

# Voluntary Stewardship Program Joint Statewide Advisory Committee & Technical Panel Meeting

Wednesday, August 31, 2016  
9am – 4:00pm

Facilitator – Bill Eller, VSP Coordinator, WSCC

## JOINT STATEWIDE ADVISORY COMMITTEE AND TECHNICAL PANEL MEETING

### Session Objective:

Update SAC and TP on VSP status, VSP budget requests, VSP Timeline, VSP work plan policies and procedures guidance, discuss Ag viability definition, receive information about Grant County's work plan data, and have a presentation by Skagit County on the work plan work they've accomplished so far and a discussion about that work.

### Attendees:

Lacey: Scott Kuhta, COM; John Stuhlmiller (SAC); Evan Sheffels, WFB; Ron Shultz, WSCC; Lauren Driscoll, ECY (TP); Brian Cochrane, WSCC (TP); Amy Windrope, WDFW (TP); Kelly McLain, WSDA (TP); Brandon Roozen (SAC); Alicia Johnson, WSCC; Commissioner Sandra Romero, Thurston County; Marie Lotz, Grant County CD; Harold Crose, Grant County CD; Kevin Scribner; John Small, Anchor QEA; Ben Floyd, Anchor QEA; Eric Johnson, WSAC; Josh Giuntoli, WSCC; Gregg Dohen, Pend Oreille County; Vivian Erickson, Anchor QEA, Betsy Severtsen, Anchor QEA; Michael See, Skagit County; Dan Berenstsh, Skagit County; Ryan Walters; Skagit County; Josh Greenberg, Skagit County; Kara Simons, Skagit County; John Kliem; Grays Harbor; Valerie Oster, Anchor QEA;

Colville: Bill Eller, WSCC; Commissioner Wes McCart, Stevens County (SAC); Adam Cares, Stevens County; Yakima: Zach Meyer, ECY

Webinar only: Neil Aaland, Bob Amrine, Carmen Andonaegui, Duane Bartels, Don Brigham, Michelle Cooke, Lynn Deitrick, Andy Dunau, Lisa Grueter, Damien Hooper, Angie Hubbard, Carolyn Kelly, Scott Kuhta, Zach Meyer, Mike Shuttleworth, Justin Smith, Megan Stewart, Cesar Stoddard, Sherry Swanson, Charissa Waters, Vivian Erickson, Robert Hansen, Anna Lael, Linda Lyshall, Anindita Mitra, Anna Nelson, Loren Wiltse

9:15 am: VSP Program Status

- Budget – update from Commission's special meeting

Ron Shultz opens the discussion. He says that for the current FY: \$7.6M for VSP; \$270,000 per county; next biennium: \$7.6M in carry forward amount; support from the Office of Financial Management (OFM) staff to continue at that funding level. Asking for \$1.75M increase (\$7.6M + \$1.75M). Additional resources per county - \$20k per county, per year. Additional resources for each agency (Washington State Conservation Commission (WSCC), Department of Commerce (DOC), Washington State Department of Agriculture (WSDA), Department of Ecology (ECY), and the Washington State Department of Fish and Wildlife (WDFW). \$150k per year, per county. Complete and implement the work plan. OFM

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supports the implementation of the work plans. Sept 9<sup>th</sup> is the budget submittal date to OFM. Conservation technical assistance – a WSCC budget request - additional resources for Conservation Districts (CD's) to do outreach with landowners to look at geographic areas that have resource concerns. This could also support the VSP outreach efforts. Total WSCC request \$2.3M. Current funding for VSP – billings ongoing – slow. Some counties not billing, WDFW not billing yet. We are spending down the current VSP FY funds. Mason CD working with county commissioners to set out who will run the work group. Mason County Commissioners had questions about the VSP work plan benchmarks related to planning. The Commissioners will provide the work group some guidance on benchmarks. Encourage Commissioner engagement with the work group process.

- SAC membership update

Ron Shultz says that he has sent an email out environmental entities and tribes. Will focus on this after the budget is finished.

