

February 2017 VSP Newsletter

Hi folks! This is the monthly installment of a Voluntary Stewardship Program (VSP) informational newsletter. Please sign up to receive the newsletter [here](#). Feedback is welcome - please direct it to [Bill Eller](#).

VSP STATEWIDE ADVISORY COMMITTEE MEMBERSHIP: Please welcome a new member to the VSP Statewide Advisory Committee (SAC) - Commissioner Ron Wesen from Skagit County. Commissioner Wesen brings his experience from Skagit County to the SAC to fill one of the county government seats on the SAC, and we welcome him to his two-year term! We also welcome back Commissioner Wes McCart from Stevens County to the other county government seat - thanks for your continued service Commissioner McCart!



Skagit County Commissioner Ron Wesen.

VSP NEWSLETTER: The Commission is discontinuing VSP email lists outside of this Newsletter subscription service. The email lists are being retired so that we can focus all Voluntary Stewardship Program (VSP) notices, information, and news through the GovDelivery system and VSP Newsletter. This includes the web meeting notices for the VSP monthly Q&A calls (which have routinely been appearing in the VSP Newsletter anyway).

If you have already signed up for GovDelivery and the Newsletter (which most of you have or you would not be reading this Newsletter), there is nothing more you need to do other than manage your subscription, which you can do [here](#). We suggest that you change the settings on your subscription so that you receive emails on VSP immediately. To change the settings on your subscription, please login [here](#) and use the "Preferences" tab to choose the option "*Send updates immediately by email*" in the "Email Delivery Preference" section.

If you have not signed up for GovDelivery and the VSP Newsletter (which some of you have not and are reading this Newsletter at our VSP web page), please do so at this [link](#). You will be able to manage your subscription through the Commission's GovDelivery system. We recommend setting your subscription to receive emails about VSP immediately, so that you receive the email as soon as it is produced by the Commission. You can do that initially when you create your GovDelivery subscription or by logging into the GovDelivery system [here](#) and use the "Preferences" tab to choose the option "*Send updates immediately by email*" in the "Email Delivery Preference" section.

VSP WEB PAGE - REVISED: The [Commission's VSP web page](#) has been substantially revised in order to be more user-friendly and to ease the access of information. Please take a look at it [here](#). Feedback is welcome - please direct it to [Bill Eller](#).

VSP MONTHLY CONSULTANT Q&A: The next Q&A webinar for all those interested in VSP at a statewide level is coming up on **Thursday, March 9 from 9am-9:30am**. Please register for Voluntary Stewardship Program (VSP) Monthly Q&A on Mar 9, 2017 9:00 AM PST at:

<https://attendee.gotowebinar.com/register/7634968442042653697>

This conference call is meant to be a Q & A on VSP for all 27 VSP opt-in counties. The purpose of the call is to be a forum to disseminate information about VSP on a statewide level and to answer VSP related questions. It is open to any who want to phone in, but mainly directed at County staff, Conservation District staff, and consultants and facilitators responsible for VSP.

Links to past webinar recordings are available on the [VSP Workgroups web page](#).

JOINT MEETING OF THE TECHNICAL PANEL AND STATEWIDE ADVISORY COMMITTEE: The VSP Technical Panel (TP) and Statewide Advisory Committee (SAC) met on February 1, 2017 in Lacey. Please check the TP and SAC web pages for more details. For those who missed that meeting, a recording has been posted [here](#).

The next joint meeting of the TP and SAC will be Friday, March 10, 2017, from 9am-4pm. The in-person meeting locations will be in Lacey and Colville, and the meeting will also be available by webinar. Full details will be available on the [TP web page](#) or [SAC web page](#).

Also, this meeting will be available by webinar. Remember, you'll need to register for the webinar and then add the log in information to your calendar after registering. If you will not be attending in person, please register for VSP Technical Panel & Statewide Advisory Committee meeting on Mar 10, 2017 9:00 AM PST at:

<https://attendee.gotowebinar.com/register/6708985037769330946>

After registering, you will receive a confirmation email containing information about joining the webinar.

