

**WHATCOM CONSERVATION DISTRICT
Public Meeting Minutes
January 13, 2010**

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 January 13, 2010, at 7:00 p.m.

II. Attendance and Quorum.

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

Dick Yoder	Ed Stone
Joe Heller	Larry Davis
Terry Lenssen	

Also in attendance were:

George Boggs, District Manager	Alex Hall, NRCS staff
Dawn Bekenyi, Admin. Assistant	Dave Unruh, FSA
Karen Yoder	

III. Meeting Called to Order.

Dick Yoder, Chair, called the meeting to order at 7:01 p.m.

IV. Approval of Minutes of Previous Meeting.

Larry Davis moved that the minutes of the December 9, 2010 Board meeting be approved as mailed. Ed Stone seconded the motion. The motion passed.

V. Financial Report.

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

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

Joe Heller moved to approve the Financial Report. Larry Davis 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 authorizes 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:

Dec 2009 - balance				
Voucher (check) numbers	<u>17390</u>	through	<u>17411</u>	and totaling <u>20,288.06</u>
Payroll check numbers:	<u>17412</u>	through	<u>17423</u>	and totaling <u>25,112.34</u>
Voucher (check) numbers	17424			and totaling 1,836.55

January 2010				
Voucher (check) numbers	<u>17425</u>	through	<u>17451</u>	and totaling <u>13,157.65</u>
Payroll check numbers:	<u>17452</u>	through	<u>17465</u>	and totaling <u>26,425.94</u>

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

VI. Reports.

A. Dave Unruh, Farm Service Agency (FSA).

Dave Unruh is the Farm Service Agency's County Executive Director (CED) for the Lynden Field Office. He has been in the position for a year now and had not attended a Board meeting. In September staff hosted a CREP tour for both the Farm Service Agency County Committee and Whatcom Conservation District Board. George, Sonya and Wayne attend the FSA County Committee meetings. Dave stated that attending meetings is good for partnership.

By way of introduction Dave gave the Board his background. He lived in California prior to moving to Washington. Dave described the Farm Service Agency and its function. Their mission is "Food and fiber to all Americans." Dave also reported that the Farm Service Agency has put more funds into conservation than any other federal agency in Whatcom County.

Last year FSA provided \$150,000 in 75% cost-share under the Emergency Conservation Program to repair ag lands affected by mudslides and flooding in Whatcom County.

Dave complimented the Whatcom Conservation District. He has worked with several Conservation Districts in California and Washington. Whatcom is progressive and receptive. Whatcom Conservation District is leading the way in CREP.

The Farm Service Agency is more sensitive about data sharing. They are working on finalizing a process for sharing information.

There is a new Biomass program. There are a couple of production facilities in Skagit County that are certified to accept dry timber to create energy. The program will pay transporters of biomass to the cogeneration plant. Dave gave some details of the program.

There was discussion regarding the change in viewpoint of CREP project success based on habitat and hydrology. The FSA has a guideline of stems per acre, but compliance can be met with habitat and hydrology.

Dave knows someone in California who has dealt with a similar issue that is happening on Swift Creek. He will help connect George regarding the matter.

VII. Action Items.

A. Approval of Contracts.

CREP Contracts –

George asked if the Board should review the Conservation Plan of Operation (CPO) for CREP or delegate approval of CPO to staff to sign. Alex Hall reviews and has oversight. Ed said to delegate to staff. Staff are professionals and writing plans is their job. Policy issues should come before the Board. If there are CREP CPOs that have policy questions that need to be addressed by the Board, those should be reviewed. In addition, CREP CPOs are reviewed by NRCS and FSA. Most technical areas are cut and dried. Staff will bring forward any policy issues to Board as needed on CREP plans only.

Larry Davis moved to authorize the Conservation District Executive Director to sign Conservation Plans of Operation for CREP produced by Conservation District staff. Ed Stone seconded the motion. The motion passed.

Maintenance Agreements:

The U.S. Department of Agriculture (USDA) Farm Service Agency (FSA) is the administrative lead on the Conservation Reserve Enhancement Program (CREP) joint program. The FSA County Committee approves all CREP plans. The current policy is that once FSA approves the Federal Contract and CREP plan, the contract is then brought to the Board for its approval. The Board approved the State Conservation Commission prescribed standard-language maintenance contract.

