

**WHATCOM CONSERVATION DISTRICT
Public Meeting Minutes
August 13, 2012**

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 August 13, 2012, at 7:00 p.m.

II. Attendance and Quorum.

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

Joe Heller, Chair
Larry Davis, Treasurer

Terry Lenssen, Vice-Chair
Larry Helm

Also in attendance were:

George Boggs, Executive Director
Dawn Bekenyi, Admin. Assistant
Chris Clark, WCD Engineer
Bob VanWeerdhuizen, Citizen

Alex Hall, NRCS staff
Jayne Uerling, Associate Supervisor
Nichole Embertson, WCD Resource Specialist

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.

Larry Davis moved that the minutes of the July 11, 2012 Board meeting be approved as mailed. Larry Helm seconded the motion. The motion passed.

V. Financial Report.

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

Dawn Bekenyi, Administrative Assistant, presented the financial report. There were no questions.

Larry Helm moved to approve the Financial Report. Larry Davis 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:

July 2012 - balance					
Voucher (check) numbers	<u>19618</u>	through	<u>19697</u>	and totaling	<u>100,292.97</u>
Payroll check numbers:	<u>19699</u>	through	<u>19712</u>	and totaling	<u>27,788.30</u>
Voucher (check) numbers	<u>19713</u>			and totaling	<u>2,928.00</u>
August 2012					

Voucher (check) numbers 19714 through 19734 and totaling 29,510.50
Payroll check numbers: 19735 through 19747 and totaling 27,643.72

Moved by Larry Helm. Larry Davis seconded the motion. The motion passed.

VI. Action Items.

A. Drainage Issue.

Bob VanWeerdhuizen, whose property is located on the Noon Road, is experiencing drainage problems. It seems that the County is reluctant to do any ditch maintenance along Noon Rd. for concern that it will have to mitigate for impact to fish. Frank Corey had previously circulated a map to the Washington Department of Fish and Wildlife (WDFW) where jurisdictional waters were to be noted as part of the Drainage Maintenance Guidance manual that the District developed under a Washington State Department of Ecology (WDOE) grant. The concept was to provide clear guidance to Drainage Improvement Districts and landowners so that they could conduct maintenance activities with confidence of not running afoul of regulatory agencies. The manual was vetted through WDOE, WDFW, NOAA Fisheries, US Fish and Wildlife, Army Corps of Engineers, local Tribes, and Whatcom County. The Drainage Maintenance Plan with its map characterizing the watercourses as jurisdictional was reviewed by WDFW.

It is now troublesome that the previously vetted maps are not afforded certainty by the local WDFW biologist. When the ditch cleaning was proposed, Whatcom County called the local WDFW fish biologist. The local person did not think that the map was correct. George explained the history of the development of the "fish presence" maps and the subsequent classifications of streams as jurisdictional and non-jurisdictional (natural, modified, and constructed). The Board would like to get the maps approved such that landowners can rely upon them so they know whether or not they need a Hydraulic Project Authority before starting work.

Larry Davis moved to work with the regional headquarters of Washington Department of Fish and Wildlife office to obtain certainty that the "fish presence" / jurisdictional maps can be used for drainage maintenance practices. Terry Lenssen seconded the motion. The motion passed.

B. Livestock Team Staff Presentations.

Chris Clark and Nichole Embertson introduced themselves to the Board.

Nichole Embertson, Resource Specialist, gave a power point presentation summarizing the projects that she has worked on the past few years at the Whatcom Conservation District and with the livestock team. These include:

- Updating the Dairy Nutrient Management Plans by improving the templates to accommodate dynamic management tools. This will facilitate farm plan updates. In addition, Whatcom CD staff have been working with the other Conservation Districts in our area to develop uniform dairy farm plan templates.
- Developing the Applied Risk Management (ARM) project. She showed a field risk assessment map based on rainfall data that shows the risk for manure runoff. The map is color coded to show the different risk levels. A leaching risk map will also be developed. The outcome of the testing and risk analysis mapping, using weather data, is to get away from a set date for beginning and ending manure applications based upon the calendar rather than weather and soil conditions. Another outcome of the ARM project is the manure spreading advisory on our website. This takes weather forecasts from NOAA and makes them very specific by location.
- Assisting in the crafting of a new livestock database for tracking projects and planning.

