

Meeting Packet

December 3, 2020

Held virtually due to COVID-19

Lacey, WA, 98503

"To conserve natural resources on all lands in Washington, in collaboration with conservation districts and partners."



Meeting Agenda

Thursday, December 3, 2020

Business Meeting
Held virtually due to COVID-19

Time

Please note that the times listed below are estimated and may vary. Please visit the SCC website for the most up-to-date meeting information.

Meeting accommodations

Persons with a disability needing an accommodation to participate in SCC public meetings should call Stephanie Crouch at 360-407-6211, or call 711 relay service. All accommodation requests should be received no later than Monday, November 23, to ensure preparations are appropriately made.

Meeting Coordinates

At 8:30 a.m. on December 3, 2020, please log into the meeting using this link. You may use your computer audio, or dial into the meeting at (224) 501-3412, use the access code 453-248-173, and enter the pin shown on your screen. SCC staff requests that you self-mute your audio line to allow for full discussion by Commissioners.

Agenda

TIME	TAB	ITEM	LEAD
8:30 a.m.		Call to order/Welcome/Introductions a. Pledge of Allegiance b. Additions/Corrections to agenda items	Chairman Longrie
8:40 a.m.	1.	Consent Agenda – call for public comment (Action) c. September 17, 2020 draft meeting minutes	Chairman Longrie
8:50 a.m.	1.	Budget (Action)	Sarah Groth
		 January – June 2021 Implementation, Orca/CTA & Engineering remaining allocation 	
9:15 a.m.	1.	Policy & Programs – call for public comment (Action)	
		e. Potential Election Changes	Ron Shultz
		f. "Conservation Week" budget and time estimate (Information)	Laura Johnson
10:00 a.m.	1.	District Operations – call for public comment (Action)	Chairman Longrie

g. Pierce CD Supervisor Appointment (mid-term)

10:30 a.m.	1.	Commission Operations – call for public comment (Action)	
		h. Governance Presentation	Shana Joy
		i. Chair & Vice-chair election	Comm. Beale, Kropf & Williams
11:00 a.m.		Recognition & appreciation of	Led by
		Rod Hamilton's service to Conservation Districts	Dir. Smith
12:00 p.m. –	- BRI	EAK	
12:30 p.m.		Executive Session as allowed per RCW 42.30.110 (1) (f):	
		To receive and evaluate complaints or charges brought against a profficer or employee.	ublic Commission members
		Note: Members of the public will remain on the line while Commissioners dial a separate phone line provided during this time	only e
1:00 p.m.	2.	District Operations (Information)	
		a. District Operations and Regional Manager report	Jean Fike
		b. Center for Technical Development September report	Packet Item
1:30 p.m.	2.	Policy & Programs (Information)	Ron Shultz
		c. Legislative Update	
2:00 p.m.	2.	Partner Updates (Information)	
		d. National Association of Conservation Districts	Packet Items
		e. Washington Department of Fish & Wildlife	
		f. United States Department of Agriculture – NRCS Update	
2:05 p.m.	2.	Commission Operations (Information)	
		g. Strategic Planning Update	Dir. Smith
		General Update	
2:35 p.m.		Presentation of award to Executive Director Smith	Chairman Longrie

TAB 1



DRAFT Meeting Minutes

September 17, 2020

Regular Business Meeting

The Washington State Conservation Commission (Commission/SCC) met virtually on September 17, 2020. Chairman Longrie called the meeting to order at 8:33 a.m.

COMMISSIONERS PRESENT

Dean Longrie, Chairman and elected west region rep.

Harold Crose, *Vice-chairman and elected central region rep.*

Perry Beale, Department of Agriculture Larry Cochran, elected eastern region rep. Jeanette Dorner, Washington Association of Conservation Districts

David Giglio, Department of Ecology
Jim Kropf, Washington State University
Terra Rentz, Department of Natural Resources

Sarah Spaeth, Governor Appointee Daryl Williams, Governor Appointee

COMMISSION STAFF PRESENT

Carol Smith, Executive Director
Mike Baden, NE Regional Manager
Allisa Carlson, Central Regional Manager
Stephanie Crouch, Administrative Assistant
Kate Delavan, Office of Farmland Preservation
Coordinator

Bill Eller, Elections Officer and VSP Coordinator
Jean Fike, Puget Sound Regional Manager
Josh Giuntoli, Southwest Regional Manager
Lori Gonzalez, Executive Assistant
Sarah Groth, Fiscal Manager
Alison Halpern, Policy Assistant
Karla Heinitz, Management Analyst
Laura Johnson, Communications Coordinator

Ron Shultz, Policy Director Ashley Wood, Fiscal Analyst

PARTNERS REPRESENTED

Lucy Edmondson, US EPA Region 10 Roylene Comes at Night, Natural Resource Conservation Service Sherre Copeland, US Forest Service

GUESTS ATTENDED

Please see "Attachment A" for full list of attendees.

Shana Joy, District Operations Manager

Consent Agenda

Draft July 16, 2020 meeting minutes

Motion by Commissioner Crose to approve the July 16, 2020 draft meeting minutes with correction by Commissioner Spaeth. Seconded by Commissioner Cochran. Commissioner Rentz abstains. Motion passes.

Draft August 12, 2020 special meeting minutes

Motion by Commissioner Crose to approve the July 16, 2020 draft meeting minutes. Seconded by Commissioner Spaeth. Commissioner Rentz abstains. Motion passes.

Budget and Finance

2021 – 2023 Budget Submittal

Sarah Groth, SCC Fiscal Manager, presents a brief update on the status of the 2021-2023 budget submittal. Ms. Groth tells Commissioners that all budget updates were submitted before the deadline from OFM, and provides a summary of the packages that were submitted (see below).

Operating Budget Proposals (listed in priority order, based on district budget survey results):

- Conservation Technical Assistance: \$5,000,000
- Voluntary Stewardship Program: \$8,462,000
- Food Policy: \$600,000

Capital Budget Proposals (listed in priority order, based on district budget survey results):

- Natural Resource Investments: \$11,905,000
- Conservation Reserve Enhancement Program Riparian Planning (Cost, Share & TA_: \$7,725,000
- CREP Riparian Planting (Practice Incentive Payment PIP Loan Program): \$500,000
- Regional Conservation Partnership Program: \$7,962,000
- Shellfish Funding: \$4,326,000
- Irrigation Efficiencies: \$4,000,000

Fiscal Year End Close: Update

Ms. Groth proceeds to provide an update regarding the 2020 Fiscal Year End close. WSCC asks that conservations districts continue to be mindful of their spending, and to send any surplus back to the SCC. WSCC was able to return 4.5%, or just over \$331,000, to OFM in operating general state funds.

Policy/Programs

Office of Farmland Preservation – Stevenson Farm Agricultural Conservation Easement

Kate Delavan, SCC Office of Farmland Preservation Coordinator, presents on the Stevenson Farm Agricultural Conservation Easement Project. This project has been in development since at least 2014, and has been in front of the Commission previously, and today Ms. Delavan is seeking authorization for the final piece of the project: enter purchasing sale agreement and move to closing. Ms. Delavan presents an update to the SCC Easement Portfolio and Pipeline. SCC does not currently hold any agricultural conservation easements, but does hold a 3rd party right of enforcement on the Lust Farm, where NYCD is the easement holder.

Ms. Delavan presents details on the project; Stevenson Farm & Ranch, a 98-acre property with irrigated alfalfa and livestock, is in Yakima County, about 20 minutes west of the city of Yakima. This project was developed by the North Yakima Conservation District (NYCD). The SCC will hold the easement, and RCO

will be a 3rd party beneficiary. NYCD is subcontracted to support due diligence and landowner correspondence.

Motion by Commissioner Cochran to formally authorize the SCC's Executive Director to sign required documents to purchase an agricultural conservation easement on the Stevenson Farm property. Seconded by Commissioner Crose. Motion carries.

Food Policy Forum Update

Ron Shultz, SCC Policy Director, shares the Food Policy Forum Update. Recent legislation during the 2020 session put the Forum in the SCC statute. In March of this year, the Governor's office asked the Forum to examine the impact of the Covid-19 pandemic on our state's food system. This report, the *Early Action Implementation Report*, was completed in July, and the Commission was briefed on the report and its implications for conservation districts and the Commission at the May Commission meeting.

Now the report is completed, staff are moving to the implementation phase. Forum members have been divided into four groups, each assigned one of the opportunity challenge areas:

- <u>Challenge #1</u>: COVID-19 threatens both the near and long-term economic viability of individual agriculture and food enterprises; these businesses need appropriate relief and relevant services to continue to remain economically viable and operational as they pivot to serve new market and operating demands during the pandemic and beyond.
- <u>Challenge #2</u>: COVID-19 public health responses resulted in transformational shifts in the food system requiring systems-level supports and investment to maintain the functional capacity and flexibility of our food system to meet immediate needs and build resiliency for an uncertain future.
- <u>Challenge #3</u>: COVID-19 has increased the need for nutrition services and assistance due to massive unemployment and economic insecurity for Washingtonians.
- <u>Challenge #4</u>: COVID-19 underscores the need to foster resilience in the face of a changing climate to ensure long-term food security.

Mr. Shultz reviews the attached document that describes the process these groups will be using to review the list of recommendations in each challenge area and identify specific actions to implement the recommendation. Results are expected at the end of October. This will allow the Commission to have a list of Forum recommended actions in time for legislative consideration should any of the recommendations require legislative action.

Legislative Update

Ron Shultz returns to share the Legislative Preview with the Commission. Although the 2021 Legislative Session is three months away, there's a lot of action on possible legislation. We're hearing of several bills that either are in development or may come up during session. There's also the question of whether the legislature will be called into a special session prior to January. Recent revenue numbers suggest a special session may not be likely. It also depends on what happens in the November elections.

To address current fiscal year shortfall, the Governor cut more than \$200 million from the supplemental budget using his veto authority. Other actions were also taken including a freeze on hiring and personal service contracts. Executive agencies were directed to take furloughs and a hold was placed on the 3%

state employee salary increases taking effect July 1. The Office of Financial Management (OFM) also asked all agencies to submit proposed 15% reductions for the current fiscal year.

OFM is also anticipating federal action to support state and local governments. Whether this comes in the form of new money for states, or whether more flexibility will be provided in the use of funds already available (which for Washington currently totals about \$1.6 billion) will likely hinge upon the outcome of the November national elections.

<u>Revenues</u>: On September 3, the state Revenue and Forecast Council released some good news when they shared that actual revenues since the February forecast are up by \$643 million. This additional revenue will also help the projected shortfall for the current fiscal year. How much? We don't know yet. The next revenue forecast will be on September 23.

Possible Legislation: We are learning of several bills of interest already in development:

- Public Records Act changes relating to release of ballot information.

Other legislation we are aware of:

- Open Public Meeting Act (OPMA) changes.
- Agriculture Impact Statement (AIS)
- Water Bank in Okanogan County.
- Cultural resources review of all state funded projects.
- Application of Net Ecological Gain to transportation projects.
- Exempting from certain state taxes amounts provided by a government entity for habitat restoration activities.
- Accountability and transparency in special purpose elections.
- Carbon tax proposals

Other major policy discussions:

- Salmon Recovery and Riparian Restoration.

Commission Operations

Temporary interpretive statement for SCC member election

Ron Shultz and Lori Gonzalez, SCC Executive Assistant presents on the Temporary Interpretative Statement for the elections of the elected positions of the commission. Mr. Shultz provides a brief background on the interpretive statement: In 2013, the Commission felt the need to clarify the roles and responsibilities for how elections are carried out for the elected positions on the Commission. It then passed the interpretive statement that has been used since that time. Due to the ongoing COVID pandemic, and the move by WACD to host an all-virtual meeting, it changes how elections will be carried out this year, and thus calls for a revision of the interpretive statement. Rather than revise the original, Mr. Shultz and Ms. Gonzalez felt it more appropriate to release a temporary interpretive statement until no longer necessary. This temporary interpretive statement will terminate at the end of December 2020.

