

**WHATCOM CONSERVATION DISTRICT**  
**Public Meeting Minutes**  
**May 13, 2009**

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

A regular meeting of the Board of Supervisors of the Whatcom Conservation District was held at the Ag Service Center, 6975 Hannegan Rd, Lynden, WA on May 13, 2009, at 6:30 pm.

**II. Attendance and Quorum.**

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

<input checked="" type="checkbox"/>	Dick Yoder	<input type="checkbox"/>	Ed Stone
<input type="checkbox"/>	Sabina Gouran	<input checked="" type="checkbox"/>	Joe Heller
<input checked="" type="checkbox"/>	Terry Lenssen		

Also in attendance were:

<input checked="" type="checkbox"/>	George Boggs, District Manager	<input checked="" type="checkbox"/>	Alex Hall, NRCS
<input checked="" type="checkbox"/>	Dawn Bekenyi, Admin Assistant		Larry Davis
	Robert Barker, Associate Supervisor		

**III. Reports.** Since there was no quorum, but a lot of information to cover, George began his report: Nooksack River Bacterial TMDL Update: The latest (May) report presented some interesting information. George gave a history of the Total Maximum Daily Load (TMDL) set in 2005 for the Nooksack River in order to keep the shellfish beds open. The water quality results at marine drive are half of the TMDL goal. The geometric mean is the past 30 consecutive months of tests. At the same time, water quality results are two and three times the TMDL goals for several tributaries to the Nooksack River including Fishtrap, Kamm, Bertrand. Tenmile Creek is meeting its TMDL goal. This raises the question: How is it that the tribs could be so bad but the mainstem is doing so well? There was discussion regarding the viability of Ecoli. How long do they live? George said that Ecoli can be archived. Alex asked how the TMDL targets were set. George explained that Ecology used about two years of water quality samples and flow information to develop the goals. Bob asked what the standard deviation was in the samples. This could be a considerable number that may provide some insight as to the apparent incongruity of the mainstem and tributary results.

**IV. Meeting Called to Order.**

Terry arrived making a quorum. Dick Yoder Chairman of the meeting called it to order at 6:40 pm.

**V. Approval of Minutes of Previous Meeting.**

**Joe Heller moved that the minutes of the March 11, 2009 Board meeting be approved as corrected. Terry Lenssen seconded the motion. The motion passed.**

**VI. Financial Report.**

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

Dawn Bekenyi, Administrative Assistant, asked if there were any questions regarding the Financial Report. The budget looks good through the end of the fiscal year. There were no questions.

**Joe Heller moved to approve the Financial Report. Terry Lenssen seconded the motion. The motion passed.**

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:

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April 09 - balance

Voucher (check) numbers	<u>16793</u>	through	<u>16807</u>	and totaling	<u>16,154.90</u>
Payroll check numbers:	<u>16808</u>	through	<u>16821</u>	and totaling	<u>27,562.17</u>

May 2009

Voucher (check) numbers	<u>16822</u>	through	<u>16835</u>	and totaling	<u>15,054.83</u>
Payroll check numbers:	<u>16836</u>	through	<u>16849</u>	and totaling	<u>27,014.87</u>
Voucher (check) numbers	<u>16850</u>			and totaling	<u>327.90</u>

**moved by Terry Lenssen. Joe Heller seconded the motion. The motion passed.**

## VII. Action Items.

### Livestock Nutrient Management Plan (LNMP) Approval –

There was one Livestock Nutrient Management Plan submitted for Board approval. George explained that the plan was written by Nichole Embertson using the new 6 part folder format with a few changes to the layout and tables for easier use by producers. George explained that there is a question regarding the lagoon at this particular farm, whether it meets NRCS specifications or not. This will be a question when the plan gets certified. George gave a background on the farm and the Dairy Nutrient Management Law and certification process. The lagoon meets the necessary capacity, but the wall slopes are not per NRCS specifications to modify would decrease the lagoon capacity. There is the potential to address the lagoon with other factors, such as reducing the herd size or enlarging the lagoon or some other alternative practice. The Board asked questions regarding the possibilities of the lagoon in question. There was discussion regarding certification. The Board asked George to write the producer a letter explaining the certification process and the potential difficulty with the lagoon.

There was discussion regarding referrals received from the Washington State Department of Ag. There are 45 producers on the list. Some are rather old. It was suggested that the producers receive acknowledgement of where they are on the planning list. A postcard could be sent out along with a priority list to inform producers that we are working hard.

**Joe Heller moved to approve the Livestock Nutrient Management Plan for Jackie's Jersey Milk. Terry Lenssen seconded the motion. The motion passed.**

### Livestock Nutrient Management Plan Certification –

There was one LNMP submitted for Board certification. Chris Clark submitted the certification checklist for Board review and approval.