- Receiving an Efficiency Grant from WS Conservation Commission to improve livestock farm planning with other Conservation Districts in our areas. She shared the portable planning tools being utilized and developed using iPads.
- Working with the Yakima Clean Air Authority on a pilot project to develop air quality BMPs for dairies. This was a proactive process to address air quality concerns.

Chris Clark, Engineer, discussed programs within which he works. These include:

- Technical Service Provider (TSP) Grant with NRCS designing and implementing EQIP cost-share projects. He reported that:
 - \$800,000 in EQIP Puget Sound Salmon Recovery Partnership (PSSRP) funds have been allocated this year. These and other special allocations of funding need assessments and designs.
 - NRCS is in the process of developing revised average unit costs for their EQIP funding programs. These costs will show the average cost in an area, which includes California, Oregon and Washington. This could be a big change in amounts currently allowed.
 - The Energy Audit program that NRCS is funding through EQIP is not currently being utilized. Chris discussed opportunities to assist with this program.
 - He is participating in the NRCS's 590 specification meetings regarding the Phosphorus Index and Leaching Index. Jayne pointed out that phosphorus doesn't move unless the soil moves.
- Dairy Nutrient Farm planning.
 - Chris discussed the potential of state cost-share for livestock operations. The Washington State Conservation Commission requested Districts put projects, including livestock BMP cost-share projects, into their state database. The database will be used to request future funding. Chris outlined some drawbacks from the state cost-share program. Historically, funding is received on short notice and a producer has a narrow window to utilize the funds or they must be returned. This is problematic for getting permits, which are costly and for a finite time. The Board thought that a multi-year permit would be helpful in these instances.

Larry Helm moved that the District write a letter to Whatcom County Agriculture Oversight Committee requesting a proposal be presented to Whatcom County that would make permits for installing farm BMPs and structures for multiple years to allow producers to work with funding agencies and grant permit exemptions for small projects that were historically exempt. Larry Davis seconded the motion. The motion passed.

- Chris asked the Board about prioritizing the workload for the livestock team. There are 140 dairies in Whatcom County. The current workload prioritization policy is that farms with digesters and new dairy farms are a number one priority. It is now apparent that any place that accepts digestate must have an updated farm plan. This is creating a domino effect. There was discussion regarding how to address the farm with a digester and all of the recipient farms while still working with other farms on the list.
- Another concern regarding management and updated planning requirements was prescribed manure application setbacks and poor management leading to

discharges. The District writes farm management plans based on good science, not bad management.

- Working with farmers to avoid WSDOT project impacts on drainage. A few Department of Transportation (WSDOT) projects are proposed that will impact drainage to farmer's fields. In the recent past, there were farms that were impacted by WSDOT projects. WSDOT had to spend additional funds to correct the drainage issues that were created, which affected the District workload requiring staff to work with WSDOT to address the issue.

Larry Helm moved that the District write a letter to the Washington State Department of Transportation with a copy to Whatcom County expressing the District's concerns regarding drainage impacts on farmers due to the WSDOT's proposed road improvement projects on the Guide and Badger Roads. Larry Davis seconded the motion. The motion passed.

C. Approval of Equipment Purchase.

Administrative Efficiency Grant –

The District received an Administrative Efficiency grant from the Washington State Conservation Commission to increase livestock planning efficiencies through adoption of innovative field inventory technologies and share with our area Conservation Districts. An integral part is the acquisition of 6 Apple iPads, software applications and accessories to be shared with Skagit, Snohomish, and King Conservation Districts.

Larry Helm moved to approve the purchase from Amazon of 6 iPads, software applications and accessories. The approximate total cost for hardware is \$4,800 and \$2,400 for software apps and accessories. Larry Davis seconded the motion. The motion passed.

D. Approval of Conservation Plans.

Critical Areas Ordinance (CAO) Farm Plan Approval –

There was one CAO Farm Plan submitted for Board approval.

Larry Helm moved to approve the CAO Farm Plan for Dhothar Family Farm LLC. Larry Davis seconded the motion. The motion passed.