Ms. Gonzalez presents on the election process that will take place during this election. The election process will be sent out once this has been approved. Ms. Gonzalez has been working closely with WACD, and WSCC will be using the same secure, virtual voting system during their upcoming election.

Motion by Commissioner Crose to adopt the temporary interpretive statement as detailed in the memo (Tab 1F). Seconded by Commissioner Beale. Motion Carries.

2021 Commission meetings proposal

Shana Joy, SCC Regional Manager Coordinator, presents the potential Commission meeting locations and dates. Ms. Joy recognizes that no meetings were able to take place as planned during 2020 due to inclement weather or the COVID-19 pandemic. Because of this, Ms. Joy recommends the 2021 hosts be the same hosts as planned in 2020, assuming meetings can be conducted safely and within budget constraints.

Motion by Commissioner Spaeth to approve the proposed, potential Commission meeting locations and dates for 2021 in the event that in-person meeting(s) can be conducted safely and within budget constraints. Seconded by Commissioner Cochran. Motion carries.

Presentation: King Conservation Election

Chris Porter, a member of the King Conservation District Board of Supervisors, presents his experience of running for district supervisor and the challenges faced using two different election processes. Some of the challenges faced included miscommunication, lack of outreach, and confusing procedures. Mr. Porter is calling for election reform so as to increase representation of voters and extend the opportunity of all to run for the elected positions within conservation districts' board of supervisors.

District Operations

Election WAC Changes

Bill Eller, SCC Voluntary Stewardship Program Coordinator and Election Officer, presents on the proposed changes to WAC Chapter 135-110 and the Election Guide. Mr. Eller thanks Mr. Porter for his presentation highlighting the challenges faced, some of which will be addressed today. Mr. Eller presents some of the background of the elections, including the enabling statute in RCW 89.08.190. This led to the creation of WAC 135-110, which is what is being amended today. Mr. Eller review the CD Election Timeline; districts are currently undergoing election training, reviewing procedures, and adopting policies. This process began two years ago when the Commission directs staff to look into the election WAC changes. Mr. Eller then provides an overview of some of the key changes in the WAC, highlighted below. These changes will necessitate a change to the election manual. SCC has followed guidance to change the manual to a guide and edited as needed.

Motion by Commissioner Williams to approve staff recommended changes (key changes outlined below, a full draft of the proposed changes is attached to packet item Tab 1H) to WAC Chapter 135-110 and adopt the changed rule as final. Seconded by Commissioner Crose. Motion carries.

- 1. Removing the distinction between absentee, mail-in, or in-person ballots
- 2. Consolidating candidate types into just two those who will appear on the ballot and those who will not
- 3. Eliminating the automatic disqualification of write-in candidates when a ballot contains a candidate whose name is pre-printed on the ballot
- 4. Eliminating nominators and the nominating petition
- 5. Creating a distinction between candidate required and optional information
- 6. Aligning the CD election retention schedule with the Secretary of State's schedule
- 7. Setting deadlines for certain notices, reporting, and form submittal
- 8. Requiring CD staff to be trained in conducting elections, as per the adopted EQAP
- 9. Explicitly allowing election supervisor duties to be delegated to others
- 10. Requiring poll sites to be open for a minimum of 4 consecutive hours
- 11. Setting out the procedure and effect of candidate withdraw
- 12. Clarifying who can serve as polling officers
- 13. Clarifying when electronic signatures and filing can be used
- 14. Setting out the procedure for complaining about or challenging an election
- 15. Setting out the procedure for filling vacancies in elected positions

Motion by Commissioner Crose to adopt the revised Election and Appointment Guide as final. Seconded by Commissioner Cochran. Motion carries.

CD Elections & COVID-19

Mr. Eller returns and presents the next item on the agenda, concerning CD Elections & COVID-19. Due to the ongoing COVID pandemic, district elections will have to be conducted much differently this year. The Commission staff recommends conservation districts take appropriate precautions to ensure safety

Motion by Commissioner Williams to recommend all conservation districts consider taking the necessary steps to protect voters, candidates, CD staff and polling workers during the COVID-19 pandemic. Further recommend conservation districts review and consider the actions identified by Commission staff in the memo to the Commission dated September 17, 2020 and titled "Conservation District Elections and the COVID-19 Pandemic". Commission staff will distribute the memo and appendix to all conservation districts for their consideration as they plan for the district supervisor elections. Seconded by Commissioner Beale. Motion carries.

District Operations and Regional Manager Report

Mike Baden, SCC Northeast Regional Manager, presents the next item on the agenda. Although Regional Managers are continuing to work during COVID, they are continuing to stay connected to their districts. Regional Managers are working with L&I and MRSC to update Operations Brief to go out to Districts in response to wording in old brief that L&I had issues with, and they hope to roll out new brief along with MRSC when they complete updates of suggested guidelines. Regional Managers have worked with districts on a number of personnel hiring matters including hiring processes.

Supervisor pocket guide has been updated and is available digitally. Training modules are complete and will be rolling out each of the 5 over the next few months. In addition to modules, Regional Managers will provide guidance to CD boards on how to use modules.

Voluntary Stewardship Program five-year report template and database update

Bill Eller returns to share a brief update on the VSP five-year report template and database. Counties have to provide updates, but the five-year report isn't based on when the plan was approved, but when the county received funding. The way VSP works is the county receives funding and they have three years to craft their plan. The practical effect of how the statute works is only reporting on about two years of actual VSP implementation on the ground, which was seen in the pilot counties' reports. The template will be used to input the data that the SCC Director needs, as they are the decision makers in this statute. This information will be used to either agree or disagree that the counties are meeting their VSP goals and benchmarks. The first three counties that are up, Kittitas, Mason, and Garfield, have just received their template for submittal. This upcoming session will be recorded for future viewing.

Tour of the new SCC Website

Laura Johnson, SCC Communications Coordinator, gives a tour of the new SCC website. Ms. Johnson expresses the collective excitement of the agency surrounding the new site's design, including the accessibility and different features the site offers.

SCC General Update

SCC Executive Director Smith provides an update, and specifically speaks on wildfire impact. SCC will help those affected as much as possible, but recognizes it can be hard to do so on limited funds. SCC has found some money for support, but what there is not funding for immediate need, such as emergency hay and erosion control. Commissioner Giglio shares that ECY has a number of agreements with Conservation Districts, and in the past, these agreements can be amended to allow money to be repurposed in times of crisis. Commissioner Williams shares that the Tulalip Tribe has a store of hay that may be allocated to Conservation Districts in need.

Presentation: South Douglas Conservation District Virtual Tour

Carol Cowling, South Douglas Conservation District Manager, begins her virtual tour of South Douglas CD. There has been lots of positive movement within the community, including fuels reduction, micro sprinklers, wind breaks, composting facility in Orondo, fencing with Trusting Spirit Horse Rescue. Future projects include: Moses Coulee, McCartney Creek, develop pollinator habitat, weed control, water quality, wildlife habitats, and irrigation efficiencies. Wildfire damaged a large portion of the district, and has affected many landowners.

Executive Session

Chairman Longrie calls for an executive session per <u>RCW 42.30.110 (1) (f)</u> at 1:20 p.m. to receive and evaluate complaints or charges brought against a public officer or employee.

Motion by Commissioner Cochran to authorize Director Smith to begin process of investigation into complaint received. Seconded by Commissioner Crose. Motion carries.

Chairman Longrie adjourns the meeting at 3:04 p.m.



Meeting Attendees

September 17, 2020

Attendees

Mike Baden

Perry Beale

Jennifer Boie

Brynn Brady

Allisa Carlson

Alan Chapman

Larry Cochran

Brian Cochrane

Roylene Comes At Night

Sherre Copeland

Carol Cowling

Harold Crose

Stephanie Crouch

Kate Delavan

Jeanette Dorner

Lucy Edmonson

Bill Eller

Deanna Elliott

Jean Fike

Lori Gonzalez

David Giglio

Josh Giuntoli

Sarah Groth

Alison Halpern

Attendees (cont.)

Kirstin Haugen

Karla Heinitz

Laura Johnson

Shana Joy

Jim Kropf

Dean Longrie

Mike Mumford

Craig Nelson

Zorah Oppenheimer

Chris Porter

Brandy Reed

Terra Rentz

Jeffrey Rock

John Roos

Doug Rushton

Tom Salzer

Ron Shultz

Carol Smith

Sarah Spaeth

Michael Tobin

Nick Vira

Jennifer Watkins

Daryl Williams

Ashley Wood



December 3, 2020

TO:	Conservation Commission Members Carol Smith, SCC Executive Director
FROM:	Sarah Groth, Fiscal Manager
SUBJECT:	Remainder of Fiscal Year 2021 Funding

Action Item	X
Informational Item	

Summary:

At the May 2020 commission meeting I asked for, six month allocations to be approved for Implementation, including Orca/CTA and Engineering because of the uncertainty surrounding our budget and a potential special legislative session due to the COVID-19 virus response. That request was approved at the May 2020 commission meeting.

SCC staff seek approval to allocate the remaining six month installment of Implementation including Orca/CTA and Engineering funds to districts.

While we are still not sure if additional cuts will be imposed we understand the need to get this funding out to districts.

Requested Action (if action item):

Approve the request for the remaining six month installment of Implementation including Orca/CTA and Engineering funds to districts.

Staff Contact:

Sarah Groth (sgroth@scc.wa.gov)

Background and Discussion:

Recommended Action and Options (if action item):

Approve the request for the remaining six month installment of Implementation including Salmon/Orca/CTA and Engineering funds to districts as proposed in the attached table.

Next Steps (if informational item):

	Implementation FY 21	Orca/CTA FY 21	Professional Engineering FY 21 (January - June 2021	
District	(January - June 2021 allocation	(January - June 2021 allocation only)		
A.1	only)	Å 5 555 50	allocation only)	
Adams	\$ 42,244.50	\$ 5,555.50		
Asotin	\$ 42,244.50	\$ 5,555.50		
Benton	\$ 42,244.50	\$ 5,555.50		
Cascadia	\$ 42,244.50	\$ 5,555.50		
Central Klickitat	\$ 42,244.50	\$ 5,555.50	\$ 37,500.00	
Clallam	\$ 42,244.50	\$ 5,555.50		
Clark	\$ 42,244.50	\$ 5,555.50		
Columbia	\$ 42,244.50	\$ 5,555.50		
Cowlitz	\$ 42,244.50	\$ 5,555.50		
Eastern Klickitat	\$ 42,244.50	\$ 5,555.50		
Ferry	\$ 42,244.50	\$ 5,555.50		
Foster Creek	\$ 42,244.50	\$ 5,555.50		
Franklin	\$ 42,244.50	\$ 5,555.50	\$ 37,500.00	
Grant	\$ 42,244.50	\$ 5,555.50		
Grays Harbor	\$ 42,244.50	\$ 5,555.50	\$ 37,500.00	
Jefferson	\$ 42,244.50	\$ 5,555.50		
King	\$ 42,244.50	\$ 5,555.50		
Kitsap	\$ 42,244.50	\$ 5,555.50		
Kittitas	\$ 42,244.50	\$ 5,555.50	\$ 37,500.00	
Lewis	\$ 42,244.50	\$ 5,555.50		
Lincoln	\$ 42,244.50	\$ 5,555.50		
Mason	\$ 42,244.50	\$ 5,555.50	\$ 37,500.00	
North Yakima	\$ 42,244.50	\$ 5,555.50		
Okanogan	\$ 42,244.50	\$ 5,555.50		
Pacific	\$ 42,244.50	\$ 5,555.50		
Palouse	\$ 42,244.50	\$ 5,555.50		
Palouse Rock Lake	\$ 42,244.50	\$ 5,555.50		
Pend Oreille	\$ 42,244.50	\$ 5,555.50		
Pierce	\$ 42,244.50	\$ 5,555.50		
Pine Creek	\$ 42,244.50	\$ 5,555.50		
Pomeroy	\$ 42,244.50	\$ 5,555.50	\$ 37,500.00	
San Juan	\$ 42,244.50	\$ 5,555.50		
Skagit	\$ 42,244.50	\$ 5,555.50	\$ 37,500.00	
Snohomish	\$ 42,244.50	\$ 5,555.50	\$ 37,500.00	
South Douglas	\$ 42,244.50	\$ 5,555.50	· ·	
South Yakima	\$ 42,244.50	\$ 5,555.50		
Spokane	\$ 42,244.50	\$ 5,555.50		
Stevens	\$ 42,244.50	\$ 5,555.50	\$ 37,500.00	
Thurston	\$ 42,244.50	\$ 5,555.50	, , ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
Underwood	\$ 42,244.50	\$ 5,555.50		
Wahkiakum	\$ 42,244.50	\$ 5,555.50		
Walla Walla	\$ 42,244.50	\$ 5,555.50		
Whatcom	\$ 42,244.50	\$ 5,555.50		
Whidbey Island	\$ 42,244.50	\$ 5,555.50		
Whitman	\$ 42,244.50	\$ 5,555.50		
			¢ 227 E00 00	
Total	\$ 1,901,002.50	\$ 249,997.50	\$ 337,500.00	



