

**WHATCOM CONSERVATION DISTRICT
Public Meeting Minutes
November 17, 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 November 17, 2009, 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	Casey Lankhaar, NLWID
Dean Martin, WC PDS	

III. Meeting Called to Order.

Dick Yoder, Chair, called the meeting to order at 7:02 p.m.

IV. Casey Lankhaar, North Lynden Watershed Improvement District (WID).

Casey Lankhaar talked about the flooding and maintenance of road ditches in the North Lynden WID. The Washington Department of Fish and Wildlife (WDFW) did not approve maintenance along Double Ditch Road since it is a fish bearing water body. They are requiring a 5 year fish/maintenance plan for any maintenance.

The North Lynden WID receives little assessment funds. They are asking the Conservation District to assist with funding the development of the North Lynden WID drainage maintenance plan. John Gillies works part-time for the North Lynden WID. George pointed out that activity is in line with the District's Drainage Improvement District (DID) Education and Reform grant. George recommended that the Board subcontract with John Gillies to develop the 5 year maintenance plan for the North Lynden WID.

Terry Lenssen moved approval of an Inter Local Agreement with the North Lynden Watershed Improvement District to collaborate on the Drainage Maintenance Plan, including approval of a scope of work to hire John Gillies. Joe Heller seconded the motion. The motion passed.

V. Approval of Minutes of Previous Meeting.

Larry Davis moved that the minutes of the October Board meeting be approved as mailed. Joe Heller seconded the motion. The motion passed.

VI. Financial Report.

The financial report was mailed to the Board with their draft minutes from the October 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. 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:

Oct 2009 - balance				
Voucher (check) numbers	<u>17240</u>	through	<u>17258</u>	and totaling <u>41,269.77</u>
Payroll check numbers:	<u>17259</u>	through	<u>17270</u>	and totaling <u>24,720.99</u>
Voucher (check) numbers	<u>17271</u>	through	<u>17272</u>	and totaling <u>3,331.23</u>
November 2009				
Voucher (check) numbers	<u>17273</u>	through	<u>17304</u>	and totaling <u>36,256.40</u>
Payroll check numbers:	<u>17305</u>	through	<u>17316</u>	and totaling <u>25,573.73</u>
Voucher (check) numbers	<u>17317</u>	through	<u>17325</u>	and totaling <u>2,926.82</u>

Moved by Terry Lenssen. Larry Davis seconded the motion. The motion passed.

VII. Action Items.

A. Approval of Contracts.

CREP Contracts –

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 contract.

There were three projects submitted for Board approval.

Larry Davis moved to ratify the CREP contracts for: John & Dorie Belisle (assumption of Dan & Chris Thompson CREP Project) (10-04-CR02:09-38); Pete Noteboom (08-04-CR:09-30); and David & Jill Reid (08-04-CR:09-22). Terry Lenssen seconded the motion. The motion passed.

CREP Practice Incentive Payment (PIP) Loan Agreement –

The CREP Program Incentive Payment (PIP) Loan program allows advance payments from State CREP cost-share funds based on the anticipated PIP payment calculated by FSA available to participating landowners (40% of eligible costs). The PIP advance payment is made at zero percent interest and will extend until the riparian buffer is certified, but no longer than 3 years. This program helps to ease the financial constraints of the landowner/contractor who, otherwise, would carry the cost of installing practices until the entire project is completed. There are two CREP participants seeking CREP Loan Agreements.

Joe Heller moved to approve and sign the CREP PIP Loan Agreements for Johanna Asarian Anderson (\$9,376.00) and Pat & Julie Kramme (\$7,752.80) with the WA Conservation Commission. Terry Lenssen seconded the motion. The motion passed.

CREP Contract Rescission –

Property was sold prior to installation of CREP project for Chuck and Sarah Papageorge. They are requesting a rescission of the maintenance contract along with their cancellation of the CREP project.

Terry Lenssen moved to rescind the Chuck and Sarah Papageorge CREP maintenance contract (08-04-CR:09-23). Larry Davis seconded the motion. The motion passed.

B. Approval of Conservation Plans.

Livestock Nutrient Management Plan (LNMP) Approval –

There were two new Livestock Nutrient Management Plans submitted for Board approval.

Terry Lenssen moved to approve the Livestock Nutrient Management Plans for Hidden Acres (Corby Groen) and Harrison Dairy (Leo Harrison). Larry Davis seconded the motion. The motion passed.

There was one Livestock Nutrient Management Plan Update submitted for Board approval.

Larry Davis moved to approve the Livestock Nutrient Management Plan update for Lenssen Dairy (Terry & Troy Lenssen). Joe Heller seconded the motion. The motion passed. (Terry Lenssen did not participate in the vote.)

C. Approval of Contracts.

Whatcom County Flood Control Zone CPAL Contract Amendment #1 –

The District was awarded a contract from Whatcom County Flood Control Zone District to work with small farms under the Critical Areas Ordinance (CAO) Conservation Plans on Ag Land (CPAL). The amendment increases the budget by \$25,000 to add \$22,500 for small farm cost-share plus \$2,500 for administration.

