participate in a joint meeting on June 11, 2016, in Olympia, Washington.

Included with this memo is a draft agenda for the morning. Timing is currently being worked on. The joint meeting is most likely to start at 10 a.m. and end by 12 p.m.

Action requested: No formal action is required, however, members are needed to participate. A quorum is also not necessary for this committee meeting. (See reference below for what constitutes a quorum)

RCW 89.08.050- Quorum.

The commission shall organize annually and select a chair from among its members, who shall serve for one year from the date of the chair's selection. **A majority of the commission shall constitute a quorum and all actions of the commission shall be by a majority vote of the members present and voting at a meeting at which a quorum is present.**

Save the Date

When: Saturday, June 11, 2016

Time: 10:00 a.m. to 12:00 p.m. (still be determined)

Who: Department of Fish and Wildlife Commission
State Conservation Commission

Location: Department of Natural Resources Building
1111 Washington Street
Olympia, WA 98501

If you are available to attend, please let Lori know lgonzalez@scc.wa.gov by Monday, May 23rd so we can get lodging reserved in Olympia for Friday, June 10th.



Washington State
Conservation Commission

May 19, 2016

TO: Commission Members

FROM: Mark Clark, Executive Director

SUBJECT: Tri State Meeting (Washington, Idaho & Oregon) October 2016

Background: Washington is the host for a Tri-State Commission Meeting in October. Lodging and meeting space has been reserved at the Sun Mountain Lodge in Winthrop, Washington. The Tri-State meeting will be held in conjunction with the Coordinated Resource Management Meeting (CRM) and Executive Tour.

Included with this memo are proposed dates and locations.

Action requested: No action.

Tri-State Meeting and Tour October 5 & 6, 2016

Perched on a mountaintop overlooking Winthrop, [Sun Mountain Lodge](#) has 112 guestrooms with a variety of room types: cozy cabins on a private beach at Patterson Lake, standard guestrooms in the main Lodge and luxury accommodations featuring private patios and jetted tubs. Other amenities include a full service activities shop, year-round gear rentals, two restaurants including the AAA-four diamond dining room and casual Wolf Creek Bar and Grill, full service spa and a 5,000 bottle wine collection. 60 kilometers of trails right from your door! Activities include: horseback riding, mtn biking, pool, tennis, fishing, boating, hot tubs, XC skiing. *Recently honored by Fodor's Travel as one of the Top 100 hotels in the world.*

Proposed travel logistics and meeting dates:

October 4: Travel day for tri-state representatives / guests to the beautiful [Sun Mountain Lodge](#) in Winthrop, Washington. Address: Patterson Lake Rd, 9 miles SW of Winthrop. Winthrop, WA 98862 Phone: 509-996-2211 Phone Alt.: 800-572-0493 FREE

October 5: Tri-state meeting

October 6: Tour / End of meeting

October 7: Depart

Room rates: \$89/night or \$179/ double occupancy. All guest must call and make their reservations no later than XX, XX. After this date there is no guarantee the above rate will be available.

Sun Mountain Lodge offers fun-filled activities for every age and ability. Described as a "recreational fantasyland" by the [Lonely Planet](#). Check out the [warm weather activities](#) available for guests during their time there.

Washington Airports:

SeaTac Airport: <https://www.portseattle.org/Sea-Tac/Pages/default.aspx>
Directions from [SeaTac Airport to Sun Mountain Lodge](#)

Spokane International Airport: <http://spokaneairports.net/>
Directions from [Spokane International Airport to Sun Mountain Lodge](#)