

**WHATCOM CONSERVATION DISTRICT  
Public Meeting Minutes  
April 13, 2011**

**I. Time and Place of Meeting.**

A regular meeting of the Board of Supervisors of the Whatcom Conservation District (WCD) was held at the Ag Service Center, 6975 Hannegan Rd, Lynden, Washington on April 13, 2011, at 7:00 p.m.

**II. Attendance and Quorum.**

The following Supervisors, being a quorum of the Board, were present:

Joe Heller, Chair	Terry Lenssen, Vice Chair
Larry Davis	Ed Stone
Dick Yoder	

Also in attendance were:

George Boggs, Executive Director	Dawn Bekenyi, Admin. Assistant
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**III. Meeting Called to Order.**

Joe Heller, Chair, called the meeting to order at 7:03 p.m.

**IV. Approval of Minutes of Previous Meeting.**

**Dick Yoder moved that the minutes of the March 15, 2011 Board meeting be approved as mailed. Larry Davis seconded the motion. The motion passed.**

**V. Financial Report.**

The financial report was mailed to the Board with the draft minutes from the March meeting.

Dawn Bekenyi, Administrative Assistant, presented the financial report.

**Larry Davis moved to approve the Financial Report. Dick Yoder seconded the motion. The motion passed. Upon motion made and duly seconded, the Treasurer's Report was approved.**

Accounts Payable –

A copy of District invoices and incurred expenses, as listed in the Accounts Payable Report, were reviewed and approved. The Board further authorizes the payment of District expenses incurred subject to their review and approval at the next Board meeting.

The following voucher/warrants are approved for payment:

March 2011 - balance				
Voucher (check) numbers	<u>18461</u>	through	<u>18474</u>	and totaling <u>11,731.89</u>
Payroll check numbers:	<u>18475</u>	through	<u>18487</u>	and totaling <u>28,600.71</u>
April 2011				
Voucher (check) numbers	<u>18488</u>	through	<u>18510</u>	and totaling <u>24,633.81</u>
Payroll check numbers:	<u>18511</u>	through	<u>18523</u>	and totaling <u>28,137.91</u>

**Moved by Larry Davis. Dick Yoder seconded the motion. The motion passed.**

## VI. Action Items.

### A. Approval of Conservation Plans.

#### Dairy Nutrient Management Plan (DNMP) Approval –

There were three Livestock Nutrient Management Plan updates submitted for Board approval. The plan for MJD is a Dairy Nutrient Management plan that meets the additional requirements because the operation includes a digester. George reviewed the MJD plan with the Board. All fields (whether owned, leased or otherwise) to which digestate is applied must be subject to the plan. The plan balances for nitrogen and it meets the level of detail needed for a digester with necessary manure agreements, etc. Chris Clark spent a lot of time working on this plan to complete it. George also reviewed the challenges associated with developing plans for farms whose land base change from year to year. Farms are dynamic and plans are a snapshot of the operation at the time the plan is written.

**Terry Lenssen moved to approve the Dairy Nutrient Management Plan update for Van Dyk K Holsteins (Kyle Van Dyk), DJ Noon Road Challenge LLC (Rod DeJong) and MJD (Herm and Mike Douma) manure digester plan. Dick Yoder seconded the motion. The motion passed.**

### B. Mobile (Cell) Phone Policy.

The Board reviewed the Mobile Phone Policy draft provided to them. It puts into writing the District's policy regarding personal calls and reimbursements. George explained that:

- Time is purchased in a monthly increment to accommodate anticipated district needs without incurring surcharges during busy times.
- Staff is discouraged from making personal calls and has successfully done so in practice.

The Board's will seek reimbursement for personal use of a District provided cell phone under the following circumstances:

- Any extra costs incurred, above what the District would normally pay, for such personal use will be reimbursed by employee to the District. The amount of the reimbursement to the District will be equal to the increase in monthly charges to the District caused by personal calls.

We discourage employees using personal cell phones for District use. The District provides a cell phone or access to one for District use to employees as needed. It was further determined that most cell phone plans would accommodate an occasional phone call for District business without incurring further expense. The District will not reimburse employees for any District phone calls on their personal cell phones.

**Larry Davis moved to approve and adopt the Mobile Phone Policy. Dick Yoder seconded the motion. The motion passed.**

### C. Dairy Nutrient Management Plan (DNMP) Planning.

Waste Transfer Agreements – George reviewed farm planning and requirements for waste transfer agreements. The Board discussed the implications of requiring anyone who receives manure to have a nutrient management. Since there are no such requirements for the use of commercial fertilizers, the result would likely be a reduction in the transfer of manure by dairy producers to others. Manure should be encouraged for many reasons including the conservation of fossil fuel (utilized in the production of commercial fertilizer). The Board thought it a good idea that the revised manure transfer agreement encourages the development of conservation plan. It was clear from the new law relating to the use of digestate, that the field had to be covered by a dairy nutrient management plan. The transfer agreement for digest would make that clear.

Vegetative Practices and Setbacks – George addressed staff recommendations regarding vegetative practices and manure application setbacks. Filterstrips has not proved as effective as

are necessary in reducing sediment transport to ditches and creeks. The period between ditch cleaning is not reduced. The conflict over obtaining Hydraulic Project Approval is increasing. Photos have been sent to WDFW in Olympia complaining about the lack of vegetative practices. In light of this, staff recommends that there should not be any bare ground through the winter. All producers should have to have a cover crop. Cover crops recruit excess nutrients that are predictably remaining when manure is applied as a fertilizer for corn crops. Were they planted soil erosion whether by wind or water would be significantly reduced.

