

Snohomish County Agricultural Advisory Board

MEETING SUMMARY April 14, 2009

ATTENDEES

Board Members - Present

Jesse Allen	Brian Bookey	Elizabeth Christianson	Mark Craven
Dan Douglas	Mike Harnden	John Postema	Dave Remlinger
Nick Van Dam			

PDS Staff

Mark Beardslee	Howard Knight	Joan Langlais	Tom Niemann
Tom Rowe			

Office of Economic Development Staff

Ryan Hembree	Linda Neunzig
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Public Works/Surface Water Management Staff

John Engel	Craig Garric	Jake Jacobson	Steve Thomsen
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WSU Extension

Curt Moulton

Others

Max Albert	Merle Ash	Chris Bateham	Marc Bhend
Bill Blake	Daniel Golner	Denise Kryger	Bob Lovejoy
Paul Nissen	Marvin Thomas	Mike Wolanek	

1. CALL TO ORDER, INTRODUCTIONS, ANNOUNCEMENTS

Chair Brian Bookey called the meeting to order at 10:00 a.m., asked all present to introduce themselves, and asked for announcements. There were none.

2. APPROVAL OF 3/10/09 MEETING SUMMARY

The March 10, 2009, meeting summary was approved as written.

3. PUBLIC COMMENT

- Owen Carter, acting Surface Water Management Director introduced himself. He stated that the department will look at surface water as a whole before hiring a permanent director. The department is starting its 2010 budget process. Revenues are down.

Because much of the budget relies on the real estate excise tax (REET), there are concerns about the surface water program. Program priorities, potential delays, and shifting of money around are being considered. He should have a better idea of projects and potential impacts on ag in the next few weeks and will tentatively return to talk to the board in May.

- Sonny Gohrman, Snohomish County Noxious Weed Coordinator, introduced the WWHAM (Washington Wilderness Hay and Mulch) program (see the informational pamphlet that was distributed and the website www.nwcb.wa.gov). Snohomish County's noxious weed board is unable to follow through with the program. Neither the Conservation District nor WSU Extension is able to run the program. Board members expressed interest in learning more. Sonny will work with Tom Niemann to schedule a briefing.
- Linda Neunzig is working on Focus on Farming 6, scheduled for November 5, 2009. She wants the board's input on a new feature, an Ag Board/Ag Commission forum on November 4, which would include all ag boards, ag commissions, and elected officials for a discussion of land use policies and issues that affect Western Washington counties. A speaker from Missouri State University, a specialist in these areas, would lead the meeting. The board agreed to participate; Betsy Christianson volunteered to help Linda.
- Another Ag Roundtable is scheduled for May 4, 2009, 10:00 a.m., in the Robert Drewel Building, 6th floor, conference room to be announced. There will be a talk about water rights issues, per a request at the last roundtable. Linda asked board members to e-mail her at Linda.Neunzig@snoco.org if they plan to attend.
- Linda will meet with the owner of Oliver McMillan, the development group that is working on the Everett green project and is still interested in a full time, farmers' market. The effort is moving forward.
- Ryan Hembree announced that the oilseed crusher was delivered to Cathcart on April 13, 2009, and is being installed. Ryan walked through the facility with the Washington State grain storage auditor and went through the record and the entire facility with Wolfkill Fertilizer. All looked good.
- Brian Bookey received a letter from County Council Chair Mike Cooper asking him, or another representative of the ag board, to attend an economic development workshop on May 29. Brian will plan to attend unless another board member would prefer to go.
- Marc Bhend again sought the board's support for his proposal to build an RV Park near Snohomish. (Tom Niemann distributed copies of an e-mail from Marc that he had received shortly before the meeting.) Brian Bookey confirmed that the board had referred the issue to the use matrix subcommittee but did not yet have a response. He reminded Marc that the ag board is an advisory body which represents agriculture, supports uses that are consistent with agriculture, and works toward the preservation of agriculture, present and future.
- The board has been asked to have post-meeting discussions away from the Public Works' reception area, to take them to the elevator lobby or elsewhere.

4. SMITH ISLAND UPDATE (item moved up in agenda) (Steve Thomsen, Public Works Director)

Following up from last month's meeting and concerns of the Smith Island horse boarders, Steve Thomsen announced that public works agreed to extend the license agreement for them to stay on the Smith Island farm for another six months at the end of which, the agreement will be revisited. Brian Bookey asked that Jackie Macomber be kept updated.