December 3, 2020

TO: Conservation Commission Members

Carol Smith, SCC Executive Director

FROM: Ron Shultz, WSCC Policy Director

Bill Eller, WSCC Elections Office

WSCC Election Team

SUBJECT: Conservation District Elections

Action Item

X

Informational Item

X

Summary:

In December 2019, the Commission passed a motion stating they would conduct outreach to conservation districts to gather input on possible changes to the conservation district supervisor election process.

Over the course of the past year Commission staff, working with input from WACD, have engaged in outreach with conservation districts on the question of possible changes to conservation district elections.

This memo presents the results of these discussions for Commission review and possible decisions on various options.

Requested Action (if action item):

Commission staff is not recommending any particular option at this time.

Staff Contact:

Ron Shultz, WSCC Policy Director (360) 790-5994 rshultz@scc.wa.gov
Bill Eller, WSCC Elections Officer (360) 385-7512 beller@scc.wa.gov

Additional support for the discussion of the election topic with conservation districts was provided by a team of Commission staff.

Background and Discussion:

Prior to the beginning of the 2020 Legislative session, several legislators expressed interest in examining special purpose district election processes. This included conservation district supervisor elections. Proposed legislation reviewed prior to the start of session indicated an interest among some legislators to moving all district elections to the general election ballot, eliminating the existing process for electing conservation district supervisors.

At the December 2019 Conservation Commission meeting, Commission members discussed the proposed legislation being developed by some legislators and expressed concern about such legislation moving forward without input from conservation districts. At this meeting the Commission passed a motion regarding district elections in the 2020 Legislative Session:

Motion by Dorner that the SCC acknowledges the importance of the questions related to conservation district election processes. The SCC is concerned with the current legislative proposals and recommends more discussion with our constituents to avoid unintended consequences. The SCC commits to engage in evaluating potential improvements to the election process. Seconded by Longrie. Motion carried.

To fulfill the Commission's desire to "engage in evaluating potential improvements to the election process", Commission and WACD staff held a series of meetings and discussions with conservation district supervisors and managers regarding possible changes to district supervisor elections.

The process began with a series of meetings between Commission staff and WACD staff to identify the issues and concerns regarding district elections and develop a suite of options for possible election changes for consideration by the districts. These meetings also developed a process for discussing these options with conservation districts.

The first step in the process was an open video conference for all districts on Saturday, September 26. During this meeting, participants were briefed on the status of legislative concerns regarding district elections, discussed various criteria for evaluating election options, and discussed a series of options for possible election changes.

During this discussion, districts identified a rubric of items for consideration when reviewing election options. What we heard from the district participants was that district elections must be:

- Affordable / Manageable
- Non-partisan
- Flexible (not one-size-fits-all)
- Inclusive / Equitable

- Transparent
- Accessible
- Trustworthy
- True-to-mission

The districts then discussed several options for changes to elections:

Option 1:

Allow option for CDs to go on general election ballot.

Option 2:

• Elections "one week" pilot project.

Option 3:

- Increase outreach in current election process.
 - Pursue technology changes
 - Continue with WAC changes

Reviewing these three options, and following extensive discussion among the districts, a fourth option was added. This option expanded upon several ideas already being explored by some districts and incorporating alternatives to make elections more affordable. The new Option 4 developed by the districts includes:

Option 4: Make elections more affordable.

- Extend board supervisor terms of office to four years. (statutory change)
- Conduct elections every other year. (statutory change)
- Allow conservation districts to set the election date at a point during the year.
 (statutory change)
- Explore policy and considerations for SCC to review/approve CD proposals for setting zones/precincts for elected supervisor positions. (administrative)

After the September meeting, districts were given the opportunity to discuss possible election changes at the WACD Area Meetings during October.

A second all-district web meeting was held on the topic on November 21. There were 77 participants. At this meeting the process for changing the current election statute was discussed. The process for administrative changes to district elections was also discussed. Districts then reviewed the rubric of items important to districts in election options considerations.

Based on input from districts and the discussions held since the first web meeting, the elections options were modified and the following options were discussed at the November 21 meeting. Districts were presented the "pro" and "con" perspectives for each option. These are reflected below under each option.

After discussion, all participants were invited to participate in a poll on each option indicating whether they "support; could live with; do not support" the option. The results of the poll are shown below next to each option, with the average vote total of approximately 43 participants out of 77:

Option 1: Allow option for CDs to go on general election ballot. (statutory change)

o Pro:

- Accommodates those districts who wish to be on the general election ballot, while not impacting those who do not.
- Will incorporate the largest number of voters of the other options.

- o Con:
 - Will require a statutory change.
 - Will increase election costs for those districts opting-in.
 - May raise questions as to why all districts don't go on the general election ballot.

CD Vote: Support: 33% Could live with: 33% Do not support: 33%

Option 2: Host CD elections during one "Conservation Week." (administrative)

- o Pro:
 - Although election timing is statutory, a pilot where a group of districts choose to hold their election during the same week could be done administratively.
 - Could increase awareness of CD work through a focused public outreach campaign prior to the election week.
- o Con:
 - May not include all CDs.
 - Might not increase voter turnout or engagement to expected numbers.

CD Vote: Support: 42% Could live with: 35% Do not support: 23%

Option 3: Increase outreach in current election process. (administrative)

- o Pro:
 - Can be done administratively.
 - Addresses concerns from key stakeholders about the conduct of CD elections.
 - Can be targeted to address particular concerns.
- o Con:
 - Can be expensive for districts depending on approach.
 - Many districts already conducting outreach not sure what more can be done.
 - May not increase voter participation or engagement in CD.

CD Vote: Support: 55% Could live with: 34% Do not support: 11%

Option 4: Make elections more affordable.

- Extend board supervisor terms of office to four years. (statutory change)
 - o Pro:
 - Will decrease workload for CD and Commission staff.
 - Allows CDs to focus more time, money and resources on natural resource conservation.

- o Con:
 - Will require a statutory change.
 - Might not increase voter turnout or engagement to expected numbers.
 - Likely increase need for election training for CD staff.
 - May decrease awareness of CDs.

CD Vote: Support: 45% Could live with: 30% Do not support: 25%

- Conduct elections every other year. (statutory change)
 - o Pro:
 - Will decrease workload for CD and Commission staff.
 - Allows CDs to focus more time, money and resources on natural resource conservation.
 - o Con:
 - Will require a statutory change.
 - Might not increase voter turnout or engagement to expected numbers.
 - Likely increase need for election training for CD staff.
 - May decrease awareness of CDs.

CD Vote: Support: 57% Could live with: 20% Do not support: 23%

- Allow conservation districts to set the election date at a point during the year.
 (statutory change)
 - o Pro:
 - Allows CD election to be at the same time as the general election.
 - Increases flexibility for CDs.
 - o Con:
 - Will require a statutory change.
 - Will increase the workload for Commission staff.
 - May increase confusion over CD election tied to general election date.
 - May decrease the ability of CDs to receive assistance from their local elections department.

CD Vote: Support: 21% Could live with: 42% Do not support: 37%

- Explore policy and considerations for SCC to review/approve CD proposals for setting zones/precincts for elected supervisor positions. (administrative)
 - o Pro:
 - Already allowed under statute.
 - Would decrease costs to CDs as only part of the district would be involved in the election.
 - o Cons:
 - Workload increase for CD and Commission staff.
 - A policy would need to be created by the Commission that would account for gerrymandering, diversity, equity/inclusion considerations, and updated on a regular basis.
 - A CD wishing to pursue this option would need to submit a plan to the Commission, likely after a public hearing process to allow for public comment.
 - Likely cause more confusion for the public in the district without more outreach.

CD Vote: Support: 29% Could live with: 31% Do not support: 40%

Additionally, the Commission received separate comments from conservation districts - Clallam, Clark, Grays Harbor and Pacific, Whatcom, and Palouse. The Commission also received comment from a representative of the Friends of Toppenish Creek. These communications are attached.

Recommended Action and Options (if action item):

Commission staff make no recommendation at this time regarding Commission action. Rather, the options presented to districts and the district responses to these options are provided to the Commission for consideration as requested in the December 2019 Commission motion.

Next Steps (if informational item):

Commission staff will implement any direction provided by the Commission following discussion at the December 3, 2020 Commission meeting.





October 1, 2020
To the WACD, WSCC Board Representatives, and to other interested parties,

The Grays Harbor and Pacific Conservation Districts would like to take this opportunity to comment on potential changes to conservation districts election process state wide. The issue is very important to our CD's and always can use improvement. GHCD and PCD are open to working with WACD, WSCC, and the Washington State Legislature to improve our election process, however the Board of Supervisors for each of our two districts would like to make some comments, and make clear some of our positions on the subject.

- 1. There is a great need to keep the process non-partisan and not political by nature. Like many of the representative positions in the state, CD supervisor positions should remain non-partisan. Conservation is an important concern no matter what your party affiliation may be.
- 2. There is an absolute need to keep flexibility for each CD in the state to deal with their own situations, not a "one size fits all" solution. GHCD and PCD are cognizant that sister CD's need some change to answer issues around elections to facilitate continued business. However, every district is different in population demographics, funding sources, resource needs, and boundaries (cities in/out, inside/outside county jurisdictions), and a statewide election change should reflect with flexibility that solution. One districts problems are not necessarily another districts problems.
- 3. GHCD and PCD take great umbrage for the perception of "bad players" levied on conservation districts. Conservation districts are very different than other special districts, but the main difference that is of issue currently is the ability to levy taxes. GHCD and PCD understand that the process can improve, but our districts will not take on responsibility or fault because a special district in King County failed to uphold their process. Fix the localized problem, but do not share the blame to innocent programs.
- 4. Districts do not have taxing, rates and charges, or assessment levying ability, nor should they. The check and balance system, working with county administrations, not only keeps districts out of the partisan arena, but it keeps a relationship with sub divisions of government tasked with raising funds.
- 5. There are reasons for low, or no, voter turnout. If only one individual, who happens to be the incumbent supervisor, petitions to run for a supervisor position, no election is needed. Also, if there currently are not any hot button issues, voter turnout will be low. It is not because districts do not advertise elections or the districts constituency doesn't know about the district. It's just not pressing enough to vote. Many districts have a very low voting populations, that are already aware, and content with results, with the district.

6. There is an obvious divide, or CD class division, between urban vs rural, and well-funded vs low funded CD's. This will probably not change, but there needs to be more empathy and understanding between them.