There were two CREP maintenance contracts submitted for Board approval.

Ed Stone moved to ratify the CREP maintenance contract for Craig & Robin Brunttil (08-04-CR:09-29) and Jim & Diane Shelton (10-04-CS:09-37). Larry Davis seconded the motion. The motion passed.

Livestock Cost-share Application –

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

Larry Davis moved to approve the livestock cost-share applications for Larry Plagerman (Ever-Lyn Farm) – manure transfer (tunnel and sand lane) \$25,000; Robert Sterk - manure transfer (pipeline) \$3,000; and John VanderVeen (TJ VeenAcres Farm) – waste utilization \$25,000 and submit to the WA Conservation Commission for funding consideration. Terry Lenssen seconded the motion. The motion passed.

Whatcom County CPAL2 –

George anticipates an amendment to the Whatcom County CPAL2 contract to modify the deliverables to remove developing the moderate impact farm materials. There is significant workload on the low impact farm plans. Several moderate farm plans have been completed and will continue to be developed on a case-by-case basis.

Joe Heller moved to authorize the Chair to sign an amendment to the Whatcom County CPAL2 contract to modify the deliverables to remove developing the moderate impact farm materials and moving the funds to low impact farm plan implementation. Larry Davis seconded the motion. The motion passed.

Whatcom County Planning is having a Farm Tour to review farm plans on January 16 for Council members and others. District staff will be presenting. Terry and Larry were going to try to attend.

B. Farm Plan Policy.

George explained that there are cost-share agreements, CREP plan agreements and farm plan agreements, but no cooperator's agreements per se. A working agreement was drafted for discussion purposes. At a minimum it was suggested that the issue be addressed by a fact sheet that describes what is subject to public disclosure. Plans have more weight. There is good faith to complete and that individuals will work with the Conservation District and provide information. Staff felt that the fact sheet is sufficient to inform potential cooperators of their "risks." We could have them initial and date the fact sheet to indicate that they have received the information. This fact sheet would be put into their plans. It is the policy that all Whatcom Conservation District plans developed for Critical Areas Ordinance issues are confidential and privileged.

Joe Heller moved to make a policy to present the fact sheet to potential cooperators regarding discloseable information and include a copy with their signature indicating that

they received the information in their conservation plans. Larry Davis seconded the motion. The motion passed.

The Board requested a formal policy regarding conservation plan disclosure be written and brought to the next meeting.

C. Long Range Plan.

George provided additional information on the Long Range Plan. The Board reviewed. The Long Range Plan will be approved at the April Board meeting.

VIII. Other Business.

A. Supervisor Reports.

Terry Lenssen –

Terry and Joe attended the Whatcom Conservation District's Small Farm Expo at the Ferndale WECU. Attendance was good. There were approximately 80-100 people there. Terry picked up some information regarding pesticides.

Larry Davis –

WACD Legislative Days are scheduled for February 24-26, 2010. Joe Heller will attend again this year. Larry was going to check his schedule to see if he could attend as well.

There was discussion regarding the District Supervisor Election and getting the word out to vote. The Washington State Conservation Commission is eager to get a good turn out on local supervisor elections.

George informed the Board that the Governor's budget looks like it will cut 10% of the WA Conservation Commission's budget in June. We will know the impact to the District later.

Jerry Scheele, Spokane Co Conservation District Supervisor, sent a letter regarding legal issues and elections and assessments. King Conservation District assessment funds were taken for King County activities. Senator Jacobson sponsored Bill 6372 to address this matter.

B. Alex Hall, Natural Resources Conservation Services (NRCS).

Environmental Quality Incentive Program (EQIP) –

Washington State received \$12,400,000 for EQIP, the same as last year. They were not able to rank projects. There are new national questions that need to be added to the ranking process. There are probably not enough funds to fund all projects. Alex is not sure what the Local Team will receive this year. Steve Nissley said that staff needs to get the contracts done by next month. There are 30 applications for EQIP. In addition, this year there is a new program for high tunnels or crop covered hoop houses. 38 states including Washington were selected for the new program. There was a lot of interest shown in the program. Alex gave some program highlights. There were 11 applications for the high tunnels.