Public works staff distributed a draft response to the ag board's 9-9-08 No Net Loss of Farmland paper and a draft Smith Island Estuary Restoration Project Conceptual Site Plan. Staff will move toward a three-dike alignment, which will preserve more or less ag land and/or land for habitat mitigation than the previous alignment. Public works is making this change in response to the ag board's guidance policy to reach a balance and so everybody can win with the project. Steve's vision is that there will be something for the ag community, transportation, mitigation, and regulatory agencies that are trying to preserve endangered species.

Steve discussed the paper and the map in detail and answered questions.

- John Postema asked why public works is restoring Smith Island. Steve answered that the original vision was to buy the entire island and convert it to salmon habitat. John said that the island was designated as farmland 15 years ago and asked whether any farming would be possible when the restoration is complete. Steve said yes, depending on dike alignment, and discussed the possibilities.
- John asked how this project is different from Marc Bhend's request to build an RV park on designated ag land. Steve answered that Marc Bhend would not be preserving salmon.

John wondered whether it might be better for the county council to dedesignate the acreage. John moved that the board send a letter to the county council and the executive opposing any loss of designated farmland unless it has been dedesignated by the council through the proper processes. Dave Remlinger seconded the motion. The motion passed.

Steve gave an overview on the SEPA status of the Smith Island project. A program level SEPA checklist is being prepared.

- The draft will be available for public review between April 21 and April 30.
- There will be a 30-day review period. This is when the ag board could respond. Steve suggested that the board "cc" its response to the county council and the executive.
- Public works will provide copies to the ag board.

Steve asked the board to not only look at the project and issues but to also address what it wants to see from the project. Public works wants the project to benefit the ag community in general. Public works does have the ag board's goals in mind, but other issues must be considered as well.

The board agreed to have a special work session on Tuesday, August 28 from 10:00 a.m. to 12:30 p.m. to discuss how to address the board's input and set some ground rules for this and future projects (including those presented at this meeting).

Howard Knight provided some permitting information on the nearby Biringner Farm estuary and restoration project as requested at a previous meeting.

- No shoreline permit was issued.
- The original project was developed under the guidance of the ESA. It was in the City of Everett's 2001 Snohomish Estuary Wetland Integration Plan and the county's 2005 Snohomish Basin Salmon Conservation Plan.
- The applicant was the Port of Everett.
- The port requested a grading permit application in November 2007 and was granted an early and a final permit.
- The port requested a Shoreline Substantial Development Permit Exemption. They received an exemption on the basis that the project would implement local, regional watershed plans as provided for in the Shoreline Management Plan. An exemption letter

was issued in February 2008 with the condition that, "This exemption shall not be construed as a mitigation bank in Snohomish County for the purposes of receiving habitat credits."

- A grading permit was issued in June 2008.

Howard said he would do more research if requested. The board asked to see the exemption letter, and Brian Bookey asked for the name of the Port of Everett contact person.

5. PROPOSED CHANGES TO ARLINGTON TDR PROGRAM (Max Albert, Interested Party)

Please refer to Max Albert's handout, an outline of a Transfer of Development Rights (TDR) – Sending Area. Max encouraged a regional TDR plan like the Arlington pilot plan. A successful plan needs a community that is interested in preserving ag areas on its borders, has an associated receiving area in the community, and has a compact sending area that would enable people to farm around the center of an operation no more than a mile or two from the property they are farming. Max stated that acreage is the key to a successful plan and that a regional plan would have the best chance of success.

Max asked the board to encourage the county to take the first step to get the Arlington pilot plan moving.

John Postema supported Max's ideas and said that a first step would be to create a market. He suggested meeting with builders to see what they want. Once there is agreement, the program should move forward.

Dave Remlinger moved that the board write a letter supporting the concept of moving forward with the Arlington TDR pilot program rather than waiting for Arlington. Mark Craven seconded the motion. The motion passed.

6. PROPOSAL BY CITY OF ARLINGTON FOR STORMWATER TREATMENT WETLAND IN STILLAGUAMISH RIVER VALLEY (Bill Blake, City of Arlington)

Bill Blake said that the City of Arlington is moving forward with the pilot TDR plan. It has a draft receiving area master plan that developers will be commenting on.

Bill distributed handouts of his PowerPoint presentation, the City of Arlington Stormwater Wetland Project. He noted the location of the project, explained the history behind the project, and described the project. Please refer to the last page of the handout, which addresses some of the ag board's concerns.