VSP TECHNICAL PANEL AND STATEWIDE ADVISORY COMMITTEE MEETING MINUTES: Meeting minutes for both the VSP Technical Panel (TP) and VSP Statewide Advisory Committee (SAC) can be found on their web pages - [here](#) for the TP and [here](#) for the SAC. For meeting attendees, please contact us with any corrections, changes, or clarifications.

REGIONAL VSP MEETINGS: The Commission hosted two regional VSP meetings at the end of January for all persons who might be interested in the current state of the VSP. Each meeting had the same agenda, and both were well attended. All presentations and materials from those regional meetings are available [here](#). Topics addressed at those meetings included a presentation by Chelan or Thurston County on the work they have done so far on their VSP work plans, VSP agricultural viability, VSP monitoring, outreach to the agricultural community in a VSP work plan, available incentive programs for VSP participants, and the VSP Technical Panel work plan evaluation process.

VSP AND THE BUDGET: We have become aware of a number of questions and concerns about the VSP budget. Here are some important points to remember:

For the current fiscal year (July 1, 2016 - June 30, 2017) which ends on June 30, 2017, counties have been allocated up to \$150,000 to support their VSP work plan efforts. One question counties have is, how much, if any of the current fiscal years' funding can be pushed forward into the next biennium? The answer is none.

Another question is, what happens if, after June 30, 2017 there's no additional funding for VSP? The answer is that the Commission will need to make a determination at that time whether the counties have adequate funding for VSP and if not they need to implement one of the four options specified in statute. See [RCW 36.70A.735\(2\)\(c\)](#).

The failure by the Legislature to adequately fund VSP would affect all 27 counties that have opted in-to VSP as per the provisions of RCW 36.70A.735(2)(c). Therefore, it is important for counties to inform their local legislators (some of whom may not be aware of the effect of inadequate funding of VSP on their own local county) of the operation of the statute in this instance.

VSP VOUCHERING: Remember, the Commission's agency policy requires monthly reimbursement requests for all VSP contracts (as well as any other contracts). However, we have noticed that some counties are sending in reimbursement requests quarterly. Monthly reimbursement requests allow entities to stay on top of expenses and contract end dates. So, please **remember to voucher monthly** for VSP expenses.

VSP BILLING FOR LIGHT REFRESHMENTS AT MEETINGS: Light Refreshments include coffee and/or any non-alcoholic beverages (e.g. tea, soft drinks, juice or milk) and **between meal snacks** (e.g. doughnuts, sweet rolls, nuts, or fruit and cheese) at meetings, conferences, or project tours. Reimbursements for light refreshments **MUST** include a receipt for goods, a list of attendees, and a copy of the meeting/event agenda. Without this documentation, reimbursement **will not** be provided. **Pizza, sandwiches, etc., are not considered light refreshments.** Please remember, as per the VSP billing FAQ's, that **a list of meeting attendees must accompany any request for reimbursement for light refreshments at meetings.** For more information, please see the [Billing FAQ](#) or contact [Karla Heinitz](#).

VSP BILLING FOR TRAVEL: Travel is an allowable cost to be billed for under the VSP county contract with the Commission. Travel costs are to be documented as outlined in the FAQ on billing. Travel costs must also abide by all rules and regulations for state travel. For instance, travel must be within state per diem rates (i.e. mileage is currently at \$0.54). If there are any hotel expenses, those would also have to be within state per diem rates. Out of state travel is prohibited without prior authorization from the Commission. State travel rules and regulations are included in the Statewide Accounting & Administration Manual (SAAM), Chapter 10. A link to the SAAM is [here](#). Remember - travel costs will count directly against the amount of funds you have available for VSP planning and implementation. For more information, please see the [Billing FAQ](#) or contact [Karla Heinitz](#).

REQUESTS FOR VSP PRESENTATIONS: Commission staff is available to give presentations on a variety of VSP topics (history, background, current status of program, etc). If you receive requests for presentations, the Commission asks that you contact us before you fulfill that request. If we can fulfill that request, we will do so. For requests we cannot fulfill, the Commission believes that a VSP presentation inside your county boundaries is a recoverable expense as part of VSP and VSP work plan outreach. For requests we cannot fulfill outside of the boundaries of your county, the Commission will not reimburse you for that expense.