- Other issues

9:30 am: Grant County presentation – Harold Crose, Marie Lotz (from Lacey)  
Harold Crose presents the progress the Grant County work group has made so far on data gathering. There are 15 members of the work group. Harold talks about the VSP planning continuum. The work group divided the county into 8 planning units, according to city. The city unit is made up of similar people, crops, water needs, and socio-political similarities. The city units do not line up with WRIA's. Water doesn't flow through Grant County like a normal watershed. Harold displays the Natural Resource Conservation Service (NRCS) practice table. NRCS credentials are needed to gather the data in the table. The NRCS dataset is available by staff need to access it. The P.R.S. database is what is needed. This PRS database does not include producers who are not involved in government programs. WSDA has not really cross-walked this data with their own. "Conservation practices" should be called "farming practices." This data is for NRCS-funded practices only. NRCS has their own data, WSCC has the Conservation Reserve Enhancement Program (CREP), CD's have programs they run with their assessments or Ecology money, landowners can install practices on their own. This is a version of the rapid watershed assessment process. The Access database is available. Harold explains the three tiers of planning and participation in his table (baseline (won't participate), progressive (can move toward conservation), and Resource Management Systems (RMS) folks – those determined to have a full farm plan. Harold says the benefit of the system he has created to VSP work groups is that it can be tailored to individual farms. The "Conservation cost table" can be used to set benchmarks – if the costs are too high, the benchmarks can be lowered.

Kevin Scribner says that VSP is driving resource management.

Ron Shultz says that Harold's work shows that there is a budget side to this – it could trigger a lot of work beyond what is currently available in the VSP budget. NRCS work groups and others could take the lead in finding new funds.

Kevin Scribner discussed tailored v. prescriptive and voluntary v. performance based measures.

Harold Crose talks about monitoring. There will be outreach and verifying of practice implementation. Can't monitor non-point source pollution without massive funds.

Eric Johnson asks about what outreach has been done to environmentalists and the tribes?

Harold Crose says they have reached out to the tribes (Colvilles and Yakamas), no response yet. He has met with the Department of Ecology (ECY), the Washington State Department of Fish and Wildlife (WDFW), the Bass Association, the Ground Water Management Area (GWMA), and irrigation districts in Grant County.

John Stuhlmiller says that the environmentalists need to be more involved at the implementation stage.

Someone asks what the benefit of VSP is to Grant County. Harold Crose says VSP helps a lot versus the Growth Management Act (GMA).

Amy Windrope likes Harold's approach, but says it only looks at NRCS data. Other data sets are missing. Can those be brought in?

Harold Crose says yes. Other programs and their standards can be brought in.

10:30 am: Skagit County informal work plan presentation – Ryan Walters (from Lacey)

Ryan Walters discusses Skagit County's work plan draft. He says he participated in the Ruckelshaus process that led to VSP. Public Works department is handling VSP for Skagit County. In Skagit County, when there is a new development, an easement for a buffer in favor of the County is required. Skagit has a VSP technical panel, but one member never showed up and the other took another job. Monitoring of buffers will be by aerial photos. Protection isn't monitoring. We will refer folks to available programs.

Lauren Driscoll asks if the other critical areas (CA's) are being addressed in Skagit's work plan. Ryan Walters says yes. There is a table of applicability in the work plan. The CAO addresses the CA's. Agriculture and habitat are the issue in Skagit County.

Kelly McLain asks if farmers are only on natural watercourses.

Ryan Walters says if VSP doesn't sell in Skagit county, then agriculture already has been operating under the current critical area ordinance (CAO). It has never been an issue. Always riparian areas are the issue.

Brian Cochrane asks about the county easement and the dedication to the county. CREP versus the county easement process. Under CREP, we must keep those separate. There is a 10 year construction easement in CREP.

Commissioner McCart asks about the voluntary aspect of VSP in Skagit County applies to enhancement only. Protection is required.