John Postema asked why Bill brought this project to the ag board. Bill replied that he was asked to present the project to the board because of its no net loss paper regarding the conversion of ag land. John stated that this project is no different than Marc Bhend's request to build an RV park on designated farmland or the Smith Island issue. He asked why Arlington and Surface Water Management should be allowed access to designated ag land when people like Marc Bhend are not. Bill answered that his project would benefit farmers down stream.

Chair Bookey stated that this issue is similar to the following two agenda items. He suggested that the board address all of them in more detail at the April 28 work session.

7. LEQUE ISLAND ESTUARY RESTORATION PROJECT (Ducks Unlimited Representatives)

John Axford, Ducks Unlimited; John Garrett, Department of Fish and Wildlife; and Dan Golner, Ducks Unlimited; asked to present their estuary restoration project to the board also in response to its no net loss paper.

A project narrative and accompanying maps were included in the agenda packets and were available at the meeting.

HB1418 requires fish and wildlife and other public agencies to restore ag land to estuary before going after individual farms. Leque Island is identified in HB1418 as ag land to be restored to estuary. John introduced and discussed the restoration project stating that if the project does not move forward, the dikes will breach; and the entire island will be a tidal estuary. The plan is to develop a wetland on about 50 acres keeping 100 in ag. When the emergent community no longer produces, the wetland will be rotated to another area. He would rely on local farmers to farm and manage the ag land.

John said that he and John Axford met with Ryan Hembree, Dave Remlinger, Tom Rowe, and a biologist from surface water management on September 24 after the board approved its no net loss paper and walked around the island in an effort to meet the board's expectations.

Dan Douglas said that taxpayer money is basically supporting the restoration projects and asked about just repairing the dikes and leaving the island for farming. John answered that it is easier to get money to purchase property than to maintain it.

Brian Bookey said that this restoration is part of the same issue as the other presentations at this meeting. The board agreed to discuss this and the other issues more fully at the April 28 work session.

8. PROPOSED COUNTY 2009 SCOPE OF WORK WITH SNOHOMISH CONSERVATION DISTRICT (Jake Jacobson, Public Works/Surface Water Management)

Jake Jacobson distributed copies of his PowerPoint presentation.

General funding from the county for the Conservation District has been relatively uniform for the last five years. Due to budget shortfalls last year, the county council replaced general funding with Surface Water Management (SWM) fees, which resulted in a changed work program. SWM fees are not collected everywhere in the county; diking districts and cities are exempt. The contract was changed to reflect the work area, and work in diking districts must be accepted. There is agreement on the contract scope of work.

Mark Craven, a member of the Conservation District Board of Supervisors, asked whether the ag board had concerns related to the contract.

- Jesse Allen is concerned any time SWM becomes involved with private information; and with this contract, they would work with code enforcement to review farm operations and other entities. That is a problem. That is the perception the Board of Supervisors is concerned about, said Mark.
- Max Albert is concerned about areas that do not have a SWM fee and are not eligible to receive Conservation District services. He wondered why a state agency is allowing the county to restrict its services. Mark responded that it is not SWM's fault; it is a budget problem.

- Dave Remlinger and Betsy Christianson were concerned that although systems drain through their districts, they cannot get money to stop the water.

The contract will be moving forward so that the district can be paid for services.

9. CODE ADDITION ALLOWING DESIGNATION OF OPEN SPACE LANDS AS TDR SENDING AREAS (Mark Beardslee, PDS)

Mark Beardslee distributed an April 14 summary on a TDR code change proposal, discussed it briefly, and volunteered to come back next month to speak in more detail. The proposal was a result of Cascade Land Conservancy funding for TDR credits in forest land and allows the county council to designate by motion sending areas in upland areas, forest and ag resource lands that are not designated resource lands, and land adjacent to city limits. One credit would be available for each residential unit. There would be no transfer ratio.

This proposal is scheduled to go before the planning commission on April 28, 2009, and is likely to be scheduled for a county council hearing in May or June. Some members of the planning commission are concerned about floodplains and critical areas receiving credits. Mark was not sure whether the county council has the same concern.

The board briefly discussed the proposal and agreed to revisit it.

10. MAY MEETING AGENDA

Brian asked the board to help him identify contentious issues and consider the amount of time scheduled for each item when the draft agenda is distributed for comment, so he can manage the next meeting better.

It was noted that five very similar proposals were brought before the board and suggested that the board set a policy at the next meeting to address them, without addressing each individually.

Dave Remlinger asked for a synopsis at a future meeting of SWM issues driven by the Endangered Species Act (ESA) that affect ag lands.

John Postema suggested that the board's no net loss policy may be getting the board into trouble and suggested the need for a strict policy.

11. CLOSING