

**WHATCOM CONSERVATION DISTRICT  
Public Meeting Minutes  
August 11, 2016**

**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 11, 2016, at 6:30 p.m.

**II. Attendance and Quorum.**

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

Larry Helm, Chair  
Dan Heeringa, Treasurer  
Theresa Sygitowicz

Larry Davis, Vice-Chair  
Joe Heller

Also in attendance were:

George Boggs, Executive Director  
Dawn Bekenyi, Admin. Assistant  
Bob Schroeter, WACD Exec Director

Alex Hall, NRCS staff  
Ed Blok, Landowner  
Bert Webber, Landowner

**III. Meeting Called to Order.**

Larry Helm, Chair, called the meeting to order at 6:37 p.m.

**IV. Public Comment (written or in person).**

George gave Ed Blok a copy of the Whatcom Conservation District's draft 5 year Long Range Plan. Ed is Chair of South Lynden Watershed Improvement District (WID). Ed stated that there are some things on which he would be interested in the Conservation District and WID working together.

**V. Consent Agenda.**

The Board adopted a consent agenda for approval of the previous meeting minutes, financial report and accounts payable. The financial report was mailed to the Board with their draft minutes from the June 9 and July 14 Board meetings and June 20 Special meeting. Dawn Bekenyi, Administrative Assistant, presented the financial report. 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. There were some corrections to the July 14, 2016 Board meeting minutes noted.

**Joe Heller moved to approve the June 9, 2016 Board meeting minutes and June 20 special meeting minutes as mailed and the July 14, 2016 Board meeting minutes as amended. Larry Davis seconded the motion. The motion passed.**

**Joe Heller moved to approve the consent agenda: the financial report and authorize payment of District invoices and incurred expenses (below), as listed in the Accounts Payable Report. The Board further authorizes the payment of District expenses incurred subject to their review and approval at the next Board meeting. Larry Davis seconded the motion. The motion passed.**

The following voucher/warrants are approved for payment:

July 2016 - balance  
Voucher (check) numbers 23853 through 23896 and totaling 95,812.21

Payroll check numbers:	<u>23897</u>	through	<u>23918</u>	and totaling	<u>41,482.21</u>
August 2016					
Voucher (check) numbers	<u>23919</u>	through	<u>23967</u>	and totaling	<u>103,834.08</u>
Payroll check numbers:	<u>23968</u>	through	<u>23985</u>	and totaling	<u>36,547.10</u>

## VI. Action Items.

### A. Approval of Conservation Plans.

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

There was one Dairy Nutrient Management Plan submitted for Board approval. Staff recommended approval as it contained the necessary elements prescribed by the Conservation Commission and the operator has signed it indicating that it accurately reflects his operation and agrees to its implementation.

**Theresa Sygitowicz moved to approve the Dairy Nutrient Management Plan for Blok Evergreen Dairy (Ed Blok). Dan Heeringa seconded the motion. The motion passed.**

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

There was one Dairy Nutrient Management Plan submitted for Board certification. Chris Clark reviewed the plan for Dan B Noteboom and recommended that the Board certify it. It met the applicable requirements for certification and the producer certified that he was managing accordingly.

**Theresa Sygitowicz moved to certify the Dairy Nutrient Management Plan for Dan B Noteboom. Dan Heeringa seconded the motion. The motion passed.**

### B. Livestock Owner Complaints Over Inspections.

Larry Helm reported that he spoke with staff from the Washington State Conservation Commission (WSCC), and at the WSCC meeting in West Port the previous day it was discussed how the Whatcom Conservation District interacted with the local Ecology staff at the last Board meeting. Ecology reported to the WSCC that Board members of the Whatcom Conservation District was abusive, which was incorrect.

Larry Helm mentioned that the Skagit Conservation District has a Memorandum of Understanding (MOU) with Ecology. The MOU outlines what to do when the farmers say they don't want Ecology there. Larry Helm would like to have something similar here to outline how to work with Ecology. Larry Davis discussed the flow chart that Carolyn Kelly drafted for Skagit CD.