Ryan Walters says that if the TP says that Skagit County couldn't use the CAO for a regulatory backstop, then Skagit would drop out of VSP.

John Stuhlmiller says that Chelan and Thurston also protect – can't lose – won't go below baseline.

Amy Windrope says this is challenging since it's so different from what others have done. She appreciates the history that Ryan Walters has provided. Is this ready for a 45 day review?

Ryan Walters isn't sure.

How is the County capturing those who contribute to habitat protection without using any government program to do so?

Kelly McClain says we will discuss agricultural viability more this afternoon.

Ron Shultz says that under VSP, how are the work groups to address all five CA's? Or, can a work plan address one or a subset of the five and the others be addressed in the CAO? If yes, then for those four of so under the CAO, do benchmarks need to be done for those?

The group has a general discussion of the need for benchmarks for the four not in VSP.

Lauren Driscoll asks if the Skagit County commissioners have adopted this. Ryan Walters says they have been briefed on this, but have not taken any official action.

Lauren Driscoll asks about the adaptive management issue and whether the county commissioners will buy off on that.

Ron Shultz asks if VSP monitoring will apply to all five of the CA's? If the VSP work plan addresses just one CA, but the other four are addressed in the CAO, does monitoring apply to the other four?

A general discussion ensues.

Ryan Walters says that action could be required by the Skagit county commissioners.

The participation benchmarks seem to be tied to other programs (such as NRCS participation) – benchmarks that the work group has no control over.

Ron Shultz says there is no template for the VSP stewardship plan. The VSP stewardship plan is less than a full RMS plan.

Amy Windrope brings up the RCW 36.70A.720 (a-l).

Commissioner McCart says if the four CA's are in the CAO, then no monitoring is needed – they would be covered under the regulatory scheme of the CAO. The CAO is presumed to be protecting the CA's functions and values.

An adaptive management plan in Skagit County is needed.

Ron Shultz says that Whatcom County has a VSP-like program. Agriculture is not exempt. Landowners work with their CD's for plans. The question is if plans are confidential, so court wonder if confidential how can the County know it is protecting the CA's? It cant. So, that isn't allowed. Must show how to adaptively manage. There is a seven year report due on monitoring, so the work group must monitor to report. Under GMA Cao, plans are presumed compliant because no approval process for CAO. Must ask the question to see what the measure is. Must have some basis to update / show VSP is working.

Amy Windrope agrees with Commissioner McCart. The four CA's are out. The regs presumed to be working. If not, must monitor.

Commissioner Romero agrees with Commissioner McCart. We must know the voluntary side is working. The regulatory side has the force of law behind it. There should be proof we haven't lost ground.

John Stuhlmiller says there are two issues (1) Section 1 of the VSP legislation – the primary method of protecting CA's is voluntary, not regulatory. (2) All five CA's are technically under the regulations in Skagit County. They are not voluntary. Both pieces of Skagit work plan are regulatory in nature (the 1 CA in the work plan (habitat) and the other 4 CA's that are to be addressed by the CAO only).

A general discussion about Skagit County's work plan and whether or not their plan is primarily regulatory or voluntary in nature ensues.

Ron Shultz says that the work plan must monitor all CA's. RCW 36.70A.720(i)(i, ii, and iii).

VSP is identified as an alternative path to GMA.

Amy Windrope asks about monitoring high risk areas – or we care most of about that. We should support Skagit's work plan because they identified the most important CA for the community (habitat). She likes Skagit's focus on what is important to them. Skagit is unique – different from other counties – don't see this happening in other counties.

Kelly McLain thinks that other counties will go down the same route as Skagit.

John Stuhlmiller says the spirit of VSP was to rely on voluntary not regulatory aspect for success.

Skagit says it doesn't require buffers – just sets the distance. Buffers are flexible.

Brian Cochrane says that VSP focus versus the Skagit County focus. The TP needs to clarify how this looks from a VSP perspective.

Amy Windrope says that Skagit's plan reads prescriptive rather than how Ryan Walters is discussing it.