Larry Davis moved to ratify the Whatcom County CPAL Contract Amendment #1 with WC Flood Control Zone District to add \$25,000 for a small farm cost-share component. Terry Lenssen seconded the motion. The motion passed.

Washington Conservation Commission –

The WA Conservation Commission requested that the District execute Amendment #1 to the 09-11 Conservation District Master Contract: Certifications regarding Debarment Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying. George reviewed that the Commission is following federal guidelines for documentation required when federal funds are received. Since the Commission receives some federal funds they are requesting Districts to adopt the amendment.

Staff has checked to verify that the Whatcom Conservation District and Board of Supervisors are not on the federal Excluded Parties List. Other items the District is attesting to under this policy amendment are that the District has a Drug-Free workplace policy, no federal funds will be used to lobby Congress, the District must pay prevailing wage, and there is a records retention schedule.

Larry Davis moved to authorize the District Chair to execute Amendment #1 to the 09-11 Conservation District Master Contract Certifications Regarding Debarment Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying. Joe Heller seconded the motion. The motion passed.

D. Supervisor Election.

Dawn Bekenyi gave the Board an update on the proposed changes to Supervisor Election policy as set by the WA Conservation Commission. Richard Yoder's term is expiring. The Board discussed setting the election date and selecting an Election Officer.

Ed Stone moved to schedule the 2010 Supervisor Election for March 9, 2010 from 9:00 a.m. to 6:00 p.m. and to select Dawn Bekenyi as Election Officer. Larry Davis seconded the motion. The motion passed.

VIII. Other Business.

A. Supervisor Reports.

Ed Stone –

Ed reported that there are so many beavers on his property that he is looking at trapping some of them. He looked into the costs for beaver trappers. There are two in the county that trap beavers. One charges \$40 per hour and the other charges \$200 per beaver. Ed decided to go with the hourly rate. He suggested that the District not use the same design for a beaver deceiver next time, since it failed. The beaver incorporated the deceiver into the dam.

Joe Heller –

Joe attended the CREP tour put on by staff. The tour was also attended by the Farm Service Agency's County Committee and staff. It was a good, informative tour.

Joe reported that the Mt. Baker High School FFA placed 6th in the national forestry tournament. They sent a thank you for the award that the Conservation District gave them.

Joe will be attending the Washington Association of Conservation Districts (WACD) Annual Convention in Spokane. He will present the Beaver resolution. There was discussion regarding last year's resolutions submitted by the Whatcom Conservation District. John Larson said that the resolutions will be dealt with.

Larry Davis –

Larry Davis is the Chair for the USDA Natural Resources Conservation Service (NRCS) NW Area Local Work Group (LWG). He met with George and Alex Hall on October 6, and Steve Nissley, NRCS District Conservationist, on November 9, to discuss the LWG and EQIP. The Local Work Group chairs will meet soon to set how to handle the LWG meetings.

Dick Yoder –

Dick attended a meeting with several representatives from the US Department of Ag. He spoke with the Ag Status guy. During their conversation Dick found out that you cannot move beavers out of their watershed.

Dick mentioned that wolves are a problem on the east-side of Washington State. There are rules on hunting the wolves if your cows are attacked. The Washington Department of Fish & Wildlife (WDFW) is undergoing a comment period on wolves in Washington State. They are looking at setting 15 breeding pairs as the recommended goal for endangered species listing. Dick says the concern is regarding the amount of breeding pairs. The Cattlemen's Association would like to see this recommended limit lowered to 8 or 10 pairs. The issue is that each breeding pair amounts to a pack of wolves which can vary greatly in numbers, but is substantially more than 2 animals. After discussion it was decided to seek amplification on the background on how the number of 15 pairs was selected, what are the actual wolf numbers per breeding pair, and how would the wolves be introduced.

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

Environmental Quality Incentive Program (EQIP) –

The budget allocation for Washington State 2010 EQIP has still not been released. Staff is working on existing contracts and modifications to keep contracts on schedule.

Conservation Stewardship Program (CSP) –

The three applications have been ranked for the new CSP program. One application was cancelled. A payment rate based on a national review of applications and their rankings will be

released in early December. A second ranking period has been announced ending on January 14, 2010.

Wildlife Habitat Incentive Program (WHIP) –

NRCS is continuing to receive inquiries about WHIP for fish passage projects. They are also looking into the possibility of replacing hardened crossings with culverts and bridges to reduce the risk of point source pollution. The 2010 WHIP ranking cutoff deadline is February 1, 2010.

Technical Service Provider (TSP) –

A TSP task order for District staff to assist with the implementation of the EQIP program that will cover the period between December 1, 2009 and June 15, 2010 has been submitted. Chris, Alex and Dawn attended the WA Conservation Commission's webinar regarding TSP contracts. They are supposed to rank the projects on November 23, 2009.

Student Trainee –

A student trainee starts working in the Lynden field office on November 23.

CREP Tour –

Alex reported that the tour was informative and covered all of the information from where the program started to where we are today. There was discussion regarding hydrology and habitat restoration as opposed to buffer tree requirements.

