

**WHATCOM CONSERVATION DISTRICT
Public Meeting Minutes
July 8, 2009**

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 July 8, 2009, at 7:00 p.m.

II. Attendance and Quorum.

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

Dick Yoder, Chair	Ed Stone, Vice-Chair
Joe Heller, Treasurer	Larry Davis
Terry Lenssen	

Also in attendance were:

George Boggs, District Manager	Alex Hall, NRCS staff
Dawn Bekenyi, Admin. Assistant	Stu Trefry, WSCC staff
Chris Clark, WCD staff	Chuck Timblin, WCD staff
Dean Martin, Whatcom County staff	Robert Barker, WCD Associate Supervisor

III. Meeting Called to Order.

Dick Yoder, Chair, called meeting to order at 7:04 p.m.

IV. Approval of Minutes of Previous Meeting.

Ed Stone moved that the minutes of the June 10, 2009 Board meeting be approved as mailed. Terry Lenssen seconded the motion. The motion passed.

V. Financial Report.

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

Dawn Bekenyi, Administrative Assistant, asked if there were any questions regarding the Financial Report. There were no questions.

Terry Lenssen moved to approve the Financial Report. Ed Stone 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 authorized 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:

June 2009 - balance					
Voucher (check) numbers	<u>16917</u>	through	<u>16947</u>	and totaling	<u>128,919.68</u>
Payroll check numbers:	<u>16948</u>	through	<u>16962</u>	and totaling	<u>26,653.32</u>

July 2009				
Voucher (check) numbers	<u>16963</u>	through	<u>16971</u>	and totaling <u>3,692.83</u>
Payroll check numbers:	<u>16972</u>	through	<u>16986</u>	and totaling <u>27,190.07</u>

moved by Larry Davis. Joe Heller seconded the motion. The motion passed.

Washington Conservation Commission Grant Authorized Signatures Form –
 There was discussion regarding the grant authorized signature forms and who would be given authority to sign. It was decided to keep the authorized signatories as is, with the Board and George, for most categories.

VI. Presentation of District Activities with Conservation Program on Agricultural Lands (CPAL)

Chuck Timblin gave a CPAL Power Point presentation. Chuck began by describing CPAL and how standard farm conservation plans are being applied to meet CPAL. Language from Whatcom County’s Critical Areas Ordinance (CAO) defines Conservation Program on Agricultural Lands (CPAL), **“ongoing agricultural activities shall be permitted within critical areas, and/or their buffers...pursuant to an approved conservation program established in this section.”** Chuck outlined the types of Critical Areas and the required buffers without a farm plan. He then explained the three tiers of farm plans. 1. Custom Nutrient Management Plans (high impact farms – Concentrated Animal Feeding Operations (CAFOs)/dairies), 2. Standard farm conservation plan (low impact farm - check list plan), 3. Moderate impact farm plan.

Whatcom County has many livestock operations that fit into the low-impact category. Almost all of these have critical areas. The Standard Farm Conservation Plan is a checklist approach modeled after British Columbia’s Environmental Farm Planning Program and Extension’s Farm*A*Syst checklists. Most of these farms tend to have a common set of problems and solutions. These farms are eligible for Standard Farm Conservation Plans. Moderate and High impact farms must complete custom farm conservation plans. Chuck defined a low impact farm and the planning process. In addition to the check list, the District created a booklet *“Tips on Land & Water Management for Small Farm and Livestock Owners in Whatcom County, Washington”* to use as a planning tool for landowners to formulate their farm action plans.

Chuck explained that this year Whatcom County Public Works had some grant funds available for activities in the Drayton Harbor Watershed that could be used for small farm cost-share. Three landowners were able to utilize funds through this limited window of opportunity and installed fencing and/or livestock watering systems.