GHCD and PCD responses in red:

Option 1: Allow option for CDs to go on general election ballot. – GHCD and PCD have no problem with other CD's, if they choose, to have the ability to be on the general election ballot. What GHCD and PCD will not accept is being forced to be on the general election ballot. Depending on the CD, the annual cost would be around 30k to 45k per year. Without financial help from the state, the CD's just cannot afford these costs. We would be forced to lay off staff who manage conservation projects and provide technical assistance T/A, and have less conservation going on the ground. However, GHCD and PCD fully support other districts having the option to do so.

- Could also include allowing those on general ballot to implement rates and charges.
 - Districts do not have taxing, rates and charges, or assessment levying ability, nor should they. The check and balance system, working with county administrations, not only keeps districts out of the partisan arena, but it keeps a relationship with sub divisions of government tasked with raising funds.

Option 2: Host all CD elections during one "Conservation Week" – GHCD and PCD like this proposed change very much. We would be also very good with a specific day chosen for elections, or eligible voters could voter during the whole week. Perhaps having voting available 4 hours per day during that week.

Would allow for more effective/efficient statewide promotion of CDs/CD elections
 -GHCD and PCD would support this effort.

Option 3: Increase outreach in current election process. – We already put a lot of effort into election outreach, but, as we have mentioned many times, the Southwest Area for conservation districts do not have a single Outreach/education specialist among them. So, with more outreach, funding would be needed to achieve such goals.

Option 4: Make elections more affordable - More state funding is needed.

- Extend board supervisor terms of office to four years Yes, However GHCD & PCD strongly suggest six years.
- Conduct elections every other year Yes.
- Allow conservation districts to set the election date Refer to the Conservation Week.
- Provide the option for districting/zones for elected board supervisor elections. GHCD
 and PCD are fine with CD's that choose to have districting/zones, but only if they choose to do
 so, NO MANDITORY.

Thank you for accepting the GHCD and PCD Board of Supervisors input. Mike Nordin

GHCD & PCD Manager, speaking on behalf of the two CD Board of Supervisors

November 24, 2020

Washington State Conservation Commission Washington Association of Conservation Districts Sent via email

Ladies and Gentlemen:

The Clallam Conservation District board of supervisors supports putting conservation district supervisor elections on the regular November general ballot. We have a number of reasons for this position, including the confusion, embarrassingly low voter turnout, staff stress, and basic distrust that results from our current system of conducting elections.

Because statute requires conservation district elections to be held during the first quarter of the year, the first step to putting our elections on the regular November general ballot must be a change to RCW 89.08. And, we recognize the potential financial impacts of being on the general ballot, but we are confident that actions can be taken to minimize, if not eliminate election costs to districts.

Regarding election costs, it is important to clarify how the cost of conducting general elections is currently handled, as considerable misinformation has been and continues to be spread about this. Washington state law requires all entities on the general ballot to pay their share of the total election cost based on their number of registered voters. (For estimating purposes, County Auditors assume an election cost of roughly \$1 per registered voter.) Adding the position for conservation district supervisor to the ballot does not increase the cost of the election in any appreciable way. What it does is reduce the amount that other entities would have to pay. So it is a fallacy that adding districts to the general ballot will increase the cost of the election. This point has been argued by some that fear if Counties were to cover districts' share of the election costs, Counties would have to come up with the additional funds from somewhere, such as deducting it from whatever funds they currently provide to districts, including rates and charges. Adding conservation districts to the ballot is not going to increase the Counties' election costs. It's rather disappointing to us that Conservation Commission and WACD staff allow this misinformation to continue unabated, to the detriment of informed elections discussions.

We propose the following to address potential election costs:

- Change the supervisor term of office from three to four years so elections can be held every other year. This action alone reduces election cost by 50 percent.
- Only conduct elections in even-numbered years. Even-numbered year general elections have the most offices/measures on the ballot; therefore, the cost of the election is divided up among more entities and the costs to each entity is less than when there are fewer offices/measures.
- Develop guidelines for supervisor elections by county zones or districts. Counties with
 commissioners typically already have three districts from which commissioners are elected. If
 conservation districts are on the general ballot, County Auditors will conduct the elections, thus
 have to determine the eligible voters. They already do this for every school district and other
 special purpose district, so doing it for a conservation district is a non-issue. Some may argue
 that it is difficult enough already to get people to run for conservation district supervisor

positions, and reducing the number of potential candidates by districting will make it even more difficult (in our district, only two of the three commissioner districts are currently represented on our board). However, being on the general ballot would increase conservation district exposure, thus maybe increase interest in serving on the board of supervisors.

• If possible, eliminate the need for a primary. Because conservation district supervisor positions are non-partisan, this should be possible.

Lastly, as is done in Oregon, the legislature could exempt conservation districts from paying their share of the elections; instead, they could require counties cover their share. We don't know if this would be possible through a change in RCW 89.08 or whether or not the general elections stature would have to be changed. Even if this were not done, election costs to districts would be so greatly reduced by the other measures identified above, that in most cases they would be affordable or negotiable with local counties.

Regardless of what options are selected for the future of conservation district supervisor elections, we do not think business as usual is one of them. We must be proactive in our efforts to improve our elections and make them more accessible to the voters that have come to expect to receive their ballots in the mail.

Will being on the general ballot result in other unanticipated changes to conservation districts? Only time will tell. Will political parties hijack our elections and make them partisan? In many districts, they already have. Unfortunately, the way we currently conduct our elections makes it very difficult for anyone but the most motivated candidates and voters to engage, however they might be motivated.

And, as former Oregon conservation district employees WACD executive director Tom Salzer and Conservation Commission regional manager Jean Fike have shared, things probably won't change as much as some people fear. We must have confidence that what conservation districts were created to do will prevail, irrespective of how our elections are conducted. After all, one way or another, we serve everyone in our districts.

Sincerely,

Matthew V. Heins

Board Chair

Cc: Senator Van De Wege Representative Chapman Representative Tharinger



November 17, 2020

To: Washington State Conservation Commission and Washington Association of Conservation Districts

RE: Conservation District Elections

From: Clark Conservation District Board of Supervisors

Clark Conservation District appreciates the opportunity to offer the following comments regarding revisions to Conservation District supervisor elections.

We agree that there is a need for some revisions to our election process. While there may not be an immediate issue about the integrity of CD elections - that some public doubt has been raised regarding the special district elections in general - provides an opportunity for us to collectively review our process.

Some of the election revision opportunities from Clark CD's perspective include:

- Increasing voter participation,
- Expanding community understanding of CD services,
- Demonstrating proactive leadership in election accountability, and
- Achieving stable and adequate funding to meet the growing conservation needs in our county.

We appreciate WACD and WSCC, and others who have provided a thoughtful process to advance our collective thinking on election reform. We agree with all of the issues identified as must-haves by CDs:

- Affordable / Manageable
- Non-partisan
- Flexible (not one-size-fits-all)
- Inclusive / Equitable
- Transparent
- Accessible
- Trustworthy
- True-to-mission

Clark CD recommends an option that we believe best serves our community and our ability to meet our mission. Given that the options are not mutually exclusive, we have combined Options 1 and 4 as needing to go hand in hand to be successful.

Clark CD Recommended Option: Allow the option for CDs to go on the general election ballot provided allowances are made to make elections more affordable and include the ability to go directly to the voters to adopt rates and charges.

www.clarkcd.org

813 West Main St. Ste. 106 Battle Ground, WA 98604

(360) 859-4780

Affordable Elections

Some suggested ways to make elections more affordable that Clark CD support include:

- Extend board supervisor terms of office to four years.
- Conduct elections every other year.

There is a need to develop election cost-saving strategies further, better understand the cost of elections, and determine at what level of government election fees may be waved and whether or not there is a willingness to do so.

To ensure flexibility is built into the system, it would be wise to consider what criteria could be applied for those CDs that want to opt-in or out of a general election.

Local Control for Rates and Charges

The importance of local authority to raise funds through direct voter passage of rates and charges is an existential issue for Clark Conservation District. Over-reliance on grant funds can result in erratic funding cycles, limit a District's ability to serve their entire geographic area, and limit the ability to develop long-range projects that are community priorities. One need only look south to the experience of Oregon Soil and Water Conservation Districts who have long had the ability to go directly to their voters to levy taxes. It has not led to partisanship nor has it changed their fundamental role as a non-regulatory entity that relies on landowners' trust to serve their management needs. It has meant they have stable and ample funds from which to serve their communities.

Option 2: Host all CD elections during one "Conservation Week" and Option 3: Increase outreach in the current election process

We believe that options 2 and 3 are of value in their own right, but we do not think these options alone address the election concerns raised for increased transparency, inclusivity, and accountability to the public, the voters in our communities.

Thank you for your consideration and leadership,

Dean P. Longrie

Clark Conservation District Chair on behalf of Clark Conservation District Board of Supervisors



November 28, 2020

WA State Conservation Commission PO Box 47721 Olympia, WA 98504-7721

https://www.scc.wa.gov/

Comments re Changes to Voting for CD Supervisors

Dear WA State Conservation Commission:

Friends of Toppenish Creek is dedicated to protecting the rights of rural communities and improving oversight of industrial agriculture. FOTC operates under the simple principle that all people deserve clean air, clean water and protection from abuse that results when profit is favored over people. FOTC works through public education, citizen investigations, research, legislation, special events, and direct action.

Watershed management, water quantity and water quality are top priorities for FOTC. We engage on these issues at every opportunity in an effort to protect our home. Please accept and consider our comments regarding changes to conservation district elections.

- 1. Two recent governmental actions place the South Yakima Conservation District (SYCD) at the center of local policy making and implementation:
 - The Voluntary Stewardship Program (VSP) is a non-regulatory approach for complying with state requirements to protect critical areas on agricultural lands. (See RCW 36.70A.030) The South Yakima Conservation District has been designated as the lead entity to manage the Lower Yakima County's Voluntary Stewardship Program.¹
 - The Lower Yakima Valley Groundwater Management Area (LYV GWMA) was created in 2012 and spent seven years developing a Program to address LYV groundwater problems. Initially Yakima County agreed to be the lead agency for this Program. When

Yakima County withdrew, the SYCD offered to assume that role and this offer was accepted by the Program Implementation Committee.

2. The SYCD, with a staff of two, provides:

- A No-Till Drill Rental Program
- "Cost-Share" as an incentive for landowners to install eligible conservation projects
- Fire Wise/Fire Recovery Program
- Irrigation Management Programs
- Livestock Programs Development of Nutrient Management Plans²

To the best of our knowledge the SYCD does not have the expertise or resources to lead a Groundwater Management Program or a Voluntary Stewardship Program.

- 3. On October 22, 2020 FOTC submitted public records requests to the WA State Conservation Commission (WSCC) and SYCD for materials describing the SYCD elections. According to data from WSCC, since at least 2013 all the SYCD Supervisors except one were auto selected. In 2018 a supervisor was elected by 27 votes out of a possible 30 votes. Advertising for that election consisted of posting a legal notice twice in a weekly newspaper with an unknown number of subscribers, unknown area of distribution, and no translation into Spanish. As of this writing SYCD has not provided data in response to our request.
- 4. Members of FOTC who live in the LYV were unaware of SYCD elections until the WSCC introduced this issue to the public. Members of FOTC have not attended SYCD board meetings because FOTC has been publicly slandered by SYCD staff who tell the press that FOTC wants to drive agriculture out of the LYV. This is simply untrue but there is not much we can do about someone who expresses an opinion and unethically uses his position within a government agency to amplify that opinion. No doubt FOTC will now begin attending SYCD Board Meetings, although we are not hopeful of presenting relevant data to a hostile group. Meeting times and agendas are not posted on the SYCD website.

FOTC believes that conservation district elections should be publicized so that all members in the community understand the CD role and have an opportunity to vote. It is alarming that implementation of programs that directly impact an entire watershed for better or for worse are supervised by a group of five volunteers who are mostly self-selected.