**Terry Lenssen moved to certify the Livestock Nutrient Management Plan for Valley Brothers Dairy (Jeremy Visser). Joe Heller seconded the motion. The motion passed.**

### Livestock Cost-share Applications –

There were four applications for livestock cost-share submitted for Board approval and submittal to the WA Conservation Commission for funding consideration.

**Terry Lenssen moved to approve the livestock cost-share applications for Snook Brook Dairy (Seth Snook) – manure transfer \$10,995, Meadow Park Dairy (Kevin Engelsma) – waste storage facility, manure transfer and pumping plant \$25,000, Roger Blok – waste storage facility, manure transfer and pumping plant \$25,000 and Valley Brothers (Jeremy Visser) – manure transfer \$25,000 and submit to the WA Conservation Commission for funding consideration. Joe Heller seconded the motion. The motion passed.**

Whatcom County CPAL Contract –

The District was awarded a contract from Whatcom County Flood Control Zone District to work with small farms under the Critical Areas Ordinance (CAO) Conservation Plans on Ag Land (CPAL). The contract is working its way through the proper channels. The Board approved giving the Chair prior approval to sign the contract when it was received from Whatcom County. The contract is for approximately \$110,000 per year for the next two years.

**Joe Heller moved to authorize the District Chair to sign the Whatcom County CPAL contract with WC Flood Control Zone District when received. Terry Lenssen seconded the motion. The motion passed.**

National Fish and Wildlife Foundation (NFWF) Contract –

The District received a NFWF grant for the Homesteader Community Salmon Recovery Project for \$32,377 with \$31,941 match.

**Terry Lenssen moved to approve and sign the NFWF contract the Homesteader Community Salmon Recovery Project in the amount of \$32,377 with \$31,941 match. Joe Heller seconded the motion. The motion passed.**

DOE Water Meter Contract –

There was one water meter contract submitted for approval for DOE cost-share. George explained the water meter program. There was Board discussion regarding water rights and the exemption for livestock watering. There is the potential that the exemption could be changed.

**Terry Lenssen moved to approve the DOE water meter cost-share contract for the Pole Road Water Association. Joe Heller seconded the motion. The motion passed.**

**VIII. Other Business.**

**a. Alex Hall, Natural Resources Conservation Service (NRCS).**

Environmental Quality Incentive Program (EQIP) –

NRCS is moving forward on the 2009 EQIP contracts. The state deadline is July 15<sup>th</sup>. Four producers are going to get funded out of the 21 applications.

They are also working on the 2010 EQIP sign-up. There are 10-11 producers interested in applying. There is a national initiative for organic producers to sign-up for EQIP. The sign-up deadline is May 27<sup>th</sup>. Alex reviewed the 6 core areas of cost-share for the organic producers. Organic producers need to be certified organic or in the process of certification with the state. \$1 million has been set aside for the organic producers in the state.

Wildlife Habitat Incentive Program (WHIP) –

There are 5 applications for the WHIP. One project cancelled due to engineering problems. Alex explained that there is one project for a side-mounted tide gate on Cougar Creek that is a partnership project between the Nooksack Salmon Enhancement Association (NSEA), NRCS, the Conservation District and the Drainage Improvement District (DID).

EQIP Practices –

Alex reported that there was going to be a tour of sand bedding units in Whatcom County by NRCS staff. There is limited cost-share available under EQIP for manure transfer. The Area Conservationist is coming to review composters that recycle separated bedding and sand separation for bedding recovery units. The Board was invited to attend the tour.

Alex explained that there is the potential to include new technologies such as sand bedding units. The feedback should be provided prior to the Local Work Group meeting. Board presence would be good at the local work group meeting. At the next meeting Alex would like to receive Board feedback on some proposed practices.

**b. Supervisor Reports.**

Joe Heller –

Joe reported that there was a fire in the foothills. The District was available to take some video of the suppression operation. There was a housing development just down from the fire. The cause was a homeowner lighting some papers in an outdoor burn pile and taking a nap. This incident will provide some documentation for the Firewise program. The fire overhead team recommended the locals look for fire prevention. It was suggested that there be defensible space to protect homes. There is interest to protect high populated areas.

Robert Barker –

Bob wrote to Rep. Kelli Linville regarding the Department of Transportation (DOT) remediation project on Hwy 9. It looks very poor. A lot of funds were put into the project and it isn't working. He suggested that the DOT work with Conservation Districts on remediation projects, since that is what Districts do.

Larry Davis –

Larry reported that he will be a judge for the oral presentation portion at the state Envirothon next week.

**c. George Boggs, District Manager.**

Washington Association of Conservation Districts (WACD) –

George attended the all day meeting in Ellensburg on how to divide up the funds given to the WA Conservation Commission by the state legislature. There were no provisos on the funds this biennium. WACD is facilitating and will be making a recommendation on Monday at the WACD Officers and Directors meeting. The recommendation will then be brought to the WA Conservation Commission Board meeting on May 20<sup>th</sup>.