Please contact [Bill Eller](#) if you have presentation requests. Requests must be approved in writing by Commission staff in order to receive reimbursement.

DOCUMENTATION OF OUTREACH ON VSP: In the May and again in the June 2016 VSP newsletter, we provided some guidance on outreach to the work groups. At the request of some work groups, we provide that information again from the May 4, 2016 VSP newsletter:

STRATEGIES FOR ENVIRONMENTAL AND TRIBAL ENGAGEMENT AT THE WORK GROUP LEVEL: “A county must confer with tribes and interested stakeholders before designating or establishing a watershed group”, and “[t]he watershed group must include broad representation of key watershed stakeholders and, at a minimum, representatives of agricultural and environmental groups and tribes that agree to participate. The county should encourage existing lead entities, watershed planning units, or other integrating organizations to serve as the watershed group.” [RCW 36.70A.715 \(2\) and \(3\)](#), emphasis added. Some suggested strategies for workgroup participation by environmental groups, tribes, and other stakeholders: Engage stakeholder groups early in the process - before establishing the workgroup. Engagement should take the form of written communication, but can also include direct face-to-face meetings, phone calls, or other outreach methods. Engage stakeholder groups after the workgroup has been established. Continue to engage those stakeholders with written communication through workgroup progress updates. Document all attempts to communicate with those stakeholders in writing.

Building on that outreach strategy, the TP believes that outreach efforts should be documented in the VSP work plan. A section of the work plan could be about how the work group was established and efforts made to include stakeholders (see RCW 36.70A.715). In addition to the outreach requirements in RCW 36.70A.715 mentioned above, there are requirements in other sections of the VSP statute that apply ([RCW 36.70A.720](#) (b) and (d) specifically) that should also be addressed in the work plan.

A work group would want as much documentation in writing of its outreach efforts as possible. As such, letters, meeting advertisements, media articles, and documented phone calls should be kept as materials that support the work plan and work group effort. A summary of such efforts should be included in the work plan, but the background documentation materials should be retained by the work group in case they are needed in the future.

VSP WORK-GROUPS AND THE OPEN PUBLIC MEETINGS ACT: Back in April 2016, the Commission published the following about the Open Public Meetings Act (OPMA) and VSP work groups. Some VSP work groups have requested this information again, so we take the opportunity here to provide it.

The Commission has taken the position that the VSP work-groups are subject to the Open Public Meetings Act (OPMA) ([RCW 42.30](#)).

As such, there are some requirements that need to be met, such as the requirement for training of Work-group members ([RCW 42.30.205](#)), for posting of agendas on a county’s website 24 hours in advance ([RCW 42.30.077](#)), for taking meeting minutes ([RCW 42.30.030](#)) (as per county policy and in compliance with the OPMA), and

conducting meetings that are open for the public to attend ([RCW 42.30.030](#)). For more information, please refer to the Municipal Research and Services Center ([MRSC](#)) [web page](#) on the OPMA.

In 2014 the Legislature passed [Engrossed Senate Bill 5964](#) which requires agency governing boards and committees established to take action on their behalf to receive training on the [Open Public Meetings Act](#). The training is in the form of a video from the Attorney General's office. By viewing this video, you will have received the training that is now required by law.

After Work-group members have been established by the Board of County Commissioners, it is our recommendation that each Work-group view the video at a Work-group meeting soon thereafter. By viewing these video, you will have received the training that is now required by law every 4 years or within 90 days of becoming a Work-group member. The link to the video is here:

Follow this link to view the [Open Public Meetings Act video](#) (17 min)

***Note:** an internet connection and audio capability will need to be available in order for the video link to function properly.*

It is our recommendation that each Work-group keep a list of the Work-group members who have taken the training, already taken the training in some other capacity, and when the training was completed. Videos may also be viewed by Work-group members on their own, but then the viewing of the videos will need to be documented by the Work-groups. So, there are essentially three options for viewing the videos:

Option 1 - Each Work-group member views the video on their own

Option 2 - Viewing the video at a Work-group meeting

Option 3 - Documenting that a Work-group member has already received this training
Based on how each individual member of the Work-group has or will receive the training, one of the three options should be selected and documented by the Work-group.