Sincerely, Jean Mendoza

Executive Director, Friends of Toppenish Creek

- 1. South Yakima Conservation District website at http://www.sycd.us/voluntary-stewardship-program/
- 2. South Yakima Conservation District website at http://www.sycd.us/

Palouse CD Comments on CD Election Proposals

From: Jennifer Boie < jenniferb@palousecd.org> Sent: Wednesday, October 21, 2020 11:00 AM

To: Shultz, Ron (SCC) <RShultz@scc.wa.gov>; Smith, Carol (SCC) <CSmith@scc.wa.gov>

Cc: Joy, Shana (SCC) <SJoy@scc.wa.gov>

Subject: Palouse CD comments on options for potential CD election changes

Hello Carol and Ron,

At the October 13th Board Meeting, the Palouse CD Board discussed options for potential CD election changes. Please see below for the comments that the Board asked me to share on each of the options:

- Option 1: Allow option for CDs to go on general election ballot. Could also include allowing those on general ballot to implement rates and charges.
 - Option 1 is okay if the state pays for the election. The Palouse CD Board does not have any interest in the authority to implement own rates and charges.
- Option 2: Host all CD elections during one "Conservation Week". Would allow for more effective/efficient statewide promotion of CDs/CD elections.

Option 2 of holding all elections during one "conservation week" is fine. Would also support the following options:

- o a "conservation month"
- o an "area option" for all elections in the same area (SE, NE, etc.) to be held in the same week or month
- o CDs retaining the flexibility to choose when to hold election
- Option 3: Increase outreach in current election process.

The Palouse CD Board supports increasing outreach in any/all election processes. In cases where there is limited CD staff capacity to increase outreach, include support from WSCC and WACD staff to increase local outreach for CDs. Benefits of increasing outreach include:

- expanding awareness of CDs and CD services
- encouraging more community members to run for elected seats, serve on boards, and ultimately serve their communities
- encouraging more community members to apply for appointed seats, serve on boards, and ultimately serve their communities
- o recruit associate supervisors
- o encourage more community participation with CDs
- o encourage more community members to vote in CD elections
- Option 4: Make elections more affordable. Extend board supervisor terms of office to four years.
 Conduct elections every other year. Allow conservation districts to set the election date at a point during the year. Provide the option for districting/zones for elected board supervisor elections

The Palouse CD Board does not recommend pursuing RCW changes unless absolutely necessary.

I hope you both are well! Feel free to reach out if you have any additional questions.

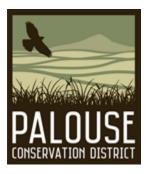
Jennifer

Jennifer Boie *Director*

Office: (509) 332-4101 x107

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JenniferB@PalouseCD.org



1615 NE Eastgate Blvd, Suite H Pullman, WA 99163 www.PalouseCD.org



Whatcom Conservation District

6975 Hannegan Road, Lynden, WA 98264 Phone: (360) 526-2381 Fax: (360) 354-4678 e-mail: wcd@whatcomcd.org

October 29, 2020

<u>Via Email</u>
Washington State Conservation Commission 300 Desmond Drive SE
Lacey, WA 98503

Re: Election Options – Whatcom's Perspective.

Honorable Commissioners:

First, thank you for undertaking to develop a unified position on needed changes to CD elections. It has been a reoccurring topic for far too long. It will be welcome to fully and finally put it productively behind us so we can focus on the other pressing matters like sufficient dependable funding for CDs.

At Monday's regular meeting, the Board spent considerable time reviewing, discussing and developing responses to the "CD election options" propounded by your agency. It approached the task from a strictly Whatcom perspective. The Board recognized that it was for the Commission to consider the needs and circumstance of all 45 CD and then formulate a state-wide position. While Board members have been listening to what their contemporaries in other CDs have been saying, they do not presume to opine as to what would be the best path forward. The following is what the Board is willing to support in anticipated future conversations with its legislators.

Option 1: Allow option for CDs to go on general election ballot. Yes, but underscore "option". If going on the general ballot becomes a mandate, then there must be an independent, supplemental means to pay for it. Whatcom CD cannot be burdened with paying for it out of the paltry indirect currently received through the existing funding paradigm of grants and contracts. To do so would quickly lead us to bankruptcy.

Option 2: Host all CD elections during one "Conservation Week". Support, so long as it affords the maximum amount of time presently allowed by statute within which to conduct an election. Our practice is to set our election date as late as possible in order to: provide the maximum amount of time to recruit candidates, raise awareness in the community, accept requests for mail-in ballots, utilize a service to stuff and mail out ballots and time to return to the district for counting. Of the 45 CDs, Whatcom has among the highest and frequently the highest level of voter participation. It would be improvident to disrupt this process that has proved so successful.

Washington State Conservation Commission Re: Election Options – Whatcom's Perspective. October 29, 2020 Page 2 of 2.

Option 3: Increase outreach in current election process. Support, so long as

- If done by Commission, we have an opportunity to provide input as to messages.
- If required of us, new additional funding is provided to offset. It would not be appropriate, for e.g., to tell us to take it out of our Implementation Grant. That source of funding has declined over the years. Most recently a portion of those funds have been earmarked for specific uses (like Orca Recovery). This has had a negative effect on ongoing implementation activities.

Option 4: Make elections more affordable. Support efforts to achieve this objective including:

- Extending board supervisor terms to four years. This also promotes building and maintaining institutional knowledge by reducing turnover of supervisors. A longer term (6 years for e.g.) would discourage recruitment of supervisors.
- Conducting elections every other year. The conduct of elections is not a grant
 or contract supported activity. So it competes for limited discretionary funding.
 Resource professionals are pulled off of their conservation work. Cutting this
 interruption in half would also benefit productivity.
- Allow conservation districts to set the election date at a point during the year. Support changing to facilitate CDs taking the option of going on the general ballot.
- **Provide the option for districting/zones for elected board supervisor elections.** We are informed that this is already an option in Chapter 89.08 of the Revised Code of Washington. In order to exercise this option, the Commission must promulgate regulations to define the process for development and approval. We support the Commission to making this a priority to complete.

Thank you for taking the lead on this matter and making it an open, transparent and inclusive process within which CDs can provide input. While some (many?) CDs prefer the status quo, our serious concern is that unless the Commission and WACD develop and successfully advocate for an alternative we can live with rather than one will prove insufferable.

Sincerely

George J. Boggs, JD Executive Director

CC: Whatcom CD Board
Jean Fike, SCC Puget Sound Regional Manager



December 3, 2020

TO:	Conservation Commission Members Carol Smith, SCC Executive Director		
FROM:	Laura Johnson, Communications Manager		
SUBJECT:	Elections "Conservation Week" – Time and Cost Estimate		
	Action Item Informational Item X		

Summary:

This memo provides updated information on the potential costs and time required to run a "Conservation Week" marketing campaign should all or most CD elections be hosted within a one-week timeframe.

Requested Action (if action item):

None – Information only.

Staff Contact:

Laura Johnson, SCC Communications Manager (<u>Ijohnson@scc.wa.gov</u>, 360-701-9455)

Background and Discussion:

The "Conservation Week" concept would allow for state-level promotion of CDs and CD elections. Under the current system, state-level promotion is limited because the districts host their elections at different dates within a three-month timeframe. Should all or most CDs host their elections during a more limited timeframe, such as within the same week, the SCC could run a statewide marketing campaign to promote the opportunity to the public.

In May 2019, Commission members passed a motion authorizing SCC staff to look into the costs of advertising and timing for promoting CD elections in general. In December 2019, SCC staff presented a memo to Commissioners with preliminary research on these costs, which were estimated at \$10K-50K. The December memo noted that the costs and timing of promoting CD elections would vary greatly depending on what, if any, potential changes were made to CD elections, such as the potential to host them all on the same day or week.

Since the option to potentially host all CD elections within the same week continues to be closely considered by the CDs and the SCC, SCC staff recently built a more detailed estimate of the timing and costs required to develop and run a "Conservation Week" marketing campaign.

Next Steps (if informational item):

Two estimates have been created to provide Commissioners with an estimate of the time and cost for running a "Conservation Week" marketing campaign. One estimate is based on the cost/time required to run the campaign internally, and the second is based on running the campaign with help from a contractor during the campaign development phase. Both estimates are for marketing/communication-related work only (not including election administration time and costs).

	Internally run		Run with help from contractor	
	Staff hrs	Cost	Staff hrs	Cost
Campaign Platform Development	286	\$4,500	205	\$14,100
 Campaign plan Visual branding Messaging Accessible web page design (landing page) Translation services Partner and community outreach plan Digital/social media design Template design/CD resources 				
Project coordination Promotions	78	\$12,800	78	\$12,800
 Conservation Week declaration Public radio advertising (KNKX, NWPB) Social media Media release Partner announcements 				
ESTIMATED TOTAL	364	\$17,300	283	\$26,900

For both options, the amount of staff time required ranges from 15-20% of an FTE. For all staff involved (Communications Manager, Finance Team, Admin Team), it's recommended that consideration be given to workload and what action would be taken to help staff accommodate the hours required for this campaign. The estimate is based on work required for the first year of a campaign when all plans/materials/processes are first developed. It's likely that the staff hours required may go down in subsequent years.



December 3, 2020

TO:	Conservation Commission Members Carol Smith, SCC Executive Director
FROM:	Alicia McClendon, Administrative Assistant Lori Gonzalez, Executive Assistant
SUBJECT:	Pierce Conservation District Mid-term Supervisor Appointment
	Action Item X Informational Item

Background Summary:

The SCC received four applications for mid-term appointment on the Pierce Conservation District Board of Supervisors. All applications received after the annual March 31st deadline for full term appointment, will now be processed as a mid-term until next year's cycle.

Applications were sent to all Commission members for their review prior to the December 3rd business meeting. Commissioners and Commission staff followed the process adopted in March of 2018 to conduct a more comprehensive vetting of the applications received for Commission appointment including conducting telephone interviews of each of the candidates listed below and contacting references.

A recommendation for appointment will be given by the appropriate area elected commission member.

Pierce Conservation District Mid-Term Supervisor Applications

Name of Applicant	Area Commissioner
Mr. Daryl Delaurenti	
2. Mr. Jonathan Hart	
3. Mr. Mark Mauren	Dean Longrie
4. Mr. Robb Krehbiel	



December 3, 2020

TO:	Conservation Commission Members
	Carol Smith, SCC Executive Director

FROM: Shana Joy, District Operations & Regional Manager Coordinator

SUBJECT: Governance and the State Conservation Commission

Action Item	X
Informational Item	

Summary:

State Conservation Commission (SCC) staff have been reviewing existing policies and identifying gaps in our policies that we should address. Governance policies have been identified as a gap in our agency policies. Webster defines governance as "the act or manner of governing." A more applied definition with respect to the SCC, governance means a system and structure of management based on clear understanding of roles & responsibilities set forth in policies.

The time is ripe for the SCC to fill the policy gap around governance - inspiring confidence, increasing our credibility, and providing an example for conservation districts. Governance policies can increase our consistency, continuity, clarity and transparency in our agency operations, which is anticipated to increase our effectiveness and efficiency in all that we do.

Requested Action

SCC staff request that the Commission take action to commit to working with staff to craft appropriate governance policies for the SCC over the course of calendar year 2021 and appoint a sub-committee of Commissioners to participate in and guide policy development. Regular updates from the sub-committee to be provided to all Commissioners and staff.

Staff Contact:

Shana Joy, sjoy@scc.wa.gov, 360-480-2078

Background and Discussion:

Governance and Public Official Conduct was the first conservation district supervisor development module produced and released as the highest priority need identified by Regional Managers and districts alike. A lack of clear governance policies, and following those policies, is one of the most common operational struggles in conservation districts across the state. At the same time that Page 1 of 2

supervisor development modules were being produced, SCC staff have been reviewing our own internal agency policies, identifying gaps, and prioritizing policy work to focus and guide our efforts. Governance has been identified as a gap in our own policy set and the SCC staff view this as a high priority task to tackle right away.