There was discussion about the MOU and flow chart that is being used in Skagit. Their MOU is about interfacing with farmers, Ecology and the Conservation District.

George reviewed the history of the Whatcom Conservation District and Department of Ecology MOU's. In the 1980s and 1990s the CD and Ecology worked under a 4th tier MOU called the old compliance MOU. A few years ago Ecology began developing its own agricultural BMPs which was contrary to the express terms of the MOU. The Washington Association of Conservation Districts wrote to all CDs encouraging them to terminate the MOU. The Whatcom Conservation District Board agreed to do so.

In Skagit County, the Governor's office facilitated a meeting with Ecology and agencies to hammer out how the inspections would be done and the flow chart of decisions and how it would work with the CD.

George suggested that if the Board would like to proceed to get an MOU with Ecology, he could get the process started. We have a template in Skagit from which to start. The agreement would be signed by the Director of Ecology and the Board Chair and possibly the WSCC.

It would allow the CD to get things done and resolved. By creating the structure, it empowers Doug Allen to be able to work with the District. Larry Davis likes policy and it helps to have something to which to point to make sure all parties are following the policy. Joe Heller is concerned about the landowner's rights being addressed as well. Brochure and flow chart would be provided to the landowner.

Larry Helm thought that this would provide a way to build a bridge with Ecology. George reviewed the possible ways to proceed.

**Larry Davis moved to request that the Washington State Conservation Commission facilitate creating a Memorandum of Understanding between the Department of Ecology and the Whatcom Conservation District regarding how the inspections would be done and the flow chart of decisions and how it would work with the Conservation District in Whatcom County. Theresa Sygitowicz seconded the motion. The motion passed.**

The Board asked that George email them a copy of the Skagit MOU with Ecology.

Bert Webber complimented the work of the CD. Bert has been working with Salmon Restoration (NSEA) for several years and small farms. He stated that the Conservation District has been a leader and will continue to be a key player in the future.

George passed out a draft fact sheet to describe roles and the concerns in the CDs letter to Ecology.

**C. Personnel Manual Next Steps.**

There was discussion on how to proceed with the Personnel Manual update. Larry Helm is willing to continue on the committee. Theresa is agreeable to sit on the committee. The committee will bring a chapter each meeting to be reviewed and approved. Dan will be available for technical review. Any changes will be made by the full board at a public meeting.

**D. Approval of Draft Long Range Plan.**

The draft Long Range Plan was sent to the Board for review with their Board packets. Comments were captured.

**Larry Davis moved to adopt the draft Long Range Program, including comments from tonight, and send out to get public input. Theresa Sygitowicz seconded the motion. The motion passed.**

The Board directed George to send out the Plan to get community comments. The Board would like to receive comments back by Nov 1st. Larry Helm suggested that an ad be put in the papers seeking community input. Or do a press release to papers to get comments. Papers to contact were the Ferndale Record and Lynden Tribune and Cascadia Weekly.

**E. Approval of Foster Creek CD Interlocal.**

Foster Creek Conservation District sent an Inter-local Agreement (ILA) to share employees as needed.

**Joe Heller moved to approve and sign an Inter-local Agreement with the Foster Creek Conservation District. Larry Davis seconded the motion. The motion passed.**

**F. WACD Dues Approval.**

The District received a notification that 2016 WACD dues are \$4,080 plus \$10 per Associate Supervisor.

**Larry Davis moved to authorize payment of the WACD Dues in the amount of \$4,080. Joe Heller seconded the motion. The motion passed.**

**G. Travel Policy.**

Theresa incorporated travel policies from other districts into a proposed draft travel policy. She distributed for Board review. It was asked to add a revised travel policy to the agenda for the next meeting.