George reviewed some of the draft concepts. The Office of Financial Management wants accountability so Districts need to account to the legislature for the funds that they are given.

Birch Bay Watershed Aquatic Resources Management (BBWARM) District –

They are a new district that is seeking help. George wrote a letter to Kraig Olason about the activities that the Conservation District could provide for the BBWARM. The group receives an assessment similar to a Drainage Improvement District. They prefer not to have a regulatory paradigm. The group would like to send out a proactive message for landowners to work with the District.

Laura Clark, Okanogan Conservation District –

George and Laura attended a meeting regarding a business plan for biomass. They also attended the WA State Energy Conference. George discussed the biomass, forest char, carbon sequestration issues.

Salmon Grant –

George reported to the Board that the District is being considered to administer the Lead Entity Salmon Recovery Grant. There are no funds available for the District at this time, but George hopes to garner goodwill for the future. The District has administered contracts in the past at no cost.

Livestock Stakeholders Meeting –

Nichole Embertson gave an air quality presentation at the Livestock Stakeholders meeting. Ed Fields, Cattle Feeders, commended her. He will share with Nichole some information on the Oregon permit requirements.

Canadian Groundwater –

Ground water protection is becoming a big issue in Canada. There is a great controversy over a proposed gravel mine across the border in Abbotsford. The City of Sumas is concerned about the vulnerability of its water source. George was asked about our nutrient management plans by Environment Canada.

Day Care Center In Ag Zone –

George reported that a day care was seeking an exemption to have a business in the ag zone. There are strict fumigation rules around day cares which is a huge concern with the proposal. There was discussion regarding the setback requirements of ½ a mile. It was recognized that creating the very real conflict between residential and agricultural uses was not in the best interests of protecting farmland

Dave Unruh, Farm Service Agency (FSA) –

Dave informed George that the County Committee (COC) would like a joint meeting with the CD Board to review CREP and other programs and exchange ideas. The COC is very interested in the idea.

Meetings –

George informed the Board that the Lummi's were having a First Salmon Celebration and they were invited to attend.

George will be attending an Air Quality Conference in California during the first week of June.

The Washington Association of District Employees (WADE) training is June 15-17 in Leavenworth. There will be an air quality track this year in addition to forestry, livestock, financial and others. George invited the Board to attend.

Joe expressed the desire to have a BBQ gathering of staff and Supervisors this summer at his home.

**IX. Record of Board Actions.**

**09-42 Joe Heller moved that the minutes of the March 11, 2009 Board meeting be approved as corrected. Terry Lenssen seconded the motion. The motion passed.**

**09-43 Joe Heller moved to approve the Financial Report. Terry Lenssen seconded the motion. The motion passed.**

**09-44**

The following voucher/warrants are approved for payment:

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**moved by Terry Lenssen. Joe Heller seconded the motion. The motion passed.**

**09-45 Joe Heller moved to approve the Livestock Nutrient Management Plan for Jackie's Jersey Milk. Terry Lenssen seconded the motion. The motion passed.**

**09-46 Terry Lenssen moved to certify the Livestock Nutrient Management Plan for Valley Brothers Dairy (Jeremy Visser). Joe Heller seconded the motion. The motion passed.**

**09-47 Terry Lenssen moved to approve the livestock cost-share applications for Snook Brook Dairy (Seth Snook) – manure transfer \$10,995, Meadow Park Dairy (Kevin Engelsma) – waste storage facility, manure transfer and pumping plant \$25,000, Roger Blok – waste storage facility, manure transfer and pumping plant \$25,000 and Valley Brothers (Jeremy Visser) – manure**

transfer \$25,000 and submit to the WA Conservation Commission for funding consideration. Joe Heller seconded the motion. The motion passed.

09-48 Joe Heller moved to authorize the District Chair to sign the Whatcom County CPAL contract with WC Flood Control Zone District when received. Terry Lenssen seconded the motion. The motion passed.

09-49 Terry Lenssen moved to approve and sign the NFWF contract the Homesteader Community Salmon Recovery Project in the amount of \$32,377 with \$31,941 match. Joe Heller seconded the motion. The motion passed.

09-50 Terry Lenssen moved to approve the DOE water meter cost-share contract for the Pole Road Water Association. Joe Heller seconded the motion. The motion passed.

**X. Adjournment.**

There being on further business before the meeting, Joe Heller moved to adjourn the meeting at 9:02 p.m. Terry Lenssen seconded the motion. The motion passed.

The meeting on motion duly made, seconded and carried, adjourned at 9:02 p.m.

Dated: July 2, 2009

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Dawn Bekenyi, Administrative Assistant

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