

# Snohomish County Agricultural Advisory Board

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## REVISED MEETING SUMMARY October 6, 2009

### ATTENDEES

#### Board Members - Present

Jesse Allen	Brian Bookey	Elizabeth Christianson	Mark Craven
Dan Douglas	Mike Harnden	Gerald Labish	Jackie Macomber
John Postema	Nick Van Dam		

#### Board Members - Absent

David Remlinger

#### PDS Staff

Joan Langlais                      Tom Niemann

#### Economic Development Staff

Ryan Hembree                      Linda Neunzig

#### Executive Office

Brian Parry

#### County Council

Dave Somers

#### Surface Water Management

Sean Edwards	Jon Schmidt	Debbie Terwilleger	Steve Thomsen
Tim Walls			

#### Cascade Land Conservancy

Nick Harper

#### Others

Merle Ash	Bill Best	Denise Kryger	Edwin Stocker
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### 1. CALL TO ORDER, INTRODUCTIONS, ANNOUNCEMENTS

Chair Bookey called the meeting to order at 10:06 a.m. and asked all present to introduce themselves.

### 2. OVERVIEW OF SNOHOMISH COUNTY SALMON RECOVERY PLANS (Snohomish County Surface Water Management)

Public Works Director Steve Thomsen introduced Acting Surface Water Management (SWM) Director Deb Terwilleger and Tim Walls, SWM, who leads the Salmon Conservation Program.

Tim gave a PowerPoint presentation on the salmon recovery plans. Several salmonids in Snohomish County are at risk of extinction and are thus listed as threatened under the Endangered Species Act: Chinook and bull trout char in 1999 and steelhead in 2007.

All levels of government, including cities, counties, and tribal governments, must respond to the listing. The federal government lead agencies are the National Marine Fishery Service (NMFS) for Chinook and steelhead and U.S. Fish and Wildlife for bull trout. The Washington Department of Fish and Wildlife Service is the state lead agency.

For Puget Sound Chinook, the Shared Strategy for Puget Sound created the Puget Sound Salmon Recovery Plan, which contains the 14 watershed plans as chapters, plus a nearshore/marine chapter. Snohomish County's watersheds are the Snohomish River Basin (WRIA7) and the Stillaguamish (WRIA5).

#### Why is the county involved?

- ESA mandates that counties take action.
- The GMA states that land use and rural development must be compatible with the use of land by wildlife and fish and wildlife habitat.
- Potential for support, funding, and assistance for permitting projects may result.
- Local communities maintain greater local control if they participate in recovery.
- Local jurisdictions and tribes passed motions asking Snohomish County to take a leadership roll in salmon recovery.

#### What happens if the county does nothing?

- A "take" case could be filed against the county.
- Greater federal scrutiny on water ways and activities that take place adjacent to them
- Potential loss of funding for road maintenance projects, etc.
- Potential loss of local control if the fish are listed as endangered; the federal government would mandate actions and activities for which we now have control (e.g. land use).

#### How were the plans developed?

- The federal government accepted locally developed planning effort (first time in ESA).
- A series of technical efforts led to the development of recovery strategies and targets.
- Local plans were guided by watershed groups comprised of stakeholders and ag communities.
- There was a strong public outreach and involvement component from February 2003 to May 2004. Communities met to develop plans, hear comments, and review draft plans. For example, meetings were held with the Snohomish County Agriculture Advisory Board, the Farm Bureau, individual farmers, and diking districts.
- Plans were adopted by individual watersheds in June 2005.
- NOAA adopted the Puget Sound Salmon Recovery Plan in January 2007.

#### The plans:

- Set target population numbers for recovery (e.g., 84,000 Snohomish Chinook).
- Outline actions for each "H" (harvest, hatchery management, hydro / dams, habitat restoration / protection).
- Set 10-year milestones for habitat protection and restoration. Because recovery will take longer than 10 years, local groups must evaluate population increases or decreases at the end of 10 years and develop any actions or restoration targets.
- Co-managers (Department of Fish and Wildlife and the Tribes) manage harvest and hatchery actions.
- Local jurisdictions have authority over habitat restoration and protection, which is where SWM and our watershed partners do most of their work.
- Snohomish Basin – of all target areas, in all land use types, restore 1,811 acres
- Stillaguamish Basin – of all target areas, in all land use types, restore 845 acres

Specific to the ag community, the plans:

- The Snohomish River Basin Salmon Conservation Plan outlines approaches for engaging and involving major land uses in the basin.
- List objectives such as supporting viable ag in the county, cooperatively identifying and implementing projects, and encouraging the use of incentives to help complete projects
- Emphasize restoration of public lands first (to show leadership and lessen impact on private landowners).