Roylene Rides at the Door, NRCS State Conservationist –

Roylene came to the Lynden field office for a few hours to meet staff. She discussed accomplishments in other states. It was a positive meeting.

C. George Boggs, District Manager.

Centennial Clean Water Fund (CCWF) Grant –

George gave the Board the overview of a grant application for the BBWARM (Birch Bay Watershed and Aquatic Resources Management) landowner led initiative to address stormwater in the upper watershed to Birch Bay.

Ed Stone moved to authorize George Boggs to submit a CCWF grant application for Birch Bay Pilot Early Actions to the Department of Ecology. Terry Lenssen seconded the motion. The motion passed.

Gravel Scalping –

George met with Rep. Kelli Linville, Paula Cooper and Roger Bajema. The issue is whether the County will support a modeling exercise to identify whether there are potential benefits scalping along the Nooksack River. Absent concurrence from Whatcom County, the project cannot go forward. The last report on aggradation (the term used in geology for the increase in land elevation due to the deposit of sediment) is being reviewed to better understand the conclusions to be drawn.

Shuksan Golf Course Beaver Deceiver –

The Shuksan Golf Course beaver deceiver is in and functioning. Other dams have become apparent with the fall of the water level. George, Wayne, Reg Riddle and Jeff Kamps, WDFW, met to review the project and surrounding area.

Budget Shortfall –

The state asked Natural Resources Agencies for a 25% reduction in budget, but the WA Conservation Commission was not affected.

Long Range Plan –

The Board liked the format suggestions as presented by Larry Davis. The content will be input into the new format and distributed to partners for review.

D. Dean Martin, Whatcom County Planning and Development Services.

The county Ag Advisory Committee is working on the Critical Areas Ordinance (CAO) and how staff works on the Conservation Program on Agricultural Lands (CPAL). The goal is to make more user-friendly. The method of communication is being reviewed. Nichole Embertson will make a presentation regarding Best Management Practices (BMPs) and pathogens to the Ag Advisory Committee.

IX. Record of Board Actions.

09-97 Terry Lenssen moved approval of an Inter Local Agreement with the North Lynden Watershed Improvement District to collaborate on the Drainage Maintenance Plan, including approval of a scope of work to hire John Gillies. Joe Heller seconded the motion. The motion passed.

09-98 Larry Davis moved that the minutes of the October Board meeting be approved as mailed. Joe Heller seconded the motion. The motion passed.

09-99 Terry Lenssen 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.

09-100

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Moved by Terry Lenssen. Larry Davis seconded the motion. The motion passed.

09-101 Larry Davis moved to ratify the CREP contracts for: John & Dorie Belisle (assumption of Dan & Chris Thompson CREP Project) (10-04-CR02:09-38); Pete Noteboom (08-04-CR:09-30); and David & Jill Reid (08-04-CR:09-22). Terry Lenssen seconded the motion. The motion passed.

09-102 Joe Heller moved to approve and sign the CREP PIP Loan Agreements for Johanna Asarian Anderson (\$9,376.00) and Pat & Julie Kramme (\$7,752.80) with the WA Conservation Commission. Terry Lenssen seconded the motion. The motion passed.

09-103 Terry Lenssen moved to rescind the Chuck and Sarah Papageorge CREP maintenance contract (08-04-CR:09-23). Larry Davis seconded the motion. The motion passed.

09-104 Terry Lenssen moved to approve the Livestock Nutrient Management Plans for Hidden Acres (Corby Groen) and Harrison Dairy (Leo Harrison). Larry Davis seconded the motion. The motion passed.

09-105 Larry Davis moved to approve the Livestock Nutrient Management Plan update for Lenssen Dairy (Terry & Troy Lenssen). Joe Heller seconded the motion. The motion passed. (Terry Lenssen did not participate in the vote.)

- 09-106** Larry Davis moved to ratify the Whatcom County CPAL Contract Amendment #1 with WC Flood Control Zone District to add \$25,000 for a small farm cost-share component. Terry Lenssen seconded the motion. The motion passed.
- 09-107** Larry Davis moved to authorize the District Chair to execute Amendment #1 to the 09-11 Conservation District Master Contract Certifications Regarding Debarment Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying. Joe Heller seconded the motion. The motion passed.
- 09-108** Ed Stone moved to schedule the 2010 Supervisor Election for March 9, 2010 from 9:00 a.m. to 6:00 p.m. and to select Dawn Bekenyi as Election Officer. Larry Davis seconded the motion. The motion passed.
- 09-109** Ed Stone moved to authorize George Boggs to submit a CCWF grant application for Birch Bay Pilot Early Actions to the Department of Ecology. Terry Lenssen seconded the motion. The motion passed.

X. Adjournment.

There being no further business before the meeting, Terry Lenssen moved to adjourn the meeting at 9:17 p.m. Larry Davis seconded the motion. The motion passed.

The meeting, on motion duly made, seconded and carried, adjourned at 9:17 p.m.

Dated: December 23, 2009

Approved: _____

Dawn Bekenyi, Administrative Assistant