

**WHATCOM CONSERVATION DISTRICT
Public Meeting Minutes
April 11, 2013**

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 11, 2013, 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, Treasurer	Larry Helm
Dick Yoder	

Also in attendance were:

George Boggs, Executive Director	Alex Hall, NRCS staff
Dawn Bekenyi, Admin. Assistant	Chris Clark, Engineer
Leif Fixen, Snohomish CD staff	

III. Meeting Called to Order.

Joe Heller, Chair, called the meeting to order at 7:00 p.m.

IV. Approval of Minutes of Previous Meeting.

Dick Yoder moved that the minutes of the February 11, 2013 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 their draft minutes from the February 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:

Feb 2013 - balance					
Voucher (check) numbers	<u>20231</u>	through	<u>20241</u>	and totaling	<u>5,044.08</u>
Payroll check numbers:	<u>20242</u>	through	<u>20255</u>	and totaling	<u>28,476.03</u>
March 2013					
Voucher (check) numbers	<u>20256</u>	through	<u>20274</u>	and totaling	<u>22,415.95</u>

Payroll check numbers:	<u>20276</u>	through	<u>20289</u>	and totaling	<u>28,138.84</u>
Voucher (check) numbers	<u>20290</u>	through	<u>20311</u>	and totaling	<u>15,224.88</u>
Payroll check numbers:	<u>20312</u>	through	<u>20325</u>	and totaling	<u>29,109.02</u>
Voucher (check) number	<u>20326</u>			and totaling	<u>75.00</u>
April 2013					
Voucher (check) numbers	20327	through	20356	and totaling	34,228.81
Payroll check numbers:	<u>20357</u>	through	<u>20370</u>	and totaling	<u>28,963.66</u>

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

VI. Action Items.

A. Urban Forestry.

Leif Fixen, Snohomish Conservation District, shared his background and gave a presentation regarding urban forestry. Leif is a certified Arborist. He has been in the Northwest for three years, prior to that he was an urban forester for the City of Boston.

Snohomish Conservation District received a small grant to do a pilot project for urban forestry in Whatcom, Snohomish, Skagit and Whidbey Island Counties from the Department of Natural Resources (DNR). The project is similar to the program that Spokane Conservation District has conducted for a number of years. The concept is *Tree City USA*, which promotes street trees and urban forests.

Tree City USA is through the Arbor Day Foundation. It has specific criteria for the program and designating cities. There are four pillars of the program. 1. The city develops a tree committee to act as a caretaker. 2. The city must invest \$2 per capita in the program. This can be costs the city spends for tree inventories, inspections, tree care and pruning through their urban forestry management plans. 3. The city designates a warden to have control over the trees. 4. The city celebrates Arbor Day and provides public education of the program.

DNR does not have any funding to hire more arborists. Tapping into conservation district employees is an option.

The Board asked questions regarding the program. The Conservation District would introduce Leif to the cities for the initial contact.

Larry Helm moved to support the Snohomish Conservation District grant from DNR supporting the Tree City USA program in Whatcom county and Leif Fixen as the contact. All concerns in our county would come to the Whatcom Conservation District. Dick Yoder seconded the motion. The motion passed.

Livestock Planning –

Leif is also receiving training from Nichole and Chris on the livestock program. The iPads are working great for him. It is good to work with other planners to be more unified on the west-side.

B. Approval of Conservation Plans.

Dairy Nutrient Management Plan (DNMP) Approval –

There are two Dairy Nutrient Management Plans that address digestate imports submitted for Board approval. Chris Clark was present to review the plans with the Board.

Terry Lenssen moved to approve the Dairy Nutrient Management Plans for:

- **Hopewell Farm (Pete Dykstra)**

- **Paul Bonsen Dairy.**

Dick Yoder seconded the motion. The motion passed.

Livestock Nutrient Management Plans (LNMP) Approval – Corina Cheever did an inventory and farm plan for Hovander Park.

Dick Yoder moved to approve the Livestock Nutrient Management Plan for:

- **Whatcom County Parks – Hovander Park.**

Larry Davis seconded the motion. The motion passed.

Frank Corey submitted the standard farm plan checklist for Nick Potts and cost-share application for BMPs in Terrell Creek as part of the EPA Birch Bay project.

Larry Helm moved to approve the Standard Farm Plan Checklist and EPA Birch Bay Project cost-share application for Nick Potts. Terry Lessen seconded the motion. The motion passed.

Water Quality Information – Chris Clark talked with the Board regarding water quality concerns as recently published in the paper. He mentioned that the high fecal counts are not in the areas where the dairies are located. The discharges and enforcement action noted in the paper were six months old. Timely and responsible manure management continues to be a consideration. The water quality testing information should be reviewed and then communicated to the public. There are a lot of sources of pollution. Everyone needs to pitch in to clean up the numbers. There are sites with high test results that do not have any animals.