Conservation Reserve Enhancement Program (CREP) Contracts –

CREP is a joint federal and state program to enhance fish habitat and protect water quality. The U.S. Department of Agriculture (USDA) Farm Service Agency (FSA) is the administrative lead. A District resource specialist (Wayne Chaudiere or Emily Hirsch) works with a landowner to develop a conservation plan that includes practices meeting the landowner's needs. It is reviewed for technical sufficiency by the Natural Resources Conservation Service representative (Alex Hall) and George Boggs. The landowner signs the plan and it is passed on to FSA. The FSA County Oversight Committee (COC) approves all CREP plans. The current District policy is that once FSA approves the Federal Contract and CREP plan, then the CREP maintenance contract is brought to the Board for its approval. Absent unusual circumstances, the Board approves the standard-language maintenance agreement prescribed by the State Conservation Commission.

There were nine CREP maintenance contracts submitted for Board approval. The Washington Conservation Commission has opened up enrollment again.

Larry Davis moved to ratify the CREP maintenance contracts for:

- **Lisa Christianson (12-04-CS:12-08)**
- **Erica Dudrow (12-04-CS:12-09)**
- **Charles Held (12-04-CS:12-10)**
- **Michael Moritz (12-04-CS:12-12)**
- **Whatcom Land Trust (Catalyst) (12-04-CS:12-14)**

- David and Janice White (12-04-CS:12-15)
- Leroy Plagerman (12-04-CS:12-16)
- Mark Adriance and Janet Bergstrom (10-04-CS:12-05)
- Sterling and Evalyn Anderson (10-04-CS:12-06).

Terry Lenssen seconded the motion. The motion passed.

Summaries of CREP plans were provided to the Board for review prior to the meeting. George explained the challenges of sending farm plans in advance as some have final pieces come in for generating plans right before the board meeting. However, every effort will be to send a list of plans recommended for approval by email to the Board by the first Tuesday of each month.

VII. Other Business.

A. Alex Hall, Natural Resources Conservation Service (NRCS).

Puget Sound Salmon Recovery Partnership (PSSRP) – Six Puget Sound Salmon Recovery Partnership (PSSRP) projects were funded for about \$900,000. Alex reported that NRCS area staff and Chris Clark helped to get the contracts done in the short turn-around time-frame. There will be another sign-up opportunity next year and the list of projects that were not funded can be carried over. Alex explained the strict eligibility rules that limited some projects. Even though the focus is on salmon projects there were several from NSEA that could not be funded because the landowner did not meet the NRCS cost-share eligibility ag producer rules. Alex explained that all of the staggered deadlines have caused staff to have to multi-task on getting projects paid, doing modifications, working with new sign-ups.

NRCS Staffing – Steve Nissley retired so there is **not** a regional District Conservationist (DC) in the Northwest team office. The area has seven offices in the team. He explained that it may be awhile before the position is filled. Staff will rotate as acting DC, until then.

B. Supervisor Reports.

Larry Helm – Larry Helm shared copies of Whatcom County Ag Strategic Plan for the Board to review. There are thirteen people on the Ag Advisory Committee.

Wolf Issue – Larry Helm expressed concern about wolves coming into Whatcom County. He reviewed the WACD Wolf Task Force position paper. He thought that it was the best one that he has seen and would like to formally acknowledge the Task Force's efforts and support their position.

Larry Davis moved that the District write a letter to the Legislature regarding the wolf issue sighting the position outlined in the WACD Wolf Task Force position paper and request funding for livestock destroyed by wolves. Larry Helm seconded the motion. The motion passed.

C. George Boggs, Executive Director.

Annual Budget – The draft annual budget was passed out for Board review. An analysis of the past years performance will be presented at the next meeting.

National Association of Conservation Districts (NACD) Dues – There was discussion about paying dues to the national association. The request is 1% of a District's budget. Dawn reported that 1% of the discretionary budget is about \$670.

Terry Lenssen moved to approve payment of the 2012 National Association of Conservation District dues in the amount of \$670. Larry Davis seconded the motion. The motion passed.

Washington Association of Conservation District (WACD) Northwest Area Meeting – The NW Area meeting will be October 10. There was discussion about who might be able to attend.

Skagit Conservation District – Skagit is having their 70th anniversary and invited the District to a celebration.

The next Conservation Commission meeting will be in Foster Creek in September. Joe Heller will attend.