Conservation Stewardship Program (CSP) –

NRCS staff is working on 4 applications. There are two dairies. Staff now knows the payment rates and is working on the practices.

Wildlife Habitat Incentive Program (WHIP) –

There are three applications and funds are tight for this program this year. The program sign-up is closed and contracting will be completed by the end of June.

Technical Service Provider (TSP) –

Whatcom Conservation District received funding through June 15, 2010 for Chris' (Clark) and Bill's (Bonsen) services. Bill is back on a limited basis.

Student Trainee –

The student trainee is here. She is not on a set schedule. Her background is in fisheries. Mary Kennedy is training to become a Soil Conservationist. District staff is utilizing her assistance. She is here through the winter and most of the summer.

C. George Boggs, Executive Director.

Gravel accumulation in the Nooksack River Channel – A recent article in the Seattle Times quoted a US Forest Service Hydro geologist that the retreat of glaciers, ostensibly due to global climate change, was uncovering sediment. Consequently, it was washing down and filling up river channels. This was causing flooding with the prospects of increased flooding in the near future.

15 landowners concerned that this would happen here came to a preliminary meeting in District conference room on Monday. Coincidentally, a local engineering firm, GeoEngineers, is working on gravel removal in the Puyallup River to alleviate flooding. They talked about their experiences.

The Whatcom County Flood Control Zone District meets Thursday. They may consider resurrecting a subcommittee to reconsider the significance of this issue. Whatcom County will take the lead on the gravel removal in the Nooksack River. Whatcom Conservation District can offer staff support. It is anticipated that the committee will be formed in February.

Grants –

The Centennial Clean Water Fund grant application has been written and submitted. George is working on the EPA grant with BBWARM (Birch Bay Watershed and Aquatic Resources Management) as a partner.

Driveway –

George recommended that the Board hire an attorney to write a letter to Verizon regarding the impact to the District's driveway and utilities.

Ed Stone moved to contact an attorney regarding the Verizon matter and try and settle it. Terry Lenssen seconded the motion. The motion passed.

Employee Step Increases –

There are three employees that are eligible for step increases. George explained that even in light of anticipated reductions for the next biennium these should be approved for the following reasons: The employees have performed at an exemplary level, the increases were anticipated in the current budget adopted by the Board, if adjustments needed to be made for the next year, the budget for all staff should be reviewed as a matter of fairness.

Joe Heller moved to approve a step increase for Chris Clark, Frank Corey and Sonya Schaller. Larry Davis seconded the motion. The motion passed.

Award for Employees –

The District received recognition from the Conservation Commission and Association of Conservation Districts. This was due in no small part to the hard work and accomplishments of staff. The Board would like to join in the recognition by affording a modest monetary award to each. However, given the difficult financial circumstances that our State is, it would not be in keeping with the sacrifice others are experiencing.

Elections –

Andrew and Dawn produced a Supervisor Elections page on the Whatcom Conservation District webpage. This will allow people to vote by mail this year.

IX. Record of Board Actions.

10-1 Larry Davis moved that the minutes of the December 9, 2010 Board meeting be approved as mailed. Ed Stone seconded the motion. The motion passed.

10-2 Joe Heller moved to approve the Financial Report. Larry Davis seconded the motion. The motion passed. Upon motion made and duly seconded, the Treasurer's Report was approved.

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10-8 Joe Heller moved to make a policy to present the fact sheet to potential cooperators regarding discloseable information and include a copy with their signature indicating that they received the information in their conservation plans. Larry Davis seconded the motion. The motion passed.

10-9 Ed Stone moved to contact an attorney regarding the Verizon matter and try and settle it. Terry Lenssen seconded the motion. The motion passed.

10-10 Joe Heller moved to approve a step increase for Chris Clark, Frank Corey and Sonya Schaller. Larry Davis seconded the motion. The motion passed.

X. Adjournment.

There being no further business before the meeting, Terry Lenssen moved to adjourn the meeting at 9:35 p.m. Joe Heller seconded the motion. The motion passed.

The meeting, on motion duly made, seconded and carried, adjourned at 9:35 p.m.

Dated: February 26, 2010

Approved: _____

Dawn Bekenyi, Administrative Assistant