

**WHATCOM CONSERVATION DISTRICT  
Public Meeting Minutes  
May 11, 2017**

**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 May 11, 2017, at 6:30 p.m.

**II. Attendance and Quorum.**

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

Larry Helm, Chair  
Joe Heller

Larry Davis, Vice-Chair  
Theresa Sygitowicz

Also in attendance were:

George Boggs, Executive Director  
Dawn Bekenyi, Admin. Assistant  
Nichole Embertson, District Scientist  
Doug Allen, Department of Ecology

Alex Hall, NRCS staff  
Meg Harris, Water Quality Coordinator  
Heather Christianson  
Ty Keltner, Department of Ecology

**III. Meeting Called to Order.**

Larry Helm, Chair, called the meeting to order at 6:30 p.m.

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

There was no public comment either in writing or in person.

**V. Consent Agenda.**

The Board adopted a consent agenda for approval of the financial report and accounts payable. The financial report was mailed to the Board. 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.

**Larry Davis 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. Joe Heller seconded the motion. The motion passed.**

The following voucher/warrants are approved for payment:

April 2017 - balance					
Voucher (check) numbers	24742	through	24758	and totaling	38,311.75
Payroll check numbers:	24759	through	24778	and totaling	44,634.16
Voucher (check) numbers	24779	through	24780	and totaling	78,321.82
May 2017					
Payroll check numbers:	24781	through	24801	and totaling	46,824.35

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**VI. Water Quality Data Coordinator Introduction/Research Program Update.**

Meghan Harris introduced herself to the Board. She gave her background and told them that she is the District's Quality Data Coordinator. Meg said that water quality is important to her personally and professionally, since she likes to recreate in water related activities.

Meg gave a presentation on the Whatcom Clean Water Program, a collaborative group. She shared a map showing the water quality sampling sites that the group monitors. Sites are sampled on a monthly or bimonthly basis. In addition, there are sites that are visited more frequently during storm events. Temperature, dissolved oxygen and bacteria are sampled at most sites.

Theresa voiced a concern that some people saw multiple people sampling the same site in one day. Meg said that there is a lot of coordination between the sampling groups. Doug Allen spoke to the concern. Multiple samples and people would be trying to follow the trail of high counts. Doug suggested that he could provide a map to the Board that shows who samples where and how often. Larry Helm suggested that an editorial in the Lynden Tribune would be helpful to explain water quality tests to people. Meg pointed out that she coordinates all the data from the water quality testing and she does not see duplicate data. Erika Douglas, Whatcom County, is sharing the water quality map with the farmer groups.

Bottles of water go to the lab and come back as numbers. Meg collects, coordinates and sets up the data so that all members can share and access the data easily. Members can then visualize the data on maps, graphs or factsheets.

Meg shared milestones with the project. The group meets monthly. A lot of people would like to see this data. The information is available publicly through on-line maps. Complex analysis will be available soon through the database.

There was some discussion about the composition of the Whatcom Clean Water group. Meg is the universal coordinator data gathered by all groups. Nichole reported that the project came about to assist all the agencies. George spoke to the creation of the Whatcom Clean Water Group. It was formed in response to the Governor's initiative created in 2011. There are 15 agencies in the group. The Whatcom Clean Water Program is led by the coordinated by the State Department of Health.

**National Water Quality Initiative (NWQI) –**

Update from the Research Team: NRCS is contracting with the District to complete a watershed assessment and farmer outreach plan for the Tenmile Watershed. Nichole is leading her team. Meg's master's degree involved modeling. Andrew will assist with mapping. Aneka will develop the outreach plan. The assessment will assist NRCS in ranking projects that will return the greatest improvement in water quality (nutrients, sediment and bacteria) by modeling the interaction of sources and mechanisms of transport.

**Edge of Field Project –**

Scarlett Graham (Research Team Member) is working on the Edge of Field Projects. These are funded through the NRCS Environmental Quality Incentive Program (EQIP) funds to farmers. One project was installed last year. Three projects are set for installation this fall. All of the Edge of Field projects are in different drainages. One project will look at water quality through field tiles.

**ZAPs project –**

Nichole reported that the District was contracted by the State Dept. of Health to install ZAPs monitors. Two sites have been installed and staff are looking at installing three more. There was

discussion regarding how the ZAPS units collect water quality data and different methodologies that could be added to the process for source tracking. Theresa voiced concerns about objectiveness of scientific results vs. interpretation. Nichole said that the results come from scientific lab certified to complete the tests.