Progress:

- The Board is seeing a series of projects coming forward, because the watersheds are in the implementation phase.
- Snohomish Basin - ~975 acres being restored for \$11.5M
- Snohomish Basin – Fish populations are trending upward.
- Stillaguamish Basin - ~105 acres being restored for \$7.8M
- Stillaguamish Basin – Fish population trends are inconclusive, with the South Fork population declining and the North Fork population fluctuating.

How do restoration projects move forward?

- The plans identify specific projects, based on fish needs and public input.
- Various jurisdictions and others have committed to certain projects.
- Landowner willingness, available funding, technical feasibility are among the criteria that determine whether projects advance to construction.
- Three year work plans and process analyses determine project specifics.

As long as progress is made, watersheds can retain local control and adapt plans and actions as needs dictate.

Discussion followed.

- The board members understand the necessity of salmon recovery but have problems with the continued loss of ag land.
- Tim said that the county currently has all the public land it needs in the Snohomish River Estuary. Similarly, public or private conservation ownership is in place to reach the Stillaguamish 10-year estuary milestone.
- Sean Edwards, SWM, said that the ten-year estuary habitat target in the Stillaguamish Salmon Recovery Plan is 315 acres. The total area to be restored by the Leque Island and Nature Conservancy projects will be about 265 acres (115 acres for Leque island and 150 acres for the Nature Conservancy property). These two projects will bring us close to our ten-year target, but we will still be about 50 acres short.
- Sean explores opportunities for salmon recovery, estuary restoration and maintaining a viable farming economy with Tribal partners. He looks forward to using Focus on Farming as an opportunity for conversation.
- There was discussion regarding the imbalance of money spent to restore salmon versus that to enhance agriculture. The board stressed the need for a balance. Steve Thomsen agreed and said that county staff need to work with the ag community to bring organizations that fund salmon recovery to the table. The county applies for federal grants to secure money for salmon preservation. Perhaps some of that money should be set aside for ag. If the federal government saw that the Snohomish County Agricultural Advisory Board and the Snohomish County Farm Bureau proposed ideas and plans to balance ag and fish, there could be a way to access funds or change legislation. It would take a concerted effort. An initial step would be to agree on how to approach the topic before approaching the people with the money.

- Board members also have a problem with the imbalance between agricultural needs and fish needs. John Postema suggested a legislative process. Chair Bookey indicated that that this would be addressed during Councilman Somers' following discussion.
- There was continued discussion regarding this imbalance with the number of paid government employees working on SWM projects versus employees working on ag projects and unpaid farmers working on them. Chair Bookey said that Steve Thomsen had just mentioned the need to work together to win a place at the table to request funding for ag. Ryan Hembree noted that the ag industry receives funding from the Farm Bill as well as from value added processing grants.

### **3. APPROVAL OF SEPTEMBER 9, 2009, MEETING SUMMARY**

The September 9, 2009 meeting summary was approved as submitted.

### **4. PUBLIC COMMENT**

Bruce King is new to farming. About two years ago, he bought land, zoned for ag, on Ebey Island to get started. A year later, the Department of Ecology (DOE) told Bruce that his land was not farmland and that he should not be farming it. Bruce argued unsuccessfully with DOE for 18 months. He was cited and fined for several infractions by DOE. He also received seven code violation complaints and fines, which he thought were initiated by PDS employees, from PDS regarding work he did on his property. Most recently, NMFS declared Ebey Island an endangered killer whale habitat, and he was told he could not continue with his plans to build a barn. He decided to proceed anyway, but can't get needed information. He is confused and angry.

The collective board was unhappy that they had not previously been notified of Bruce's situation and wondered why. Tom Niemann suggested that Tom Rowe could respond to Bruce and the board on PDS' behalf.

Linda Neunzig reported on the November 5, 2009, Focus on Farming Conference, which will be held at the Tulalip Resort and Conference Center. On-line registration begins on October 7, 2009. Cost of the conference is \$40. The youth cost is \$10. Scholarships are available for those in need.

Ryan Hembree mentioned that the Agriculture Land Use and Policy Summit will be held on November 4, 2009. This is an educational opportunity for farmers, land and water agency staff, elected officials, and all those interested and concerned about land and water interface. Invitations will be mailed via e-mail.