**VII. Other Business.**

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

Environmental Quality Incentives Program (EQIP) –

NRCS staff have completed one additional fish passage project and one additional energy implementation contract.

National Water Quality Initiative –

NRCS staff have completed the contracts for six of the seven eligible applications. Right now there is enough funding for 2 of the contracts. The contracts are getting signed soon. Rick Noble has requested an- additional \$754,000 to fund the remaining applications. Notice of any additional funds should come in the next week.

Alex reported that the funds this round are being used mostly to decommission manure lagoons and replace them with steel upright tanks. Theresa asked why the lagoons were being replaced. Alex stated that this is a voluntary program to upgrade manure storage to tanks. This does not have anything to do with the double liners that were proposed by recent legislation in Yakima. It is also not driven by the recently proposed CAFO rules changes, but those concerns may be garnering more interest from farmers in the program.

Alex explained that leaking and a failure is not the same thing for a lagoon. The manure lagoons meet national standards, but not necessarily state standards.

Future Directions –

Of the four applications received staff have developed contracts for three fish passage contracts. Contracts should be completed in the next few weeks.

Edge of Field –

Nichole Embertson has marketed the program to three eligible applicants. NRCS staff is working with the national team to evaluate the proposals and develop contracts if the applications are selected for funding.

Regional Conservation Partnership Program (RCPP) –

There was discussion regarding the potential for funding for new technology would make clean water from separated liquid manure.

**B. Supervisor Reports.**

**Dan Heeringa –**

Dan received some positive feedback from George's letter in the Lynden Tribune. Dan did not attend the Public meeting for proposed CAFO changes, but he reported about the feedback that he heard.

**Larry Davis –**

The NW Area meeting is scheduled for October 11 in Puyallup. Pierce Conservation District is hosting it this year. Larry Davis will not be able to attend this year, since he will be in California.

Larry has given up chairing the WACD Annual meeting committee to Bob Schroeter.

**Theresa Sygitowicz –**

Theresa reported that local beef farmers are looking to get 5 cuttings of hay this year. Tonnage is way up. Price is \$4 per bail.

Theresa reported that the horse that prompted the picketing of the local Ecology office was put down last week.

Theresa will be at the NW WA Fair next week at the Ag booth. They have included the State Cattlemen Association at the booth this year.

**Larry Helm –**

The Whatcom County Council passed the Comp plan without the Cherry Point information.

Larry asked that George or staff prepare a calendar of upcoming Conservation District related events.

The Washington Association of Conservation Districts (WACD) Annual meeting will be in Semiahmoo from Nov 28 – Dec 1, 2016. WACD has asked for some staff help, in particular Dawn and Andrew Phay to help set up. The Board directed Dawn to participate and Andrew to assist as needed in the WACD annual meeting.

**C. George Boggs, Executive Director.**

Discovery Farm – Nichole Embertson is setting up the first Discovery Farm on the west coast.

Nichole and Chris Clark are making comments to the CAFO permit process. Nichole asked the Environmental Protection Agency what is the science nationally and was told that there is none.

The Edge of Field is a federal Farm Bill program; therefore, testing results are not available under public disclosure. George reviewed what is disclosable and what is not under state and federal law. There is a state exemption for farm plans, but that exemption does not include dairies. Dairies report in brackets. All USDA programs are confidential under the Farm Bill and not disclosable under the federal Freedom of Information Act (FIOA).

Commercial harvest beds in Portage Bay – George informed the Board that 300 – 400 acres of shellfish beds are going to be downgraded from open to conditional harvest status due to water quality concerns.

Board and staff BBQ Potluck – There was discussion about what date would work best for the Board. Staff met and gave several dates that they preferred. After some discussion it was decided to have the BBQ on Sept 28. There was discussion about where to hold it. It was decided to have it at Theresa's from 4 pm to 7 pm.