Asbestos Letter – EPA and Whatcom County requested that the District send out a letter to 90 landowners who live along the Sumas River suggesting that they call upon the County for asbestos risk assessments.

Larry Helm moved that the District send the safety letter regarding asbestos along the Sumas River to landowners. Larry Davis seconded the motion. The motion passed.

Department of Ecology Inter-local Agreement – George expressed that the agencies would like any interlocal agreements to be developed at the agency level and not the field level. It was decided that a letter of intent for working with the local Department of Ecology office would work instead of an interlocal agreement at this time.

Larry Davis moved that the District write a letter of intent for working with the local Department of Ecology office outlining our working relationship that is not in conflict with the state level Memorandum of Agreement. Terry Lenssen seconded the motion. The motion passed.

Associate Supervisor –

Larry Davis moved to formally appoint Jayne Uerling as an Associate Supervisor of the Whatcom Conservation District. Larry Helm seconded the motion. The motion passed.

VIII. Record of Board Actions.

12-70 Larry Davis moved that the minutes of the July 11, 2012 Board meeting be approved as mailed. Larry Helm seconded the motion. The motion passed.

12-71 Larry Helm moved to approve the Financial Report. Larry Davis seconded the motion. The motion passed. Upon motion made and duly seconded, the Treasurer's Report was approved.

12-72

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12-73 Larry Davis moved to work with the regional headquarters of Washington Department of Fish and Wildlife office to obtain certainty that the "fish presence" / jurisdictional maps can be used for drainage maintenance practices. Terry Lenssen seconded the motion. The motion passed.

- 12-74 Larry Helm moved that the District write a letter to Whatcom County Agriculture Oversight Committee requesting a proposal be presented to Whatcom County that would make permits for installing farm BMPs and structures for multiple years to allow producers to work with funding agencies and grant permit exemptions for small projects that were historically exempt. Larry Davis seconded the motion. The motion passed.
- 12-75 Larry Helm moved that the District write a letter to the Washington State Department of Transportation with a copy to Whatcom County expressing the District's concerns regarding drainage impacts on farmers due to the WSDOT's proposed road improvement projects on the Guide and Badger Roads. Larry Davis seconded the motion. The motion passed.
- 12-76 Larry Helm moved to approve the purchase from Amazon of 6 iPads, software applications and accessories. The approximate total cost for hardware is \$4,800 and \$2,400 for software apps and accessories. Larry Davis seconded the motion. The motion passed.
- 12-77 Larry Helm moved to approve the CAO Farm Plan for Dhothar Family Farm LLC. Larry Davis seconded the motion. The motion passed.
- 12-78 Larry Davis moved to ratify the CREP maintenance contracts for:
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 - Mark Adriance and Janet Bergstrom (10-04-CS:12-05)
 - Sterling and Evalyn Anderson (10-04-CS:12-06).
- Terry Lensen seconded the motion. The motion passed.
- 12-79 Larry Davis moved that the District write a letter to the Legislature regarding the wolf issue sighting the position outlined in the WACD Wolf Task Force position paper and request funding for livestock destroyed by wolves. Larry Helm seconded the motion. The motion passed.
- 12-80 Terry Lensen moved to approve payment of the 2012 National Association of Conservation District dues in the amount of \$670. Larry Davis seconded the motion. The motion passed.
- 12-81 Larry Helm moved that the District send the safety letter regarding asbestos along the Sumas River to landowners. Larry Davis seconded the motion. The motion passed.
- 12-82 Larry Davis moved that the District write a letter of intent for working with the local Department of Ecology office outlining our working relationship that is not in conflict with the state level Memorandum of Agreement. Terry Lensen seconded the motion. The motion passed.
- 12-83 Larry Davis moved to formally appoint Jayne Uerling as an Associate Supervisor of the Whatcom Conservation District. Larry Helm seconded the motion. The motion passed.

IX. Adjournment.

There being no further business before the meeting, Larry Davis moved to adjourn the meeting at 10:15 p.m. Terry Lensen seconded the motion. The motion passed.

The meeting, on motion duly made, seconded and carried, adjourned at 10:15 p.m.

Dated: September 12, 2012

Approved: _____
Dawn Bekenyi, Administrative Assistant