Dan Douglas referred to a question that came up during the August meeting regarding the Three Rivers Mobile Home Park, flood hazard insurance, and potential effects on mobile units in the ag area. The board agreed to look into the situation. John Postema said that FEMA is the agency behind the question. He added that FEMA is also behind the killer whale management plan on Ebey Island. The board has asked for an update on FEMA rules and requests that it take place very soon.

Nick Harper, Cascade Land Conservancy (CLC), had hoped to talk about a grant that CLC received from National Resources Conservation Service (NRCS) for a 240 acre PDR project at the Ellison Farm in the Stanwood area. The county has been supportive of the project and is working with CLC. CLC will request matching funds from the Conservation Futures Board.

**5. ESTABLISH COMMITTEE TO DEVELOP AGENDAS FOR ANNUAL JOINT MEETINGS WITH COUNCIL AND EXECUTIVE (All)**

The ag board's joint meeting with the executive is scheduled for December 9 following the regular meeting. It may be necessary to reschedule the regular meeting to December 9. The joint meeting with the council has not yet been scheduled. The board was asked to think about agenda items and e-mail them to Brian Bookey and Mark Craven.

**6. NPDES – MANDATED INSPECTIONS OF COMMERCIAL ANIMAL HANDLING FACILITIES (Jon Schmidt, Snohomish County Public Works)**

Please refer to "Inspections of Commercial Animal Handling Areas," which was included in the agenda packet.

The goal of the inspection process is to provide education, outreach, and eliminate surface water pollution. The county is mandated to comply with the NPDES (National Pollutant Discharge Elimination System) permit and to ensure that businesses within incorporated Snohomish County are consistent with and responsive to the permit requirements. This is a new program, and SWM staff will not anticipate that everyone will know about the requirements.

When asked why the Stillaguamish Basin is not included in the inspection program, Debbie Terwilleger said that when the permit was adopted, the Stillaguamish requirement had not been finalized. The basin was therefore not automatically included. The next time the permit is renewed or adopted, it will be included.

There was discussion about having the Conservation District perform the inspections rather than PDS. Jon said that SWM works with the Conservation District, which is included in SWM's budget.

There was concern that SWM inspectors might report nonrelated violations. Deb Terwilleger responded to those concerns and said that SWM is in the inspection business; PDS is in enforcement.

**7. REPORT FROM BOARD'S USE MATRIX COMMITTEE (All)**

The use matrix subcommittee met. The primary topic was composting. Subcommittee members discussed definitions of composting, guidelines, and what they hope to accomplish. The subcommittee hopes to meet monthly to continue discussions.

Mark Craven will meet with Owen Carter, Snohomish County Engineer, to discuss traffic studies and issues that arise as a result of composting.

Brian Parry asked the board for a definition for "noncompatible use" as it relates to farming. The use matrix subcommittee will work on that.

**8. DISCUSSION DRAFT AGRICULTURE AND RESOURCE LAND BASE ENHANCEMENT PROGRAM REFERRED TO BOARD BY COUNCILMAN SOMERS (All)**

Please refer to Councilman Somers July 15, 2009, memorandum to the board regarding his proposal for resolving or reducing natural resource conflicts in Snohomish County. There is a fish plan; there is no farm plan, but one is needed. See Attachment A of the memo for his proposed plan, goal, and elements. Councilman Somers asked for feedback.

Discussion regarding restoration projects, a potential moratorium, and Councilman Somers' plan followed. Mark Craven was opposed to a moratorium on ag land only, stating that if there were a moratorium, it should also include radio towers, annexations, etc. He supported Councilman Somers' proposal. John Postema, on the other hand, supported the moratorium. Brian Parry said that the

executive office supported the goals of the proposed moratorium but would need the ag board to clearly define “nonfarm use” and allow public comment to have a clear understanding of the impact to landowners before implementing a moratorium.

After further discussion Mark Craven moved to support Dave Somers’ approach. Dan Douglas seconded the motion. The motion was modified to include a six-month timeline for the process. The amended motion passed.

**9. UPDATE ON FARM/FISH POLICY WORKING GROUP** (Ryan Hembree)

The Farm/Fish Policy Working Group is comprised of Brian Bookey, Nick Harper, Dave Remlinger, and Terry Williams.

Ryan Hembree is scheduling meetings and working on an agenda. He is meeting with public works and PDS staff.

The ag board was concerned about overlap of this group and Councilman Somers’ proposed forum. Ryan agreed that there would be some duplication of effort but felt that could provide opportunities for growth. Brian Parry suggested that the work of the Farm/Fish Policy Group would help inform the executive’s position related to Councilman Somers’ proposed forum.

**10. CLOSING** (1:10 p.m.)