Following the Power Point presentation, there was discussion regarding follow-up on farm plan action by Whatcom County. Whatcom County has provided staff and support to the CPAL program. Chuck reported that the Conservation District completed 50-60 standard farm conservation plans this last year. Chuck is currently working with 30 or so additional individuals.

The letters sent out by Whatcom County to landowners is an area of concern. Whatcom County should identify the critical areas concern or problem in the initial contact letter and not start out with the fine information. The Board wants to make sure that people are aware that the Whatcom Conservation District is not an enforcement agency. We are here to assist landowners with advice and cost-share to meet the rules and regulations set out by the authorized enforcement agencies.

Dean Martin, Whatcom County Planning, informed the Board that Whatcom County’s Ag Advisory Committee would like to meet to review the CPAL program. They would like to make the program successful.

People are completing their standard farm conservation plans, but many are not filing these with Whatcom County. Individuals have voiced a reluctance to file the plan for fear of inspections.

The clause appears to allow Whatcom County to come on their land to inspect it at any given time. George Boggs explained that Whatcom County has to give a landowner reasonable notice and a basis for why they want to inspect the property. He explained that there is a difference between an administrative search and a criminal search. George suggested that it would benefit the program for the County to hold a public meeting to explain the inspection process.

George reported that there was a possibility that the Puget Sound Partnership may have funds available for small farm cost-share in the near future.

Water quality results and volunteer testing were discussed.

VII. Action Items.

A. Approval of Contracts.

Livestock Cost-share –

Chris Clark submitted four cost-share practice categories and components for Board review. While these are Natural Resources Conservation Service (NRCS) practices, they have been excluded from the current list of eligible practice components for the Environmental Quality Incentive Program (EQIP).

- 1. Irrigation System: Sprinkler – “Big Gun” type irrigation sprinklers.**
- 2. Manure Transfer: Bedding Recovery Units (BRUs), sand separation systems, and composting machines to separate manure solids and/or sand for reuse as bedding. Distribution hose – both flex and hard hose plus reel.**
- 3. Waste Utilization: Manure Tankers for hauling manure and Manure Injectors.**
- 4. Pumping Plant – Include electrical costs associated with installing pumps. Include booster pumps included on sprinkler system.**

State livestock cost-share is for practices that address nutrient and pathogen management to help producers meet their nutrient management farm plan goals.

Irrigation is the key to nitrogen uptake by plants. If plants become stressed due to limited water, they stop growing in which case they do not use as much nitrogen. Excess nitrogen can be leached into groundwater.

Joe Heller moved to approve and include the four cost-share practice categories and components (see list) as state cost-share eligible in addition to the current EQIP cost-share practice list. Terry Lenssen seconded the motion. The motion passed.

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

Ed Stone moved to approve the livestock cost-share applications for:

- 1. Faber Dairy LLC (Harry Faber) – manure storage tank at 75% of actual costs not to exceed \$25,000,**
- 2. Tim Vander Haak – pumping plant at 75% of actual costs not to exceed \$25, 000,**
- 3. Coldstream LLC (Jeff Rainey) – waste storage, manure transfer (bedding recovery unit) at 75% of actual costs not to exceed \$25, 000,**
- 4. Silvergate Dairy (Wyste Bouma) – manure transfer tunnel and pumping plant at 75% of actual costs not to exceed \$25, 000**

and submit to the WA State Conservation Commission for funding consideration. Terry Lenssen seconded the motion. The motion passed.

National Fish and Wildlife Foundation (NFWF) Contract –

The District received a NFWF grant for the Ten Mile Creek at Belle Wood Acres for \$34,807.00 with \$18,700.00 match.

Terry Lenssen moved to approve and sign the NFWF contract for the Ten Mile Creek Belle Wood Acres project in the amount of \$34,807 with \$18,700 match. Joe Heller seconded the motion. The motion passed.

B. Washington Association of Conservation District (WACD) Dues –

The Washington Association of Conservation Districts (WACD) dues notice was received in the amount of \$3,800. There was discussion about when payment was made last year. The District approved the payment in October and brought it to the annual convention. It was decided to approve the dues payment and submit at a later time.

