



## Scope

### 1. What is the purpose of the VSP?

The purpose of the VSP is to “promote plans to protect and enhance critical areas within the area where agricultural activities are conducted, while maintaining and improving the long-term viability of agriculture in the state of Washington and reducing the conversion of farmland to other uses” (RCW 36.70A.700(2)(a)).

### 2. What are “critical areas”?

Critical areas include the following, as defined by the Growth Management Act (RCW 36.70A.030(5)):

- Wetlands
- Fish and wildlife habitat conservation areas
- Frequently flooded areas
- Geologically hazardous areas
- Areas with a critical recharging effect on aquifers used for potable water (“critical aquifer recharge areas”)

### 3. What does the VSP require with respect to critical areas?

The County’s VSP, as it is implemented over time, must demonstrate *protection* of critical areas. Protection is defined as preventing the degradation of values and functions of critical areas, at a watershed scale, as they existed on July 22<sup>nd</sup>, 2011 (the effective date of the VSP legislation). In addition, the VSP Work Plan must include goals for *enhancement* of critical areas over time, although current VSP funding does not provide for enhancement.

### 4. How do I know if critical areas are on my land?

Countywide maps that show the approximate location of critical areas have been developed as part of the VSP, and are available in PDF and Google Earth formats from the County’s VSP website. However, the features on these maps have not been formally delineated or surveyed and are intended for planning purposes only. When in doubt, call the Pacific County Department of Community Development.

### 5. How is the VSP different from traditional land management ordinances under the Growth Management Act?

The VSP is not a new set of regulations. Instead, it protects critical areas through *voluntary* actions on the part of participants. The VSP is developed by a multi-stakeholder Working Group specific to Pacific County, then implemented by individual agricultural operators on a voluntary basis. With the VSP in place, all agricultural activities are exempt from (i.e. not subject to) the county’s critical areas regulations, *whether or not* an agricultural operator decides to participate in the VSP.

All other local, state, and federal regulations (e.g. Shoreline Master Program, Clean Water Act) will still apply.

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A key distinction between the traditional “GMA approach” to protection of critical areas and the VSP approach is that, under the traditional approach, the county must be able to demonstrate protection of critical areas *at the parcel scale*. This is typically accomplished through regulatory buffers, use prohibitions, and other restrictions, combined with an enforcement program. The VSP, by contrast, relies on evaluation *at the watershed scale*. Protection is demonstrated by progress reports completed every five years.

### 6. What are the major components of the VSP?

**Working Group:** A group that includes a broad representation of key watershed stakeholders, including representatives from the agricultural community, tribes, and environmental group. In addition to developing the Work Plan, the Working Group coordinates monitoring and adaptive management of the VSP as it is implemented over time.

**Work Plan:** A document developed by the Working Group that defines goals and measurable benchmarks to achieve protection and enhancement of critical areas. These goals and benchmarks will determine how to define and measure the success of the VSP. The Work Plan also:

- Designates an entity or entities that will provide technical assistance to individual agricultural operators to participate in the VSP;
- Defines what individual stewardship plans will look like; and
- Defines a long-term monitoring plan for measuring the success of the VSP over time.

**Technical Assistance:** The Work Plan must designate one or more entities that will help agricultural operators develop or implement individual stewardship plans under the VSP. These entities are a crucial component in ensuring the success of the VSP. In Pacific County, key technical providers include, but are not limited to, the Pacific Conservation District, WSU Extension, and the USDA Natural Resources Conservation Service.

**Individual Stewardship Plans (ISPs):** ISPs are written by the technical assistance entity, together with the agricultural operator, to capture the protection and/or enhancement activities performed by the agricultural operator as part of the VSP. ISPs are not defined in the VSP statute, but are developed by the Working Group as part of the Work Plan. ISPs *could* take the form of a simple checklist of conservation practices and programs that further the goals of the VSP. The approval process for ISPs is set up by the Working Group.

**Long-Term Monitoring:** In order to evaluate the success of the VSP over time, the Work Plan must establish an approach to monitoring the progress of the VSP against its defined benchmarks. This monitoring approach must measure (i) participation in and implementation of the VSP (e.g. number of ISPs); (ii) stewardship activities; and (iii) the effects on critical areas and agriculture relevant to the protection and enhancement benchmarks developed in the Work Plan. To the extent possible, the monitoring approach should leverage existing monitoring programs, data, and results.