**Portage Bay Partnership** –

Nichole was chosen as the expert for the dairy farmers to help develop the farm plans called for under the Portage Bay Partnership. The Lummi Nation has yet to designate their expert.

**VII. Action Items.**

**A. Approval of Contracts.**

**Conservation Reserve Enhancement Program (CREP) Cultural Resources Survey Contract** –

As a result of cultural resource consultation with the Tribes and State Department of Archeological and Historic Preservation, an archeological site was identified in very close proximity to the project site. The Farm Service Agency has requested a cultural resource survey for the site in a response to Tribal concerns.

Three bids have been obtained from Archeological contractors. The lowest bid is \$2,500. CREP funding for the survey is available from and approved by the Conservation Commission staff.

**Larry Helm moved to approve the cultural resource survey contract for a CREP Project for approximately \$2,500. Joe Heller seconded the motion. The motion passed.**

**B. Approval of Agreements.**

**ZAPS Agreement with Installation Partners** –

Two ZAPs water quality monitors as part of the collaborative research project in the Nooksack watershed were installed. As part of the installation, an agreement between the WCD and the property owners of the facilities where the ZAPS units and associated pumping equipment were installed have been drafted. The agreements describe the work that the WCD performed, our responsibilities for maintaining the equipment, the duration of the project, and the method of conflict resolution, if needed.

**Joe Heller moved to approve the ZAPS agreements with the City of Lynden and Lynden Christian School. Theresa Sygitowicz seconded the motion. The motion passed.**

**National Water Quality Initiative (NWQI) Pilot Watershed Assessment – Tenmile Agreement** –

The Board reviewed a draft scope of work and budget to do the Tenmile Pilot Watershed Assessment under the NWQI program.

**Joe Heller moved to authorize the Board Chair to sign the Tenmile NWQI Pilot Assessment agreement as long as it is in line with the proposal reviewed. If issues arise, a special meeting will be called to review significant changes. Larry Davis seconded the motion. The motion passed.**

**C. King County West Point Wastewater Treatment Plant.**

There was discussion regarding the breakdown of a waste water treatment plant in King County. Hundreds of millions of gallons of untreated stormwater and raw sewage were dumped into Puget Sound.

Doug Allen, Department of Ecology, spoke to the matter. He expressed that the waste water treatment plant experienced probably preventable malfunctions. The Department of Ecology is doing everything that they can to get it back on-line. The Department of Ecology has an active and on-going investigation into the breakdown and expect to issue a large penalty.

Larry Helm asked to have the Whatcom Conservation District write a letter to the Director of Ecology asking that there be mitigation to off-set the impacts of the discharge. Joe Heller asked why the information was not getting to the general public. Larry Helm would like to see the issue moved along and publicly solved.

**Larry Helm moved to have a letter written to the Director of the Department of Ecology seeking some solution for the waste water treatment plant failure that reflects the impacts to the environment that we are trying to improve. Theresa Sygitowicz seconded the motion. The motion passed.**

There was discussion on what should be in the letter and how to get the information to the public.

Doug Allen gave an update on their current activities. The waste water treatment plant is not currently in violation. The value was shut off and the plant is undergoing chlorination treatment.

### **VIII. Other Business.**

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

##### Environmental Quality Incentives Program (EQIP) –

Alex reported on the number of applicants and those eligible for funding next cycle for state EQIP.

##### National Water Quality Initiative (NWQI) –

The NWQI funds are to address surface water quality issues; which are being used for upgrading and increasing manure storage facilities. The caps are higher than regular EQIP. There are 21 applications. People are coming in due to concerns about upcoming proposed CAFO regulations.

There was discussion regarding the proposed CAFO regulations. There are still a lot of questions regarding who will need a permit.

The Area Engineer is coming as much as she can to do evaluations on lagoons. Lagoons have to meet the standard at the time when it was built, if it is still functioning properly. If not, then it is NRCS policy that the structure must be decommissioned and replaced with one that meets the current practice standard.

In addition, a geologist is coming to complete core samples for sites for manure storage tanks.

#### **B. Supervisor Reports.**

##### Theresa Sygitowicz –

Theresa reported that with the late weather the farmers in the valley are just now beginning to plant. Usually there have been three rounds of green chop by this time, but they have only gotten one this year. There is a lot of mud and snow still in the hills.

