

Snohomish County Agricultural Advisory Board

MEETING SUMMARY September 8, 2009

ATTENDEES

Board Members - Present

Jesse Allen	Brian Bookey	Elizabeth Christianson	Mark Craven
Dan Douglas	Mike Harnden	Gerald Labish	Jackie Macomber
John Postema	Dave Remlinger		

Board Members – Excused

Nick Van Dam

PDS Staff

Lori Lollis Tom Niemann

Office of Economic Development Staff

Ryan Hembree

Public Works/Surface Water Management

John Engel Debbie Terwilliger Steve Thomsen

Snohomish County Conservation District

Alan Shank

WSU Extension

Drew Corbin

Others

Merle Ash Cleve Steward Marv Thomas Mark Sadler

1. CALL TO ORDER, INTRODUCTIONS, ANNOUNCEMENTS

Chair Bookey called the meeting to order and asked all present to introduce themselves. There were no announcements.

2. APPROVAL OF AUGUST 11, 2009, MEETING SUMMARY

The August 11, 2009, Meeting Summary was approved.

3. PUBLIC COMMENT

Jackie Macomber's family farm was recognized at the Evergreen State Fair for 100 years of farming.

Drew Corbin, WSU Extension, informed the board of a no-till roundtable symposium scheduled for October 28 and 29, 2009. Experts from around the country will attend to work on a USDA grant fund to support no-till research in Western Washington. Local farmers will be invited; official announcements will be sent to the ag board.

Marv Thomas previously volunteered to participate on the board's use matrix subcommittee and share his expertise on composting. He has received no follow-up information. The board apologized to Marv; the subcommittee met but did not address composting. Mark Craven and Pam Miller, who previously helped the use matrix subcommittee, will arrange for a meeting room on September 15, 2009, at 10:00 a.m. and invite Marv to that meeting. The board generally agreed that composting is not the only issue the use matrix subcommittee needs to address.

Brian Bookey noted that he had some challenges disposing of manure after his recent chicken farm fire and asked Steve Thomsen about a discussion on disposal sites. Steve suggested inviting the solid waste director to a future meeting to talk about what compost is expected and not expected at transfer stations. Tom Niemann will help set up a future agenda.

Tom Niemann reviewed the use matrix subcommittee membership list: Brian Bookey; Betsy Christiansen; Mark Craven, Lead; Jackie Macomber, John Postema; and Dave Remlinger; and Marv Thomas, guest for the composting discussion.

4. UPDATE ON DIKING DISTRICT #6 ACTIVITIES (Mark Sadler, City of Everett, John Engel, Snohomish County Public Works)

John Engel provided a brief history of Drainage District 6 (DD6), located on the right bank of Ebey Slough, restoration project. A map was distributed. The project was put on hold in 2003 because an agreement with Puget Sound Energy (PSE) to rebuild power lines could not be reached. Since then, there has been a maintenance agreement between Everett, PSE and, originally, Olympic Pipeline. Three to four years ago, Olympic Pipeline rebuilt their pipeline underneath the slough and pulled out of the agreement. An agreement with Everett and PSE currently exists. Last summer, PSE rebuilt their power lines to withstand tidal inundation.

The following have occurred during the current agreement.

- The 2006 flooding breached the dikes. The City of Everett repaired them under the maintenance agreement.
- Tide gates have been in bad repair for a number of years. The city and county have been working toward a solution.
- In the fall of 2007, the city and county met with permitting agencies that regulate tide gate repair and determined that self-regulating tide gates would be considered for the repair and came up with a plan for the self regulating gates and an operating plan for maintenance from July through October, which is compatible with the fish window in Ebey Slough.
- Permits were issued the spring of 2008.
- PSE used the permits to complete their project in November 2008.
- The January 2009 flooding breached the dikes. Repairs were made.
- There are permits to install self regulating tide gates.

- According to the Fish and Wildlife permit, the area must be reflooded by the end of October 2009.