Terry Lenssen moved to approve payment of the Washington Association of Conservation Districts annual dues in the amount of \$3,800. Larry Davis seconded the motion. The motion passed.

VIII. Other Business.

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

Environmental Quality Incentive Program (EQIP) –

The NRCS Lynden Field Office is wrapping up the process of obligating funds for the Fiscal Year 2009 funding cycle. \$620,000 was obligated to 4 dairies, 1 crop farm, and 1 small farm producer. Seven more applications may be deferred into the next fiscal year's funding. NRCS Staff is working on three active organic producer EQIP applications. Alex reported on their obligation and planning deadlines. The Fiscal Year 2010 EQIP sign up deadline is August 15, 2009.

The Wildlife Habitat Incentive Program (WHIP) projects are also being obligated.

Technical Service Provider –

A technical service provider (TSP) work order for WCD Staff Bill Bonsen and Chris Clark, through September 2009, has been submitted and approved by the Natural Resources Conservation Service (NRCS). The WA State Conservation Commission needs to sign the agreement.

B. Supervisor Reports.

Joe Heller –

George Boggs, Carolyn Kelly, Skagit Conservation District Manager and Joe attended the Washington Association of Conservation Districts (WACD) meeting in Ellensburg. Read Smith, 25x'25 Alliance, gave a presentation. The 25x'25 Alliance wants to replace fossilized fuels with other options and alternative fuels. There was discussion regarding carbon sequestration and forestry and agricultural impacts. The Alliance is looking for funding. It was hoped that the funding will be for on-the-ground projects, not research. George reviewed the utilization of char in soils as carbon sequestration. George will continue to monitor developments on this project idea. It could develop a new income stream for farmers and foresters.

25x'25 Alliance Vision Statement: By 2025, America's farms, forests and ranches will provide 25 percent of the total energy consumed in the United States, while continuing to produce safe, abundant, and affordable food, feed and fiber.

Terry Lenssen –

Nichole Embertson gave a presentation at the local Dairy Federation meeting. It was mostly well received.

Larry Davis –

Larry Davis has been elected as the new chair for the Natural Resources Conservation Service (NRCS) Local Work Group (LWG).

C. George Boggs, District Manager.

Competitive Grants –

The National Fish and Wildlife Foundation approached the WA State Conservation Commission (WSCC) to match funds for a competitive grant program. George explained that with the current budget the WSCC requested input from Conservation Districts about releasing approximately \$5,000 from their Implementation grants to put into a pool for the competitive grant. There was very little information provided on what the competitive grant process would be like. George asked the Board what they would like to do. The Board unanimously decided to keep their Implementation allocation and decline the opportunity for a competitive grant.

D. Stu Trefry, WA State Conservation Commission.

Funding –

Stu Trefry, Northwest Region Manager for WSCC reported that the Commission was going to meet next week to decide how to divide the funding allocation. He explained that the Commission will be looking at a list of criteria to determine Conservation Districts' standing in regards to impacts on their funding. Whatcom Conservation District is in good standing. We will receive 100% of our funding allocation. 23 of the 47 Conservation Districts have some shortfalls. Stu reviewed the list of District standings.

E. George Boggs, District Manager.

District Operations Review –

George gave the Board a Power Point presentation on the WA State Conservation Commission's District Operations Review (DOR). DOR is designed to help Districts perform at capacity by reinforcing sound operational procedures and identifying opportunities to improve District operations. The review also helps strengthen accountability by reviewing operating procedures under applicable local, state, and federal laws, regulations and policies. The last review done by the WSCC was done in April 2004. Stu said that they don't do a review, if it is not deemed necessary.

Chapter 89.08 RCS is the enabling statute for conservation districts. This provides the framework for Districts and outlines District's limitations and opportunities.