## Participation

### 7. How voluntary is the VSP?

The commitment to complete an ISP is a voluntary decision by the landowner. There is no requirement in the VSP for an individual landowner to have a plan.

### 8. Can a landowner be forced, under VSP, to comply with land use regulations?

The VSP is voluntary. A landowner engaging in agricultural activities who does *not* complete an ISP is *not* subject to the county's critical areas regulations (for the portion of their property devoted to agriculture). In other words, non-participants are not subject to any additional regulations relative to participants. However, all other applicable laws still apply, and regulatory entities (e.g. Ecology, WSDA) still have the authority to regulate under those laws.

### 9. Do I need to sign up now, or when I decide to expand/grow?

The VSP applies to all agricultural activities where they intersect with critical areas, including existing and ongoing agricultural activities. Every ISP developed as part of the VSP will count toward the success of the overall program – even if the ISP simply captures conservation practices already being implemented (as long as they were started after July 22<sup>nd</sup>, 2011). In other words – no need to wait!

### 10. Are individual stewardship plans confidential, just like farm plans?

ISPs can be discussed within the Working Group, but are not disclosable. Because ISPs only address those acreages that affect critical areas, the plans are not necessarily complete NRCS farm plans. By comparison, NRCS farm plans are also not disclosable, but are strictly confidential – meaning they can be shared among governments (for example, a County to the Washington State Conservation Commission).

### 11. What's the cost for participating?

There is no fee associated with the VSP, or with developing an ISP. The technical assistance provider may help you identify applicable cost-sharing or grant programs available to help offset the costs associated with implementing specific conservation practices.

### 12. What incentives are there for participation?

At the County level: The VSP provides an opportunity to avoid application of critical area regulations to agricultural activities, while developing a locally-tailored approach to protection of critical areas on agricultural lands.

At the individual agricultural operator level: One of the tasks of the Working Group in developing the Work Plan will be to identify voluntary incentives to encourage participation in the VSP. To the extent possible, this will include leveraging existing voluntary incentive programs, such as financial assistance programs, regulatory relief programs, and marketing/branding programs. Under the VSP statute, the Working Group should, to the maximum extent practical, administer the VSP "in a manner that allows

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participants to be eligible for public or private environmental protection and enhancement incentives while protecting and enhancing critical area functions and values” (RCW 36.70A.755).

The VSP also presents an opportunity to document and “get credit for” best management practices and conservation activities that are, in many cases, already being implemented. The conservation practices identified by the Working Group for inclusion in the Work Plan will be selected for their relevance to agriculture in Pacific County, as well as for their alignment with the protection and enhancement of agricultural viability in the county, in accordance with the overall goals of the VSP.

#### **13. What are the consequences if a landowner doesn’t participate?**

The success of the VSP relies on participation from the county’s agricultural community. The Working Group must set goals and benchmarks for participation in the Work Plan. However, the VSP is voluntary, and no landowner can be forced to participate.

If a landowner withdraws from the VSP and any applicable management practices are no longer in effect, the Working Group must account for any loss of protection resulting from such withdrawals when reviewing and revising the Work Plan.

### Implementation and Monitoring

#### **14. How do we know if the VSP is successful?**

The success of Pacific County’s VSP will be measured against the goals and benchmarks defined in the Work Plan. Once the Work Plan is approved by the director of the Washington State Conservation Commission, the Working Group must demonstrate progress toward these goals every five years. The focus of success is on critical area function at the watershed scale.

#### **15. What if the VSP is not successful?**

If monitoring of the VSP demonstrates that it is not meeting its defined goals and benchmarks, the Working Group must use principles of adaptive management to modify the goals and benchmarks in the Work Plan. If the Working Group “determines that additional or different practices are needed to achieve the Work Plan’s goals and benchmarks, the agricultural operator [who is already participating in the VSP] may not be required to implement those practices but may choose to implement the revised practices on a voluntary basis and is eligible for funding to revise the practices” (RCW 36.70A.750(2)).