Everett and the county requested that the Corps of Engineers begin a Puget Sound Estuary Restoration project (the 544 program) since the land has been designated for restoration for a long time, but the project was shelved.

A discussion of the loss of farmland followed.

- John Postema asked whether it would be possible to dry the land and return it to farmland; and if so, what it would take to do so. To make a change would not be impossible. There would be regulatory rules to dry the land and restrictions to address. Because the land was purchased with conservation money, deed restrictions were placed on the property. A change would also require purchase money and reimbursement for the funding agency.
- The ag board's primary concern is to find a long-term balance. A private landowner and public entity occupy the majority of the land in the diking district. Can government find a use matrix balance?
- A cross dike and ditch, with the assurance that it would remain empty, could prevent a restoration project like this from impacting neighboring land. It would be the restorer's responsibility to build the dike and ditch and the landowner's responsibility to maintain the pumps.
- It was suggested that the county have an independent party or committee review the impacts on John Spoelstra's property and arrive at a solution. Steve Thomsen said this would cost a lot of money and reminded the board that this issue has already been through extensive legal review. He suggested an executive session between the county and the board for further discussion.
- The board's role in John Spoelstra's dispute is to see that his interests are taken care of. Chair Bookey asked that the list of questions that John distributed at the meeting be answered.
- Chair Bookey understands that one goal of the project is to keep the water line dry, which will also keep John's property dry.
- This board was formed to deal with issues like John Spoelstra's. Part of the problem the board has is that these types of activities are occurring more and more frequently on larger scales and will likely have greater impacts in the future. It is important to set a precedent now for the future.
- Steve Thomsen does not disagree with the above; but because board membership has changed since the salmon plan was written, he suggested that Surface Water Management (SWM) give the board an overview of the 2005 salmon plan. The ag board was active during the development of that plan and developed ag maps that quantified and described ag land. A discussion of both the salmon plan and the ag maps could be very beneficial to the current board membership.
- Chair Bookey agrees that the board needs to learn more about salmon preservation. At the same time, he wants to hold the county accountable to its commitments to take care of its landowners.
- Brian suggested that a discussion of the salmon plan be added to a future agenda.

5. CONSIDERATION OF DRAFT ORDINANCE REGULATING SUBSTANDARD LOTS (Planning and Development Services, All)

Alison Bridges and Pam Miller, PDS, had planned to inform the board of an extension to the emergency ordinance, but have just heard that the county council may instead introduce it as a permanent ordinance.

The current ordinance, as written, does not allow development of agriculture-related structures or uses unless the lot contains a single family residence or meets minimum lot area requirements, which is not the case with many agricultural parcels.

See the draft ordinance that Alison and Pam distributed. New language would allow any administrative conditional use or conditional use currently in the zoning use matrix on a substandard lot. This would be effective throughout the county, not just rural and ag areas.

John Postema moved to support the draft ordinance and recommend it to the council. Jackie Macomber seconded the motion. The board passed it. Tom Niemann will help Brian Bookey draft a recommendation letter to the county council, move the recommendation forward quickly, and notify the board of the hearing date.

6. PERMITTING OF LEQUE ISLAND ESTUARY RESTORATION PROJECT (All)

Brian Bookey said that Snohomish County withdrew its appeal of fish and wildlife activity on Leque Island. Tom Rowe, who was unable to attend the meeting, wanted the board to know that the withdrawal was largely in response to a letter from Fish and Wildlife addressing related concerns.

John Postema reported that the Snohomish County Farm Bureau is proceeding with its appeal.