For more information, MRSC has two flyers available for download that provide a one-page summary of OPMA compliance and notice requirements:

[General OPMA compliance practice tips](#)

[OPMA notice requirement practice tips](#)

VSP AND SMA: The Department of Ecology has been working on a clarifying document on how VSP interacts with the Shorelines Management Act. That document is complete and has been posted to the Commission's VSP web page [here](#). It is reproduced in its entirety below. Thanks Zach Meyer for putting this together!

Clearing up confusion around the interaction between VSPs and SMPs

The relationship between the Voluntary Stewardship Program (VSP) and local Shoreline Master Programs (SMP) has been a source of confusion for many VSP workgroups around the state. Below is information intended to clear up any misconceptions and provide a concise and accurate description of how a VSP and SMP interact.

Voluntary Stewardship Program

Washington's VSP provides an alternative approach for counties to address our state's

Growth Management Act requirements. The program uses a watershed-based, collaborative stewardship planning process, and relies on incentive-based practices for protecting critical areas, promoting viable agriculture and encouraging cooperation among diverse stakeholders. This program is voluntary, as is reflected in the name, and offers potential funding opportunities for participating counties to protect their watersheds.

VSPs within the SMP framework

In shoreline jurisdiction (at minimum, within 200 feet of the ordinary high water mark of “shorelines of the state”¹), both the local county SMP and VSP will apply. SMP regulations do not change with a VSP, and apply the same as before. We have heard discussion at some workgroups suggesting that the VSP either does not apply within shoreline jurisdiction, or that shoreline regulations will not apply once the VSP is created. It is important to clear up these two common misconceptions for workgroups to have a full understanding of the regulatory framework surrounding VSP.

The confusion is understandable, because the Shoreline Management Act precludes comprehensively updated SMPs from “limiting or modifying” existing and ongoing agricultural activities. It is correct to state that any SMP approved since 2003 will not regulate existing and ongoing agricultural activities.²

Activities such as building new structures or stabilizing a shoreline may need a new shoreline permit or exemption from the county, but are not defined as “agricultural activities” for purposes of VSP.³ Existing agriculture is exempt from SMP regulation, except when non-agricultural activities occur on agriculture lands.

A local VSP work plan does not replace the shoreline regulations of an SMP. VSP work plans identify voluntary practices to promote existing agricultural activities while protecting critical areas, as an alternative to a regulatory approach. All existing regulations, including SMPs and water quality regulations (e.g. Clean Water Act), still apply.

Aquaculture in VSPs and SMPs

Some workgroups are including aquaculture into their VSP work plans. Voluntary measures to improve existing and ongoing farm practices are welcome, whether they apply to land-based agriculture or aquaculture. However, under the Shoreline Management Act, aquaculture is not agriculture, and there are specific regulations and permit requirements that will continue to apply⁴. Local work plans need to be consistent with the requirements of local SMPs and other existing regulations.

Learn more about VSPs

Ecology wants to help workgroups understand the relationship between VSP and SMPs. For more information, please visit [Ecology's VSP website](#) or contact Gary Graff at vsp.coordinator@ecy.wa.gov.

DEPARTMENT OF ECOLOGY VSP STAFF TRANSITION: The Dept. of Ecology’s VSP Coordinator Zach Meyer is transitioning to a new position and will no longer be involved in the VSP

¹ Shorelines of the state are defined in RCW 90.56.030.

² RCW 90.58.065

³ WAC 173-26-241(3)(a)(v)

⁴ WAC 173-26-241(3)(b)

process. If you have any VSP questions or information needs from the Dept. of Ecology please contact Gary Graff at vsp.coordinator@ecy.wa.gov until this position is filled.

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