##### Larry Davis –

The Whatcom County Ag Advisory Committee met last week. Larry reported that they finally had a quorum. He reviewed who the committee members were. The committee elected Larry as the Chair. He wants to revisit the Committee's policy that the Chair only votes to break a tie. He wants to make sure that he had a voice with a vote on the Committee. The Board agreed that they wanted Larry to have a vote on the Ag Advisory Committee.

##### Joe Heller –

The Farm Forestry 6<sup>th</sup> Grade tour is next week.

Tom Westergreen received a national award from the Tree Farmers Association. Tom just retired from the mill. Joe said that the Westergreen Tree Farm predates statehood.

Wayne Chaudiere has done some Firewise work with communities in the foothills.

**Larry Helm –**

It has been so wet this Spring, the cows are finally eating grass. Mud management has been hard. It is too wet to get any tractors in the field yet.

Larry asked if the District could get some information on how the Lummi Nation deals with their septic system. It was pointed out that Marietta is not on the Indian reservation, but is in Whatcom County.

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

**USDA –**

The Board decided to write a letter in support of Sunny Perdue's effort to consolidate NRCS, FSA and RMA into a single agency and co-locate them to bring better service and reduce costs of delivering farm programs. The agencies provide very important programs to our farmers and local agencies are understaffed. If the effect of consolidation is to ensure that Counties with significant agriculture have field offices this would be an improvement over the status quo.

Meetings – George listed several meetings in the near future and the Board figured out who would attend them.

Staff Reviews – George reported that he completed all staff reviews and an exit interview for Chuck, who is retiring at the end of June. George reviewed the review process, including the revised Employee Review form. Team leaders will discuss goals for their staff that have been here less than a year. The employee reviews are available if any Supervisors want to review them in the office.

**Presentation on Conservation Program on Agricultural Land (CPAL) –**

George reviewed the CPAL process, including the history of the Critical Areas Ordinance drafting in 1997. CPAL was a process in response to buffering all streams and ditches. John Gillies, NRCS, and farm planners said that a farm plan could allow for a variable buffer on streams and ditches. This evolved into the current CPAL program. There have been several versions of CPAL over the years. George has helped with the measured mechanisms due to impacts. The question is how effective is the variable buffer plan? It is being reviewed. Providing flexibility works. It should be sustained and continued. The county should not require farm plans everywhere as this would be an excessive requirement in many instances and also call for a great deal of resources to accomplish in a reasonable timeframe. A cost effective plan would be to require an assessment to see if a farm plan is warranted. Focus areas should receive the attention. The District's program has brought improvements to surface and ground water and habitat.

George sadly informed the Board that Jeremy Freimund, Lummi Natural Resources passed away.

To avoid the delay in providing technical assistance, the County has offered \$10,000 as a bridge to the next PIC agreement. Staff recommend that the Board approve the extension of the current agreement.

**Larry Helm moved to approve and sign the agreement for the PIC Technical Assistance bridge funds in the amount of \$10,000. Larry Davis seconded the motion. The motion passed.**

**IX. Record of Board Actions.**

**17-33 Larry Davis 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. Joe Heller seconded the motion. The motion passed.**

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- 17-34 Larry Helm moved to approve the cultural resource survey contract for a CREP Project for approximately \$2,500. Joe Heller seconded the motion. The motion passed.**
- 17-35 Joe Heller moved to approve the ZAPS agreements with the City of Lynden and Lynden Christian School. Theresa Sygitowicz seconded the motion. The motion passed.**
- 17-36 Joe Heller moved to authorize the Board Chair to sign the Tenmile NWQI Pilot Assessment agreement as long as it is in line with the proposal reviewed. If issues arise, a special meeting will be called to review significant changes. Larry Davis seconded the motion. The motion passed.**
- 17-37 Larry Helm moved to have a letter written to the Director of the Department of Ecology seeking some solution for the wastewater treatment plant failure that reflects the impacts to the environment that we are trying to improve. Theresa Sygitowicz seconded the motion. The motion passed.**
- 17-38 Larry Helm moved to approve and sign the agreement for the PIC Technical Assistance bridge funds in the amount of \$10,000. Larry Davis seconded the motion. The motion passed.**

**X. Adjournment.**

There being no further business before the meeting, Larry Helm adjourned the meeting at 9:08 p.m.

Dated: September 27, 2017

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Dawn Bekenyi, Administrative Assistant

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