- The bureau had a mitigation session with Fish and Wildlife. Ten people attended. Tom Rowe was present.
- Some concerns mirrored the ag board's concerns.
- Fish and Wildlife agrees with the ag board's policy.
- The farm bureau will ask for a stay of a hearing with the Hydrology Board on 9/08/09 in Olympia.
- The bureau suggested that Fish and Wildlife put an overlay on the approximately 200 acres that were lost to farmland on other Snohomish County land that is not currently designated. The bureau could then rethink the project. Fish and Wildlife did not agree.
- The bottom line questions are whether to require no net loss of farmland and, if so, where to go from there. That is the issue with DD6 and Councilman Somers' proposed Agriculture and Resource Land Base Enhancement Program.
- The farmers' issue of no net loss should come before protection of fish. That discussion is a big one.
- Having a program/s, such as TDR/PDR programs, in place is the key.
- A policy that requires balance between farms and fish should be part of the bigger picture.
- The challenge for the Snohomish County Farm Bureau is to approach this issue legally at a state level. The GMA states that ag resource industries are to be enhanced. The question is whether Leque Island enhances farming. At the same time, statutory provisions such as the ESA cannot be ignored. There must be compromise and balance.
- John Postema will keep the board posted on the status of the Leque Island appeal.

Discussion continued. Max Albert said that farmland is used for mitigation because it is cheap. The way to stop that is to make farmland less cheap and ask to see the mitigation plans, the amount of mitigation dollars paid for the farmland, and where the money is going. If the board is not allowed to review the plans, it may go to the council.

Ryan Hembree has been talking with members of the Washington Farmland Preservation Task Force, which is part of the Washington Conservation Commission, who are working on potential legislation for an ag impact statement for state agencies when purchases or projects are on state agency land. Additionally, an executive order dated 1982 and signed by then Governor Dixie Ray is finding new life at the state level and will be applied to state agency actions.

7. DISCUSSION DRAFT *Agriculture and Resource Land Base Enhancement Program* REFERRED TO BOARD BY COUNCILMAN SOMERS (All)

Councilman Somers was unable to attend this meeting due to a schedule conflict.

The board discussed Councilman Somers' memorandum regarding a proposal for resolving or reducing natural resource conflicts in Snohomish County. Please refer to the memo.

As stated in the previous discussion regarding the permitting of the Leque Island Restoration project,

- The board is concentrating on saving farmland. Farmland is being lost to save the salmon.
- Questions that should be asked are:
 - Are we prepared to lose farmland? If so, how much?
 - Is this a legislative decision?
 - John Postema's question to Councilman Somers is how will no net loss of farmland be dealt with?

Councilman Brian Sullivan previously presented a potential no net loss project to the board. It is broader and wider than Councilman Somers' program. The board asked Councilman Sullivan to prepare a white paper for presentation to the board. The board has not yet seen that paper.

Balance is the key issue for both programs. If there are impacts, they must be accounted for and paid for. There should be a provision to return previously farmed land within a reasonable period of time. It is about farms, food, and the future and boils down to the question of whether we are prepared to lose more land.

Tom Niemann understands that the concept behind Councilman Somers' proposal is to take a step back, look at the information we have on farmlands, look at the ag mapping, and look at the salmon recovery plans to see if there is common ground between them that could provide solutions or opportunities for balance. (This is one reason for inviting Steve Thomsen to present the salmon plan to the board.) Tom believes that Councilman Somers would like to hear from the board; would this proposal be worth pursuing?

Ryan Hembree has assembled a working group (Brian Bookey, Nick Harper from the Cascade Land Conservancy, and Terry Williams of the Tulalip Tribes) to discuss these issues and is working with SWM staff helping them understand their role and what information the working group will need to understand salmon needs and other state and regional players.

Betsy Christianson asked what the county is doing to enhance ag as required by the GMA. Dave Remlinger responded that farmers don't have funding to back them up. The ag community needs to talk with its legislators. Ryan Hembree agreed that there is a huge

discrepancy between funding for farmland and habitat conservation. Snohomish County, however, did pay for feasibility studies for processing facilities, the farmers' market, etc., for the ag sustainability study. The next step will be to look for grants and other funding and determine how to effectively use the feasibility reports and grants.

Following additional discussion, the board agreed that Mark Craven and Dave Remlinger would talk with Councilman Somers, arrange a meeting time with him, and notify the board of the time and location.

Long-time board member Jackie Macomber reminded the board that it is accomplishing a lot and that it is being heard.

8. CLOSING: Adjourned at 12:30.