Funding Opportunities – Continuing to seek potential funding, since the Conservation District is fully grant funded. George reviewed several potential funding opportunities at the federal, state and local levels in which the Conservation District may be able to participate. George and staff will continue to pursue working with agencies on these opportunities and see if the District is a good fit. George will present further program details for the funding opportunities as they become more tangible.

Julie Hirsch – Julie Hirsch would like to come to the September Board meeting to talk about the prospects of partnering with the Conservation District to deliver the Gardens of the Salish Sea curricula into schools. After some discussion it was decided to have Julie make a presentation for 10 minutes with 5 minutes for questions at the start of the September Board meeting.

Omniprocessor – George will send a link to a presentation on the process to the Board. The process would produce clean water going to the lagoon, separating out phosphorus from manure.

Washington does not currently have this practice. The Washington state NRCS office has to see if this process meets the purpose of this practice at the national level and then they could add it here.

Draft Budget – George passed out the draft budget for FY2017 based upon current grants and staff. He pointed out that there has been no pay scale adjustment since 2009. It was decided to form a workgroup to meet with staff to review the compensation package. The committee will also work on drafting written job descriptions for the engineer, IT and scientist. Larry Davis and Larry Helm will be the Board representatives on the committee.

**D. Bob Schroeter, Washington Association of Conservation Districts (WACD).**

Bob Schroeter is the new WACD Executive Director. Bob introduced himself to the Board and gave his background. Bob attended law school and worked in Olympia. He worked with small cities in his years as legal counsel in the Chehalis area (Lewis Co.)

He's attended ten CD meetings in the four weeks since he been with WACD. The District, George and Larry Davis are spoken of very highly by other Conservation Districts.

**E. Miscellaneous.**

Larry Davis asked for the Employee Manual information to be brought and included in the board packets.

The Board asked if there could be a Watershed Explorer presentation at the next meeting, if it is ready.

**VIII. Record of Board Actions.**

**16-52 Joe Heller moved to approve the June 9, 2016 Board meeting minutes and June 20 special meeting minutes as mailed and the July 14, 2016 Board meeting minutes as amended. Larry Davis seconded the motion. The motion passed.**

**16-53 Joe Heller moved to approve the consent agenda: the financial report and authorize payment of District invoices and incurred expenses (below), as listed in the Accounts Payable Report. The Board further authorizes the payment of District expenses incurred subject to their review and approval at the next Board meeting. Larry Davis seconded the motion. The motion passed.**

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**16-54 Theresa Sygitowicz moved to approve the Dairy Nutrient Management Plan for Blok Evergreen Dairy (Ed Blok). Dan Heeringa seconded the motion. The motion passed.**

**16-55 Theresa Sygitowicz moved to certify the Dairy Nutrient Management Plan for Dan B Noteboom. Dan Heeringa seconded the motion. The motion passed.**

**16-56 Larry Davis moved to request that the Washington State Conservation Commission facilitate creating a Memorandum of Understanding between the Department of Ecology and the Whatcom Conservation District regarding how the inspections would be done and the flow chart of decisions and how it would work with the Conservation District in Whatcom County. Theresa Sygitowicz seconded the motion. The motion passed.**

- 16-57** Larry Davis moved to adopt the draft Long Range Program, including comments from tonight, and send out to get public input. Theresa Sygitowicz seconded the motion. The motion passed.
- 16-58** Joe Heller moved to approve and sign an Inter-local Agreement with the Foster Creek Conservation District. Larry Davis seconded the motion. The motion passed.
- 16-59** Larry Davis moved to authorize payment of the WACD Dues in the amount of \$4,080. Joe Heller seconded the motion. The motion passed.

**IX. Adjournment.**

**There being no further business before the meeting, Larry Davis moved to adjourn the meeting at 9:37 p.m. Theresa Sygitowicz seconded the motion. The motion passed.**

The meeting, on motion duly made, seconded and carried, adjourned at 9:37 p.m.

Dated: October 6, 2016

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

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Dawn Bekenyi, Administrative Assistant