Ambiguity in our policies creates risk which could take many forms: risk to our partnerships, relationships, credibility, public perception, and even legal risks as well. There is no particular or specific issue currently in existence that we would be attempting to solve with this effort, but rather working to be pro-active and reduce our agency risk before we are faced with a problem. You may be wondering, what kinds of problems might arise from a lack of clear governance policies? The following real-life examples could occur within any governing body organizational structure without governance policies in place:

- An individual board member makes public statements on a contentious topic that is their own personal opinion but presenting that personal viewpoint as the official position of the organization.
- An individual board member is not behaving in a manner that is appropriate for a public official.
- A board member is consistently absent and disengaged from their responsibilities as a public official.
- A board member routinely goes around the lead staff person (manager or executive director) to give direction to staff, make promises to staff, or interferes in the management of staff in other ways.
- Staff routinely go around the manager or executive director to lobby board members for their own way, attempt to coerce the board members to manipulate the manager, or otherwise secure their own employment or conditions of employment.

These are examples of problems that could have been avoided or addressed through clear governance policies and adherence to them. As an agency with a governing body of Commissioners, the SCC should address governance in our policies as well.

Recommended Motions

Commissioners commit to working with staff and outside expertise, as needed, to craft and adopt governance policies for the State Conservation Commission by the end of calendar year 2021.

A Governance Sub-committee of Commissioners, (name Commissioners here), is hereby appointed to work with SCC staff with regular reports to the full Commission.

TAB 2



December 3, 2020

ГО:	Conservation Commission Members
	Carol Smith SCC Executive Director

FROM: Shana Joy, District Operations & Regional Manager Coordinator

SUBJECT: District Operations and Regional Manager Report

Action Item	
Informational Item	X

Report Summary:

Regional Managers offer this report of recent activities and support provided to conservation districts.

Ongoing Service Areas to Conservation Districts

- Partnering and Relationships Assistance
- Conservation Accountability & Performance Program (CAPP) Assistance
- New Supervisor and Staff Orientations and Professional Development
- Task Order Development
- Tracking Grant Spending and Vouchering
- Open Government Training
- Cultural Resources
- Project Development & CPDS
- Natural Resource Investments & Shellfish Programs
- Implementation Monitoring

- Long Range and Annual Planning Assistance
- Cross-pollination of Information, Templates, and Examples
- CD Audits
- Chehalis Basin
- Commission Meeting Presentation Planning
- District Digest Publication
- Human Resources (law/rule updates, hiring, performance evaluations, compensation, healthcare, issues

Conservation District Service, Recent Topics

- Wildfire Recovery
- COVID 19 Operations

 Elections and Mid-term Appointments

- Finance Tracking & Management
- Direct Deposits
- Annexation
- Area Meetings
- Cost Share Project Prioritization
- Columbia Basin/Odessa Groundwater
- Hazard Mitigation Grants
- National Estuary Program Grants
- RCPP Development
- ACEP/Conservation Easements
- Orca/Salmon Funding
- SCC Grants & Contracts Manual Review

- Interlocal Agreements
- District Governance
- Property Management
- Area Engineering Grants & Committees
- SCC & District Policy Development
- Prevailing Wage
- Supervisor Development Modules
- FY21-23 Budget Request Development
- Veterans Conservation Corps
 Program
- Heritage Gardens Program
- Public Records Act & Records Retention

Issues Resolution in Progress

- Cash-flow & finance challenges
- Personnel management: issues, turnover, capacity gaps, transitions
- Inter-district relationships and partnering
- Grant vouchering requirements

Wildfire Recovery

Regional Managers have been working to provide assistance and support to impacted conservation districts from this year's late-season wildfires. Working with SCC financial staff, small awards of technical assistance funds were made available to impacted conservation districts through an application process to support conducting damage assessments and gathering information on wildfire recovery project needs. Currently, Okanogan, Foster Creek, Ferry, Lincoln, North Yakima, Palouse, and Palouse Rock Lake CDs are conducting ongoing data collection. It is anticipated that the information collected on wildfire recovery needs can be provided to legislators and other potential funders as needed.

COVID 19 Response

The Regional Manager team continues to provide timely resources, information, FAQ's, and sometimes just moral support to conservation districts as we all navigate the ongoing COVID 19 pandemic. This includes looking up, tracking, and reviewing numerous proclamations and published guidance and resources, finding solutions to specific questions and issues as they arise, researching

websites, blogs and articles as stimulus packages and programs are unveiled, helping districts to remain in compliance with the OPMA and conduct of remote board meetings, and generally facilitating the sharing of ideas, solutions, and resources among the districts including planning for and co-moderating Conservation Community Calls as needed. Recent Conservation Community Call topics included conservation district elections (October 30th) and plant/tree sales (November 10th).

Regional Conservation Partnership Program (RCPP)

Regional Managers continue to assist conservation districts developing new applications under the Regional Conservation Partnership Program, connecting CDs interested in RCPP with the NRCS RCPP Coordinator and local NRCS staff, and working to assist districts with currently active RCPPs. Several new RCPP applications are under development with conservation district leadership across the state including: Grant Co., Snohomish, King, Walla Walla Co., Kittitas Co., Spokane, North Yakima, and Cascadia CDs.

Hazard Mitigation Grants

Mike Baden is leading this work. Mike has been working with finance staff, conservation districts, the National Fire Prevention Association (NFPA), and EMD staff to kick-off implementation of the planned work including establishing sub-awards with conservation districts and ironing out inter-agency billing details between SCC and EMD. Due to the current COVID 19 situation, conducting some or all of the planned trainings may be held via Zoom. The first NFPA-provided Home Ignition Zone trainings are planned for March-May of 2021 as well as a Post-Fire Recovery training under development by the Okanogan CD and a Wildfire Risk Mitigation Resource Essentials for Public Relations Officers training under development with Lincoln CD and our own Laura Johnson.

New Supervisor Development Modules Posted

Five new recorded supervisor development modules are now complete covering: board governance and public official conduct, financial management oversight, personnel oversight, policy making, and risk management basics. The recorded modules were released over the fall and are now available on our website here: https://www.scc.wa.gov/cd/governance-operations-training-development

Natural Resource Investments (NRI) Program & Committee

Regional managers continue to review ready-to-fund projects in CPDS as funds are returned by conservation districts and become available for re-allocation. The NRI Committee includes representatives from conservation districts across the state, financial staff, and regional managers. The Committee has met three times and is now reviewing a draft of programmatic guidelines revisions which includes the addition of a district-sponsored project and increased flexibility for conservation districts to allocate the NRI funds within their grant award to maximize efficiencies for use of the funds. A further update on the work of the Committee is anticipated to be presented to Commissioners at the January 2021 meeting and a full draft package of recommendations to be presented at the March 2021 meeting. Final action by the Commissioners would need to occur at the May 2021 Commission meeting for implementation in the next biennium.

Partnerships & Partnering Assistance

Most recently, the RM team has assisted with partnering or participated in partner and relationship building efforts with: WADE, Center for Technical Development, WACD, DNR, NRCS, Grant County, Ecology, NASCA, Washington Association of Land Trusts, State Auditor's Office, RCO, Department of Veterans Affairs, WA Fire Adapted Communities Learning Network, Washington Conservation Society, and Arid Lands Initiative.

Conservation Accountability and Performance Program (CAPP)

Regional Managers reviewed the CAPP Standard 1, required Accountability elements, for any necessary updates. It is anticipated that updated CAPP program guidelines will be brought to the Commissioners at the January 2021 meeting for review and requested action to adopt the updated program for utilization in 2021. Regional Managers anticipate continuing to review the performance standards 2-8 in CAPP for updates and edits in 2021 with feedback and input from conservation districts.



WSCC Center for Technical Development (CTD) September 2020 Commission Meeting

CTD Work Accomplishments (July 2020 forward)

For previous accomplishments and task completion, please review previous commission packet updates.

Explore more @ www.wactd.org

Certification

CTD Planner Certifications: The CTD Planner Certification Program accepted its first round of applications May 1, 2020 and successfully certified seven individuals. The next round of applications will be accepted on a rolling basis and the **next round of reviews will occur in early spring 2021**. Based on feedback from applicants and the review team, the CTD has streamlined the application process by moving the entire application submission process to SmartSheet. This will allow a cleaner submission process for applicants and a more efficient review process for the review team. The CTD will hold a webinar in early winter to introduce the new application process and answer questions as well as offer pre-application "interviews" to get folks started right and ensure they have everything they need to apply.

Plan Templates: The CTD has enrolled a new helper to assist with **creation of a Statewide Farm Planning template**. The template should be complete by early 2021 and will provide consistency in statewide planning as well as template availability to those Districts without such resources on hand.

Planner Resources: With ongoing changes imposed by the COVID-19 pandemic on work environments and increase of virtual platform use, the CTD launched an immediate response for District staff by posting a large number of virtual support tools and training opportunities on our webpage and via GovDelivery. We continue to update that almost daily by providing links to new opportunities and content for more effective remote working.

NRCS Planner Designations: The CTD continues to work with NRCS to help District staff through the NRCS Planner Designation process. There still remains confusion around the value and process of NRCS Designation and the CTD continues to post clarifying information on our website, answer email inquiries, hold webinars, and work with NRCS on clarifying issues as they arise. NRCS and CTD recently collaborated on a new guidance document for District staff on how to negotiate the NRCS Planner Designation process and tackle challenges with AgLearn. A webinar was held in October in conjunction with the release of the documents to help District staff understand the NRCS process and timeline. That webinar, like all CTD- hosted webinars, is available for viewing on the CTD website.

Training

NRCS Collaboration: The CTD continues to work with NRCS on coordination of training events to ensure better organization and placement of CD staff in NRCS trainings. The CTD proposed a 5-year cooperative agreement with NRCS and WSCC to share the cost of a fulltime Training Coordinator position. While NRCS approved the agreement, as of November the agreement has not yet been fully executed and funded due to budget issues within NRCS. The execution of this position would exponentially expand the CTD's reach and impact to help District staff through training, certification, and support processes.

National Conservation Planning Partnership (NCPP): The CTD has been working with the National Conservation Planning Partnership (NCPP) since March and attends regular (bi-monthly) webmeetings with the group to discuss national training and certification opportunity for Districts. This has been a great forum for the CTD to both give and receive feedback and ideas for advancing these opportunities nationally and in Washington State.

Training Needs Inventory (TNI): The CTD conducted its annual TNI in close coordination with NRCS this summer, informing NRCS of District training needs in the coming year. The TNI is tailored to identify those NRCS training events CD staff need and engage CD staff in the CTD and NRCS certification processes. This information also helps inform and guide CTD-sponsored trainings and Task Order requests.

Training Events: Due to the COVID-19 situation, scheduled training is constantly being updated and dates changed. The CTD is keeping in regular contact with NRCS and posting new information on the CTD website as we learn about updates. Additionally, with the long-term uncertainty associated with holding in-person training, the CTD is advocating with NRCS to consider/create more web-based training events at this time. This would also help decrease costs associated with travel. In particular, the CTD is outlining a modular, web-based version of the Conservation Planning course to be available to District staff, interns, partners, etc. Either way, the CTD is exploring safety protocols for any in-person training events in the future and will keep staff safety a high priority.

The CTD remains responsive to District staff needs for training. Following the success of the first webinar in April 2020, the CTD organized a second, two-part live web-based training on the NRCS COMET-Farm Carbon Planning tools, which was held October. This highlights the success of a web-based training platform and provides staff with much needed technical information on an emerging issue. We continue to receive feedback expressing the appreciation and importance of the virtual information and training provided by the CTD.