C. Schedule 22 Review Sub-Committee.

Larry Davis and Larry Helm agreed to be on the sub-committee to review and complete the Schedule 22 for the annual financial report that goes to the Washington State Auditor's office.

VII. Other Business.

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

Environmental Quality Incentive Program (EQIP) – 14 contracts have been signed for \$466,000. There will be 16 contracts in 2013. Alex gave the breakdown of the operation types receiving cost-share contracts this year.

Energy Audit – Seven operations have signed up for energy audits through EQIP. One will implement their energy audit practices. Alex reported that WSU will be speaking regarding energy audits at the April Whatcom Dairy Speaker Series.

Program Requirements – Alex reported that this year NRCS is requiring a lagoon assessment for EQIP recipients. Lagoon assessments will have to be done when the lagoon is empty. If the lagoon is working, it must meet the standards at the time that it was built. If it is found to not meet those standards, then it must be fixed up to current NRCS standards. If there is an issue with the lagoon the operator will need to repair or terminate the contract. If a producer cannot fix it up to NRCS standards they may have to pay back all the cost-share received. It would be helpful to be able to shift some cost-share funds to fixing the lagoon if necessary. This is a matter for the Local Work Group to discuss.

Pacific Salmon Habitat Partnership – There are two applications under this program. State staff is coming to do site visits of the projects.

This round is requiring big buffers. George explained that the tribes expressed concern that during last round projects were funded with inadequate buffers to protect fish bearing watercourse. Roylene agreed to the addition of the NOAA buffer table requirements for this program only. In comparison, the Lummi has indicated that the table need not be controlling. Rather, they are looking at performance to protect water quality and fish habitat appropriate for the particular watercourse. It is interesting to note that twice as much has been spent on fish habitat (CREP) than water quality (EQIP) in Whatcom County over the past 15 years.

B. Supervisor Reports.

Larry Davis –

NRCS Local Work Group – Larry was reelected as the chair of the Local Work Group. The group is ¾ of the way through completing the ranking paperwork for 2014 EQIP. The final documents are due to NRCS's State Office on April 30, 2013. Two items remain to be reviewed – the ranking questions and priority watersheds. Three tribal members representing Quileute, Lummi and Tulalip attended the Local Work Group this time.

NW Area Director – Larry passed out his schedule to visit the nine conservation districts in the area.

Larry Helm – Larry reported that the WRIA 1 stakeholders planning group will be reinstated soon.

At the last Whatcom County Ag Advisory meeting, Steve Seymour attended. He retired from the Washington Department of Fish and Wildlife and is now a shellfish farmer in Drayton Harbor. He wants to establish a rapport with farmers to support the oyster growers. The Ag Advisory Committee resolved to support such a dialogue in Drayton Harbor community. Larry would like the Whatcom Conservation District to be included in and support this process.

Larry Helm moved that the Whatcom Conservation District co-sponsor with the shellfish growers a community outreach event at the Haynie Grange to establish a rapport between oyster growers and farmers regarding water quality, for an amount up to \$500. Larry Davis seconded the motion. The motion passed.

Washington Association of Conservation Districts (WACD) Legislative Days – Larry attend WACD legislative days with Larry Davis and George. All our local legislators were met and they appeared supportive of Conservation Districts.

Washington State Conservation Commission (WSCC) Communications Committee – Larry Helm is on the WSCC Communication Committee. He reported that the committee is almost done. All their meetings have been by teleconferencing.

Washington State Conservation Commission (WSCC) – Board members discussed who could attend the next WSCC All Districts meeting in Wenatchee on May 20 & 21, 2013. Larry Helm and Joe will attend with George.

Terry Lenssen – Terry attended the last WSCC All-Districts meeting. The Environmental Protection Agency, Department of Ecology and Department of Ag participated via phone. Ray Ledgerwood facilitated. Terry was upset that the agencies appeared to be blaming dairy producers for all the water quality issues. There are other significant sources that are visible and those problems should be investigated. They should use some of their funding to find the sources of the pollution.

Dick Yoder – Dick reported that the Whatcom County Cattlemen's Association has met with the Department of Ecology twice. There was an apparent shift in attitudes from Ecology between the two meetings. Andrea Hood was hired by the Department of Health to facilitate the process.

The Portage Bay Shellfish Committee has been inactive for two years. It would be beneficial to do education outreach and sampling in problem areas. Bracket the high counts to find the pollution sources.

Joe Heller – Joe Heller attended the WSCC’s monthly meeting in Port Ludlow in Jefferson County. They toured the riparian areas. Jefferson County Conservation District had a ceremony for John Boulton who was stepping down from the Board after 58 years as a Supervisor.