There is general agreement from the TP and SAC members.

Ron Shultz says its being red as prescriptive, not voluntary.

Eric Johnson says that we should look at the review the TP must do – will it protect CA's and Ag viability? The SAC has input into the process. How to explain to Ryan Walters what needs to be done?

It reads like mandatory buffers.

How to re-structure to ensure what Skagit's intent was?

Amy Windrope says that likely Skagit's plan is the most unique.

2:15 pm: Ag viability definition presentations and discussion

- Commission
- WSDA
- Farm Bureau

Josh Giuntoli presents on the WSCC agricultural viability definition. Individual farms – micro v. macro.

Commissioner Romero says in Thurston County marijuana is treated the same as other agriculture.

Josh Giuntoli continues to discuss the various aspects of the WSCC agricultural viability definition.

Kevin Scribner asks how to speak to agricultural viability in the work plan?

Josh Giuntoli says that poor business decisions must be separated out. That is hard to define.

Ron Shultz says that what is the role of agricultural viability as it relates to VSP? Concern was that CA regulation would have negative impact on agriculture. Lots of agricultural viability that doesn't intersect with VSP. VSP won't put you out of business. How to measure that?

Brian Cochrane asks how to measure the five elements of the WSCC definition?

Josh Giuntoli says it's hard to measure. Could have one measure be the number of succession workshops held and the number of plans implemented after.

Commissioner McCart asks – what about the farmer? In GMA, we designate the land. What about the farmer? Look at the dairy industry – number of farmer down, cows up. Look at are we matching farm and farmers in a way that is still able to produce food or other product necessary to maintain food security.

Kelly McLain presents the WSDA definition of agricultural viability. Similar to Josh Giuntoli's. Agricultural viability has been started by some counties. Most look at what Josh Giuntoli has done. I look at strengths, threats, and opportunities at the farm, local and state levels. Not an exhaustive list – it starts the conversation.

Commissioner Romero asks where does agricultural viability come into play?

Brian Cochran says that he is still not sure that each county can show this.

Kelly McLain says that Skagit County has some good agricultural viability points.

Evan Sheffels presents on the definition of agricultural viability from the Farm Bureau perspective. Thurston County's work on the definition.

What does the work plan need to say about agricultural viability capturing what is already being done?

Measuring / describing informational programs or meetings that address more than one or two parts of the agricultural viability definition.

Evan Sheffels suggests we merge all three of these definitions together.

Kelly McLain, Josh Giuntoli and Evan Sheffels will work on a document that combines all three definitions.

Ron Shultz says that agricultural viability in the work plan must include a discussion of Skagit's four CA's covered in the CAO – how that affects agricultural viability in Skagit County. Skagit should have that analysis in their work plan.

Linda Lyshall says we can't do cost share for marijuana grows.

Ron Shultz says that only things in our control are things to look at. # of farms, farm value, infrastructure, acres in agriculture – all of these kinds of things. Skagit's regulatory impact on agriculture can benefit agricultural viability by providing certainty.

What is NOAA's take on VSP?

Kelly McLain says that NOAA likes effectiveness monitoring.

3:30 pm: Review of changes made to the VSP Timeline document and VSP Workgroup Framework document

Bill Eller says this agenda item is tabled for now as he is still working on the documents from the July TP and SAC meetings. The documents should be available for review at the September meeting.

3:45 pm: Update on outreach efforts for VSP  
- [WSAC's Annual County Leaders Conference, November 15 – 17, Spokane](#)

Ron Shultz says that the Commission will have a booth at the WSAC Annual County Leaders Conference and that he will be part of a panel discussion on VSP.

3:50 pm: Future meeting topics, & future actions; next meeting  
Future meeting is set for September 27<sup>th</sup>, from 8am-12noon, in Lacey (at Commission office conference room) and in Steven's County Commissioner's room in Colville. Future meeting topics include monitoring and more on the fusion document for the agricultural viability definition, a regional meeting and the media package.

DRAFT