The CTD continues to curate and host a monthly webinar training series focused on planning and timely topics. The webinars have been well-received and well-attended (30-40 attendees per webinar on average) and are advertised on the CTD website, newsletter, and through special email announcements. In November, we added a monthly webinar sharing series, focused on highlighting projects or programs from Districts around the State in order to generate new ideas and share logistics and lessons learned. The CTD co-hosts additional outside virtual training opportunities through NRCS and others, as appropriate. Additionally, we continue to send out guidance on working remote, conducting virtual site visits, and links to virtual training opportunities to help staff stay focused and relevant in this new working environment.

New Employee Resources: The new employee resource page on the CTD website is continuously being updated with new webinars and information, including a new employee check list for both individuals and Districts to use. The goal is to have all new employee resources in one place so they can get going with training, training plans, certification, and orientation. The new page includes a portal to the CTD database.

Communication and Outreach

Website: The CTD website (www.wactd.org) continues to serve as a source of information to CD staff and is updated regularly. The CTD has worked to keep the website updated; improving aesthetics, clarity, and navigation of the site while continually updating content and ensuring relevance of the site. New changes are also announced in the CTD newsletter. In March, the CTD website was greatly expanded and is still updated daily to accommodate the influx of remote users for training, certification, and planning resources.

Outreach: The CTD continues to work on a more cohesive marketing plan to increase recognition and relevance for CD staff. The Leadership team recently added a new member in Kelsi Mottet, of Whidbey Island CD. Kelsi has a strong background in outreach and communications and will be instrumental in formalizing an outreach and marketing plan to engage both internal and external partners for the CTD. Kelsi will be analyzing the CTD communication platform and looking for ways we can increase our impact. She is also exploring ways the CTD can increase communication with partners and non-District agencies. We would like to increase awareness of the CTD as a central provision of training and expertise and increase the collaboration with partners on events and resources.

Newsletter: The CTD monthly GovDelivery newsletter continues to gain new subscribers (currently we have **more than 440 subscribers**) and is also located on the CTD website for those not on GovDelivery. In addition to the monthly newsletter, the CTD is using the GovDelivery platform as a way to get immediate, time-sensitive news and information out to staff.

Technical Expertise and Science Program

Expertise: Experts are continuously being identified as needed for engagement in programs, policy and training around the state (examples include: Ecology Voluntary Clean Water Guidance for Agriculture Advisory Group, DOE Drinking Water Standard review, Dairy Nutrient Advisory Committee, WDFW riparian habitat guidance, and more). The CTD database continues to prove effective in identifying and nominating expertise as appropriate.

Science: While the work is not currently a funded budget item, the CTD is still supporting work around the State on special Discovery Farms program projects to advance the application of consistent science and monitoring efforts. There has been statewide buy-in to the DF program from partners and CDs continue to be involved in the national DF program through regular communications and annual meetings. Through this process, statewide QAPP and SOP's have been developed with guidelines specific to projects, but which can be used in the future as templates for any CD.

Quality Assurance

While this is not currently a funded area of work, the CTD still holds value of development of a statewide Quality Assurance program for individuals and Districts.

CTD Coordination

Database: The database (run under Caspio) continues to provide assistance in locating staff expertise for engagement in workgroups, show metrics on expertise and certifications, and grow to a central database for all organizations to utilize. A self-service portal for employees is available on the CTD website which allows CD staff to update their personnel profiles, track completed trainings, and more. The CTD regularly sends reminders to folks to update their information and expertise in the Database.

Budget: Whatcom CD is administering the budget and reporting monthly to the CTD. Billing guidelines and procedures ensure that work expectations match billing vouchers and that budgets are quickly updated on a monthly basis. The CTD is using SmartSheet to assist with budget and task tracking.

The CTD has an FY21 Annual Plan of Work and budget based on the full awarded amount of \$100,000, though they have only been allocated \$50,000 for the first 6 months. If the anticipated additional 6-month budget amount is not awarded due to State budget cuts, the CTD has prepared a restricted FY21 budget and work plan to accommodate the cut. While many of the work tasks will have to be put on hold, **certification and training will remain priorities** and District staff will continue to see those programs funded and there to support them.

Leadership: The CTD Leadership Team and partners (NRCS, WADE, WSCC) continue to meet monthly to ensure tasks are on track. The CTD will hold their annual visioning "face-to-face" meeting in early December 2020 in a virtual format. The WADE Board will once again participate for a day of collaborative brainstorming and coordination. As a product of the 2019 annual meeting, the charter was updated to include the restructuring of the previous Advisory Council model to include all District managers and increased solicitation of CTD tasks and direction at spring planning meetings. The revisions were reviewed by the Commission before posting to the website. Agenda items for the 2020 annual meeting will include a review of the Charter, remote training development, outreach and connectivity, recruitment, and partnerships.

The CTD continues to prioritize **recruiting new members to both its leadership and working teams.** The recent addition of Kelsi Mottet (see Communication and Outreach section) to the Leadership team will help us further our communication and outreach goals. The CTD has requested the assistance of the Commission staff in helping get the word out the district managers who may recognize potential new members in their own staff.

CTD Contact Information

For more information on the CTD activities, please contact:

CTD contact: Nichole Embertson, Chair

info@wactd.org

For more information, please visit: www.wactd.org



December 3, 2020

TO:	Conservation Commission Members
	Carol Smith, SCC Executive Director

FROM: Ron Shultz, Policy Director

SUBJECT: Update for 2021 Legislative Session

Action Item	
Informational Item	Χ

Summary:

The upcoming legislative session will be unprecedented in how it will be conducted in light of the Coronavirus Pandemic. The session will also be significant in that they will be developing the 2021-23 biennial operating and capital budgets.

Commission staff will continue previous processes for coordination with WACD and conservation districts. Staff will also continue evaluation of legislation and recommendation of agency positions on bills, as well as testimony on legislation important to the Commission.

Requested Action (if action item):

No action by the Commission is necessary.

Staff Contact:

Ron Shultz, WSCC Policy Director (360) 790-5994

rshultz@scc.wa.gov

Background and Discussion:

Although the official legislative calendar has not been released, it's anticipated the 2021 Legislative session will start on Monday, January 11, 2021. This will be a long, 105 day session, ending Sunday, April 25.

This will be an important and unique session. Important because the legislature will consider and pass the 2021-23 Operating and Capital Budgets. It will be a unique session due to the Coronavirus pandemic and the impact it will have on the operation of the legislature. There have

also been some changes in the legislature due to the election results, however the legislature next session will largely be status quo.

Legislative Election Results

Although the election essentially maintained the status quo between there parties, there were some changes that may impact our issues in the next legislative session.

The Senate looks to retain the current 28-21 Democratic majority. Key changes include the loss of incumbent Senator Dean Takko (D) from the Cowlitz/Pacific area. Senator Takko was helpful on district election issues and served on the Food Policy Forum representing the Senate Democratic Caucus. He also served as chair of the Senate Local Government Committee. Balancing this loss is the addition of Twina Nobles from the 28th legislative district (Lakewood area) who defeated an incumbent Republican.

The House will be split 57-41 with Democrats in the majority. In the House, long-time Representative Brian Blake (D) lost his race in the 18th legislative district (Cowlitz/Pacific counties). Representative Blake served as chair of the House Agriculture and Natural Resources Committee for many years. We will be watching with interest who the House selects as his replacement in that position. Also, Representative Zach Hudgins (D) lost his race in the 11th legislative district, which encompasses the South Seattle and Renton area. As you may recall, Representative Hudgins has been a key figure in previous years on the issue of conservation district elections. It remains to be seen if the topic will be picked up as a priority by another legislator.

Pandemic Impact on Legislature

The coronavirus pandemic will force dramatic changes in how the Legislature will operate next session. These changes will impact the ability of Commission staff to engage with legislators, and will require conservation districts to rethink and refocus how they will engage with their legislators.

The Legislative Building will be closed to the public during session. Each chamber will have a minimum number of members to open and close the daily session. Committee meetings will be conducted remotely via Zoom. One advantage of this approach is it will allow people from across the state to tune in and watch the committee hearings. It will also allow conservation districts to testify on legislation remotely, rather than having to travel to Olympia to testify in person.

The downside to these limitations is it severely impacts the "hallway conversations" that are so important to the legislative process. These are the conversations were parties can discuss positions on legislation, work out differences, and engage with legislators with information on topics important to the Commission and conservation districts. It will be interesting to see how this impacts progress on various topics this session.

Legislative leaders have already signaled they will be focusing on four key topics this session: budget, Covid response, equity, and policing. Leaders are encouraging legislators to submit fewer

bills this session because of the difficulty in working the process with the Covid limitations. It's not clear at this time whether this request will be followed or how it will impact our issues this session.

Possible Legislative Topics of Interest This Session

<u>Budget</u>: Obviously this isn't a "possible" topic but a "definite" topic. What isn't clear is the scope and scale of the budget reductions, if any. Earlier this year, revenue projections indicated an \$8 billion shortfall over the next three fiscal years. Since that time actual revenues have come in stronger than expected. The mid-summer revenue forecast changed their projection to a \$4 billion shortfall due to strong revenues. The most recent actual revenue collections report on November 17 indicated an increase of \$380 million increase over projections for the period September 11 to November 10, an 11.5% increase. The unknown factors in the revenue picture is the impact of the most recent Covid restriction issued by the Governor. It also remains to be seen whether Congress will pass another Covid relief package or an economic stimulus package.

<u>Accountability</u>: There continues to be legislative interest in accountability and transparency of special purpose district operations, including conservation districts. It's unclear the exact nature of any legislation, but it's likely the House may move the bill they passed last year that failed in the Senate.

Net Ecological Gain: This was a topic of several bills last session. Net Ecological Gain (NEG) is the concept of going beyond current environmental law requirements to avoid and mitigate impacts to require ecological gain when there are on-the-ground activities impacting natural resources. Although legislation incorporating NEG into the growth management act and the Voluntary Stewardship Program did not pass, there are ongoing discussions among stakeholders to see where NEG can be incorporated into state actions. The focus now seems to be around state funded projects, particularly transportation projects.

<u>Open Public Meetings Act</u>: When the pandemic closures were announced they impact the ability of agencies to conduct open public meetings as required by law. Action by the Governor was required to allow agencies to conduct meetings remotely. There's interest among several state agencies and local governments to have legislation to change the Open Public Meetings Act to allow for remote meetings under certain circumstances.

<u>Water Banking</u>: Stakeholders in the Methow area have been working with their local legislators on a bill to establish a water banking program in several watersheds largely in Okanogan county. The idea is to have a state program with funding to purchase water rights from willing landowners and "bank" those rights so the landowner can continue to use the water, but cannot sell the water right to someone who wants to move the water out-of-basin. The discussions have included the Commission as a potential agency home for the banking program.

<u>Equity</u>: There may be legislation relating to state agencies and policies for equity and transparency in operations and funding allocation. No specific bills yet, but this topic is frequently mentioned as a top issue of concern by legislative leaders and members.

Recommended Action and Options (if action item):

No action is required at this time.

Next Steps (if informational item):

Commission staff will again convene regular meetings of the SCC / WACD Legislative Team prior to and during session to evaluate introduced legislation and develop positions and testimony where appropriate. This information will be conveyed to the Commission weekly, and more frequently if the situation warrants.