George explained that the Nutrient Management Conservation Practice 590 should be used in determining what should be required as a manure application setback. It can be adjusted for timing, updates and risk assessments when applying manure. Staff had conducted a literature review to support the recommended setbacks. The Board concurred that it only makes sense to protect from soil loss to require a cover crop. Further, that the proposed changes to the manure transfer agreements and manure setback agreements were appropriate staff will meet with Fred Likkle and Dave Haggith of N3; John Schuh, Skagit Conservation District; and Alan Shank, Snohomish Conservation District, to review the transfer agreements, Field Nutrient Management Plan check list and boiler plate content for concurrence with our analysis. With this planning should become more consistent over our three conservation districts.

## **VII. Other Business.**

### **A. Supervisor Reports.**

Larry Davis – Larry attended the WACD Legislative Days. There, Carolyn Kelly, Skagit Conservation District Manager, suggested that he apply to be one of the two NW Area Directors to WACD to replace Karen Krug, Whidbey Island Conservation District. He is interested and is reviewing the requirements of being an Area Director and process to replace her.

National Association of Conservation Districts (NACD) – Larry is waiting to hear if he is selected to represent the Pacific Region on the NACD Stewardship and Leadership Committee. He also volunteered to do some work for NACD's task force to review all NACD policies and resolutions.

Terry Lenssen – Terry attended the WACD Legislative Days with Larry and George. They met with a lot of Senators and Representatives, including those from Whatcom County. The group was well received.

### **B. George Boggs, Executive Director.**

Budget – George informed the Board of the latest House and Senate Capital Budgets. CREP and Livestock funds were restored. This was encouraging though it is still early with a lot of negotiating to do. When we hear more we can work on our District budget and any potential impacts.

Birch Bay Pilot Project – George met with the trusted advisor consultant regarding social marketing.

Natural Resource Conservation Service (NRCS) Presentation – George gave two presentations to NRCS planners/engineers, Oregon State Department of Agriculture CAFO inspectors, consultants and graduate students in Aurora, OR. The first was about the Nooksack River Bacterial TMDL success. The second was about strategies that would result in producers adopting the BMPs in their nutrient management plans.

WACD Legislative Days – George attended the WACD Legislative Days. There is local support from Whatcom County for the Conservation District.

Farm Ranch Rural Communities (FRRRC) Committee – George went to Washington, DC to attend the FRRRC meeting. Ron Shulz, WA Conservation Commission, gave a presentation on the Puget Sound which included information on the Nooksack Watershed.

George is on the (FRRC) Resources Committee. It is a good group. George reviewed the makeup of the committee members. Education is the main message to help people. Need to give the message to all farmers, not leaving any producer types out. The next meeting is scheduled for June.

Sediment Management – George attended a sediment management workshop put on by the Washington Association of Flood Managers. A presenter stated that while not every river in Puget Sound was aggrading, all rivers with a volcano at the headwaters is. Climate change was resulting in glacial retreat and thawing of the ground. This exposed huge amounts of unconsolidated rock and gravel to transport. Rain at higher elevations and rain on snow events were transporting this material down the mountain to the floodplains. Paula Cooper is co-chair of a committee to see what can be done now to address the problem. George is the Chair of a Communications Committee that will be developing a public outreach strategy to raise the issue in public eyes. They will work on getting out messages on the state and urgency of the problem.

George met with the Flood River Corridor Committee to work on a proposal to submit to the County's Flood Control Zone Citizen's Advisory Committee.

Conservation Reserve Enhancement Program (CREP) – George reported that there are 65 new plans for the state and Whatcom CD produced 30 of them.

Oregon Spotted Frogs, a state listed and federal candidate for the endangered species list, were found in Whatcom County in the South Fork. George reviewed the potential impact that this discovery may have on CREP sites in the area. This species of frog need full sunshine, so trees shading the area are a problem. Projects may to need to ensure that there are open areas with shallow water. At this point it is not a problem. George will keep the Board informed of further developments.

EPA Application Risk Management (ARM) Project – The Quality Assurance Project Plan (QAPP) which needs to be in place prior to beginning testing work was finally approved. The Department of Ecology asked EPA to include test wells for the project. The District is working with USGS on a scope of work and budget. The request was submitted to EPA per their request.

It looks like the Well Bill should get passed, which will mean that you can use a soil probe without needing a well permit.

### **VIII. Record of Board Actions.**

**11-22 Dick Yoder moved that the minutes of the March 15, 2011 Board meeting be approved as mailed. Larry Davis seconded the motion. The motion passed.**

**11-23 Larry Davis moved to approve the Financial Report. Dick Yoder seconded the motion. The motion passed. Upon motion made and duly seconded, the Treasurer's Report was approved.**

**11-24**

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11-25 Terry Lenssen moved to approve the Dairy Nutrient Management Plan update for Van Dyk K Holsteins (Kyle Van Dyk), DJ Noon Road Challenge LLC (Rod DeJong) and MJD (Herm and Mike Douma) manure digester plan. Dick Yoder seconded the motion. The motion passed.

11-26 Larry Davis moved to approve and adopt the Mobile Phone Policy. Dick Yoder seconded the motion. The motion passed.

**IX. Adjournment.**

**There being no further business before the meeting, Larry Davis moved to adjourn the meeting at 8:55 p.m. Terry Lenssen seconded the motion. The motion passed.**

The meeting, on motion duly made, seconded and carried, adjourned at 8:55 p.m.

Dated: May 23, 2011

Approved: \_\_\_\_\_

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Dawn Bekenyi, Administrative Assistant