George continued to give the Board status on all of the actions under the District Operations Review. The District needs to update its long-range plan.

The designation of District Auditor and Treasurer was brought up. Stu reported that two of the 47 Conservation Districts have designated staff as District Auditor and a Board member as District Treasurer. He stated that the idea behind the RCW was to have the Treasurer be the person that writes the checks and handles the money. The Auditor is the person in an oversight role vis-à-vis the Treasurer. George reviewed the matter and determined that in corporate law; legally the Treasurer is a member of the Board. Therefore he and the previous Board believed that the terms were misapplied and reversed them. George suggested during the presentation that the Board could review this designation.

Budget –

The framework for the 2009-10 District budget will be completed for the next Board meeting. We have been waiting for the final distribution action by the WSCC. That will come at the WSCC meeting in Republic on July 15th & 16th.

F. Dean Martin, Whatcom County.

Planning –

Dean Martin reported that Whatcom County is working on updating rural zoning. A public hearing is scheduled for July 9, 2009 regarding the rural element of the Growth Management Act (GMA) and zoning. The Whatcom County Council is looking to move zoning to 1-10 acres, which is one house per 10 acres in rural areas. Some rural areas currently have 1-5 acres. The zoning needs

to be in compliance with the GMA by the end of the year. Urban Growth Areas (UGA) for all cities in Whatcom County also need to be updated by December 1, 2009.

Purchase of Development Rights (PDR) Program –

Dean reported that the County did not receive any NRCS matching funds for the PDR program this year. There was a 19% loss of agricultural acreage between 2002 and 2005.

Whatcom County Ag Advisory Committee Meeting –

The Ag Advisory Committee would like to meet sometime in August to review the Critical Areas Ordinance Program.

Dean reported that the Whatcom County Council had passed a resolution to support agriculture and ag lands at its July 7, 2009 meeting.

IX. Record of Board Actions.

09-62 Ed Stone moved that the minutes of the June 10, 2009 Board meeting be approved as mailed. Terry Lenssen seconded the motion. The motion passed.

09-63 Terry Lenssen moved to approve the Financial Report. Ed Stone seconded the motion. The motion passed. Upon motion made and duly seconded, the Treasurer's Report was approved.

09-64

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Payroll check numbers:	<u>16972</u>	through	<u>16986</u>	and totaling	<u>27,190.07</u>

Moved by Larry Davis. Joe Heller seconded the motion. The motion passed.

09-65 Joe Heller moved to approve and include the four cost-share practice categories and components (see list) as state cost-share eligible in addition to the current EQIP cost-share practice list. Terry Lenssen seconded the motion. The motion passed.

- 1. Irrigation System: Sprinkler – “Big Gun” type irrigation sprinklers.**
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- 4. Pumping Plant – Include electrical costs** associated with installing pumps. Include **booster pumps** included on sprinkler system.

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- 4. Silvergate Dairy (Wyste Bouma) – manure transfer tunnel and pumping plant at 75% of actual costs not to exceed \$25, 000**

and submit to the WA State Conservation Commission for funding consideration. Terry Lenssen seconded the motion. The motion passed.

09-67 Terry Lenssen moved to approve and sign the National Fish and Wildlife Foundation (NFWF) contract for the Ten Mile Creek Belle Wood Acres project in the amount of \$34,807 with \$18,700 match. Joe Heller seconded the motion. The motion passed.

09-68 Terry Lenssen moved to approve payment of the Washington Association of Conservation Districts annual dues in the amount of \$3,800. Larry Davis seconded the motion. The motion passed.

X. Adjournment.

There being no further business before the meeting, Joe Heller moved to adjourn the meeting at 9:50 p.m. Terry Lenssen seconded the motion. The motion passed.

The meeting on motion duly made, seconded and carried, adjourned at 9:50 p.m.

Dated: September 3, 2009

Approved: _____

Dawn Bekenyi, Administrative Assistant