NRCS Tour– Joe and George met with the Assistant Chief of NRCS, Assistant Director of National Wildlife and the Lummi Nation and Army Corp of Engineers REPI project manager. The District gave them a tour of projects and presentations on the ARM system and riparian projects.

CREP Millionth Tree – A celebration of the millionth tree planted through the CREP program in Whatcom County is scheduled for April 20, 2013 in Acme at the Whatcom Land Trust site.

C. George Boggs, Executive Director.

NOAA Buffer Table – George reported on the history of the product. The draft buffer table was a 2002 Ag Fish and Water product. It was never adopted. Andrew Phay produced a map that shows all of the land that would be taken out of production if the table were required. George is working to moderate the use of this table in Whatcom. While Environmental Protection Agency has currently linked it to its National Estuary Program funds, it seemed open to local tailoring based on local salmon recovery plan and tribal input.

Three Directors Talks (3DT) Paper – WACD and the Conservation Commission are seeking input from Conservation Districts on the 3DT paper. The Board discussed how to review and provide comment.

Dick Yoder moved to delegate Larry Helm and Terry Lenssen as the subcommittee to provide comments for the Whatcom Conservation District and grant them authority to voice our Conservation District’s concerns of the 3DT paper. Larry Davis seconded the motion. The motion passed.

Notice of Violation re Marr Mink Farm – George advised the Board of an issue that arose from a Notice of Penalty that was issued by the Department of Ecology to the Marr Mink Farm. In the notice Ecology staff included libelous language regarding the Whatcom Conservation District and its staff stating things as true that are not. He asked the Board what they would like to do about this. They decided Ecology should write a retraction, apologize for those statements regarding the Whatcom Conservation District and publish it to other agencies that received the Notice of Violation.

Letter of Opinion – George shared a letter of opinion from a Thurston County Judge regarding Whidbey Island County being sued over the sufficiency of its Critical Areas Ordinance treatment of agricultural operations by a local environmental group. The judge concluded that the ordinance provided insufficient protection of critical areas, the use of NRCS planning and practices did not meet Best Available Science. Right now the decision only applies to Island County. However, other groups who are dissatisfied with their County’s CAO treatment of agricultural activities will likely use in the debates over CAO updates. Whatcom’s is due to begin this process next year.

WACD Budget Message – The Board discussed WACD’s request to send a letter to our legislators regarding the budget.

Larry Davis moved to send a letter with Joe’s signature to our legislators capturing the points in the recommendation and including the budget provisos as Whatcom can leverage funds. Larry Helm seconded the motion. The motion passed.

Annual Plan of Work – Last year’s annual plan of work was passed out for review. Larry Helm would like to add some Supervisor driven programs. He would like to establish a Rates and Charges sub-committee. It was decided to mail a copy of the annual plan of work to key stakeholders to solicit feedback on our plan.

VIII. Record of Board Actions.

13-17 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.

13-18

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13-19 Larry Helm moved to support the Snohomish Conservation District grant from DNR supporting the Tree City USA program in Whatcom county and Leif Fixen as the contact. All concerns in our county would come to the Whatcom Conservation District. Dick Yoder seconded the motion. The motion passed.

13-20 Terry Lenssen moved to approve the Dairy Nutrient Management Plans for:

- Hopewell Farm (Pete Dykstra)
- Paul Bonsen Dairy.

Dick Yoder seconded the motion. The motion passed.

13-21 Dick Yoder moved to approve the Livestock Nutrient Management Plan for:

- Whatcom County Parks – Hovander Park.

Larry Davis seconded the motion. The motion passed.

13-22 Larry Helm moved to approve the Standard Farm Plan Checklist and EPA Birch Bay Project cost-share application for Nick Potts. Terry Lessen seconded the motion. The motion passed.

13-23 Larry Helm moved that the Whatcom Conservation District co-sponsor with the shellfish growers a community outreach event at the Haynie Grange to establish a rapport between oyster growers and farmers regarding water quality, for an amount up to \$500. Larry Davis seconded the motion. The motion passed.

13-24 Dick Yoder moved to delegate Larry Helm and Terry Lenssen as the subcommittee to provide comments for the Whatcom Conservation District and grant them authority to voice our Conservation District’s concerns of the 3DT paper. Larry Davis seconded the motion. The motion passed.

13-25 Larry Davis moved to send a letter with Joe’s signature to our legislators capturing the points in the recommendation and including the budget provisos as Whatcom can leverage funds. 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 10:08 p.m. Terry Lenssen seconded the motion. The motion passed.

The meeting, on motion duly made, seconded and carried, adjourned at 10:08 p.m.

Dated: June 5, 2013

Approved: _____
Dawn Bekenyi, Administrative Assistant