UPDATE

National Association of Conservation Districts (NACD) Activities* Washington State Conservation Commission December 3, 2020 Meeting

- Discussion of <u>NACD Pacific region elections</u> and plan a meeting for region elections NACD Pacific Region special elections zoom meeting to be scheduled for December. Executive committee representative, chair and vice-chair are up for election.
- Update on NACD grant opportunities.
 - 1. Friends of NACD grant (up to \$2,500) still available. Applications due by November 30.
 - 2. Urban and community grants upcoming this fall. \$50,000 for smallish urban project.
 - 3. TA grants coming in the spring of 2021.
- Update on NACD's Diversity, Equity, Inclusion (DEI) activities
 - 1. NACD has a DEI task Force. Meetings every Monday to create a resources tool kit for state associations and CDs. Report being developed including recommendations. Survey was done asking what districts need informed the task force direction.
 - 2. DRAFT report tentatively at 2021 annual meeting.
 - 3. Not starting from scratch. A group of people trying to do the right thing.
- ❖ The <u>2021 Annual Meeting</u> will be held online Feb. 1-10 through NACD's virtual meeting hub and will celebrate the theme "NACD's 75th Anniversary: A Diamond out of the Dust". Should be a broader audience and increased understanding for conservation. Likely a Zoom platform.
 - Fee structure not yet worked out. Have engaged a professional meeting company. Want to get a price point where lots of folks can participate. Staff, partners along with 17,000 CD officials should make for an expanded annual and 75th Meeting.
 - 2. By-Law Discussions at 2021 NACD Annual Meeting to cover 3 by-laws: 1) reorganization of by-laws in correct order, 2) Affiliate membership (section 13), 3) Finalization of budget process.
 - 3. Attempting to minimize time zone issues. Intend to space out meetings to minimize zoom burnout. https://www.nacdnet.org/news-and-events/annual-meeting/
- ❖ 2021 Summer Conservation Forum and Tour July 24-27, Chicago, IL. July 25, 1946 at the Statler Hotel in Chicago, 18 representatives from 17 states created the National Association of Soil Conservation District Governing Officials. In 1970, during the annual convention in San Francisco, the association's name was shortened to the National Association of Conservation Districts (NACD). https://www.nacdnet.org/news-and-events/summer-meeting/
- Resolutions from WACD going to NACD (As of November 3, 2020) summary statements
 - 1. North Central region Supporting extending electronic training resources.
 - 2. North East region Proposing local conservation district involvement in NRCS local hiring.
 - 3. South Central region Proposing support for broadband internet service in rural area.

^{*}As of November 4, 2020



The Washington Department of Fish and Wildlife is the state agency tasked with preserving, protecting and perpetuating fish, wildlife, and ecosystems, while providing sustainable fishing and hunting opportunities.

WDFW Director: Kelly Susewind is entering his third year as director at WDFW, after 28 years at the Washington Department of Ecology. A lifelong outdoorsman and longtime resident of Washington, Susewind took advantage of the natural resources where he grew up in Grays Harbor County, hunting Roosevelt elk, fishing for salmon and digging for razor clams. He now oversees 1,800 employees throughout the state, in their mission of conserving fish and wildlife and providing sustainable recreational and commercial opportunities. Under Susewind's leadership, the department has successfully transitioned to mostly working from home, embraced new forms of technology to accomplish goals and objectives, and has increased efforts to be good stewards of our public lands, as record numbers of people enjoy them during uncertain times that are encouraging many to get outside even more than normal.

Southern Resident Killer Whale Recovery Progress: In the past two years, four calves have been born within the Southern Resident killer whale pods, and as of fall 2020, all four calves are healthy. In 2020 WDFW increased vessel patrols in central and southern Puget Sound to protect Southern Resident killer whales. The Department also coordinated with the crab fishing industry and Washington Whale Working Group to minimize risk of whale entanglements. WDFW, tribes, and public utility districts received \$13.54 million in the 2020 operating budget to increase production of hatchery salmon by over 26 million smolts annually. The legislature also provided \$40 million (20 percent increase) to make capital improvements to hatcheries. The Brian Abbott Fish Barrier Removal Board is working on a statewide strategy to correct fish passage barriers to support salmon and Southern Resident killer whale recovery. WDFW also received support for management of pinniped populations on the lower Columbia River and its tributaries to increase Chinook salmon production for Southern Resident killer whales. WDFW is currently developing a commercial whale-watching licensing program and is accepting public comments through December 5, 2020. WDFW thanks the conservation districts for adapting to the challenges of the Covid-19 pandemic to lead the third annual Orca Recovery Day -October 17, 2020 in a virtual format. Additional information on Southern Resident killer whale recovery efforts is included in other sections of this report. More information at: https://wdfw.wa.gov/species-habitats/atrisk/species-recovery/orca and https://wdfw.medium.com/help-protect-southern-resident-killer-whales-thisorca-recovery-day-oct-17-aaf6ff208776.

Species Periodic Status Reviews: WDFW periodically reviews the status of protected species in the state and makes recommendations that are available for public review to list, downlist, or delist for Fish and Wildlife Commission (FWC) approval. In 2020, the Department initiated periodic status reviews for Gray whale, Humpback whale, and Greater sage-grouse. These documents are available for public review through December 21, 2020. Comments received during 90-day public comment periods for each status review will be incorporated before the Department provides recommendations to the FWC. More information at: https://wdfw.wa.gov/species-habitats/at-risk/status-review.

Voluntary Stewardship Program (VSP): WDFW's VSP-focused efforts in 2020 were largely related to the first round of 5-year implementation reports. For most of the year, Habitat Program Science Division staff have been working to complete and deliver High Resolution Change Detection (HRCD) analysis data to those VSP counties which specified in their VSP Work Plans the use of HRCD as a monitoring tool. In the spring of 2020, Habitat Program Ecosystem Services Division staff, with input from regional Habitat Program biologists, reviewed and provided Technical Panel recommendations to the SCC on the Chelan County and Thurston County 5-year reports. In the fall, the Department recruited for and hired an internal VSP Coordinator who will



be focusing for the remainder of the biennium on reviewing and assessing the remaining 5-year reports and supporting regional staff who provide technical assistance to the county-level VSP Work Groups.

Priority Habitats and Species (PHS) Riparian Update: In the summer of 2020, a professionally designed color version of Riparian Ecosystems Volume 1: Science Synthesis and Management Implications was added to the PHS document library on the WDFW website:

https://wdfw.wa.gov/sites/default/files/publications/01987/wdfw01987.pdf. This updated version is not substantively different from the original final Volume 1 manuscript published in May 2018, but in addition to the photographs and other visuals added, the content was edited lightly to improve clarity and readability. Before the end of 2020, WDFW intends to publish the final manuscript of PHS Riparian Ecosystems Volume 2: Management Recommendations. WDFW has also developed an associated riparian ecosystems online mapping tool that will help users determine the extent of the recommended riparian management zone (RMZ) at the site-scale. This tool is available now on the WDFW website:

https://wdfw.maps.arcgis.com/apps/MapJournal/index.html?appid=35b39e40a2af447b9556ef1314a5622d. The Department is also continuing to work on technical support tools to assist others with implementing these PHS riparian documents and is looking forward to hearing from Conservation Districts about their ideas and experiences.

2021 Legislative Session: In a state valued for its outdoors, less than one percent of the state general fund goes to support all of the state's natural resource agencies combined - that includes the Department of Natural Resources, State Parks, the Recreation and Conservation Office, the State Conservation Commission, Department of Ecology, the Puget Sound Partnership, and the Department of Fish and Wildlife. The Covid-19 pandemic took a toll on Washington's economy resulting in an initial estimated shortfall of \$9 billion dollars for the 2021-2023 biennium (recently revised to \$4.5 billion shortfall). In response to this shortfall the Governor's Office directed cabinet agencies and requested non-cabinet agencies (like WDFW) to submit options for a 15 percent reduction in State General Fund appropriations on an on-going basis. WDFW identified \$23.5 million of reductions including severe reductions in salmon and trout hatcheries, fisheries monitoring, land management, conservation work, volunteer grant capacity, warmwater gamefish management, and orca and global wildlife trafficking enforcement. WDFW is not encouraging these reductions and we intend to advocate that these areas are not good places to reduce funding given the conservation, economic, and public health benefits from these investments. During the pandemic, outdoor recreation in America increased so much that a campaign called "Recreate Responsibly" emerged to encourage people to be safe and leave no trace while enjoying the outdoors. Washingtonians spent more time outdoors including increased participation in fishing and hunting. Fishing license sales increased 24 percent, hunting license sales increased four percent, and razor clam license sales increased a whopping 261 percent relative to 2019. Anglers, clam diggers, and hunters provide an economic boost when they buy equipment, fuel, food and lodging while recreating. Increased participation in fishing and hunting is another example of the benefits of continued funding of WDFW's work. More information at: https://wdfw.wa.gov/about/administration/budget/update.

Wolves: Since 2008, Washington's wolf population has grown by an average of 28 percent per year. WDFW and the Confederated Tribes of the Colville Reservation (CTCR) documented a minimum of 145 individuals, 26 packs, and 10 successful breeding pairs (not including CTCR breeding pairs because they were not surveyed) during the last annual population survey (2019). The CTCR considers wolves on their lands recovered and did not conduct a formal count in 2019. Because this is a minimum count, the actual number of wolves in Washington is likely higher. This marks the 11th consecutive year of population growth. On August 1, 2019, the Washington Department of Fish and Wildlife invited the public to comment on the scope of a post-recovery plan for wolves in Washington. A post-recovery conservation and management plan for wolves will



guide long-term wolf conservation and management where wolves are managed under state authority once the wolf population in Washington is considered recovered and is no longer designated as state or federally endangered. The planning process is ongoing and public input to date is available <a href="https://example.com/here-en/mile-states-en/mile-sta

Coordinated Resource Management (CRM): WDFW continues to participate in multiple CRMs around Washington, including the following:

- Okanogan County:
 - Chopaka CRM (Wahl) (Sinlahekin & Scotch Creek Wildlife Areas)
 - Ellemeham (Dagnon) CRM (Scotch Creek Wildlife Area)
 - Scholz (Sinlahekin & Scotch Creek Wildlife Areas)
 - Mt. Hull CRM (Scotch Creek Wildlife Area)
 - Funk Mountain (Sinlahekin & Scotch Creek Wildlife Areas)
 - South Summit/Chiliwist CRM (Sinlahekin Wildlife Area)
 - o Double R (Sinlahekin Wildlife Area)
 - Methow CRM (Methow Wildlife Area)
 - Spears (Sinlahekin Wildlife Area for wolf conflict discussion only) may not be annual
- Klickitat County Simcoe Unit, Klickitat Wildlife Area
- Kittitas County Wild Horse CRM (L.T. Murray Wildlife Area)
- Stevens County Black Wolf CRM (Sherman Creek Wildlife Area)
- Asotin County on-going discussions about creating a new CRM, Blue Mountains Wildlife Area Complex units

The department also continues to work collaboratively with Kittitas County Conservation District and Washington Department of Natural Resources to fund fencing projects and hardened stream cattle crossings and monitor implementation of a livestock grazing plan on the Teanaway Community Forest. On the Big Bend Wildlife Area, we continue to work closely with a permittee who is receiving Sage Grouse Initiative funding to manage grazing in grouse habitat.

Grazing Program Review: WDFW is updating its grazing rules in the Washington Administrative Code (WAC) and the Fish and Wildlife Commission Grazing Policy to align with what we are already doing and to ensure they are clear and consistent. A Grazing Guidelines and Tools document has been developed that is part of our regular process to review and update policies. This document exists to clarify: consistency with WDFW's mission, complies with state law, agency policy and legal agreements, ensure consistent implementation of grazing on DFW lands statewide, compatibility with WDFW's goal to provide sustainable fish- and wildlife-related recreation, and is consistent with the Fish and Wildlife Commission's policy to maintain ecological



integrity. The document lays out the purpose, goals, roles, and processes related to grazing management on DFW lands. Two new tools described are a Grazing Evaluation Framework that is used to evaluate potential new grazing on DFW lands and a set of wolf-livestock conflict reduction guidelines, template for associated permit language, and process for evaluation in the event of elevated risk of such conflict. The development of the wolf-livestock conflict guidelines and associated process development involved engagement of many stakeholders over the course of 2019, including an in-depth workshop with representative members of both the conservation and producer community in November of 2019. In May 2020, WDFW held two targeted stakeholder outreach briefings with over 25 participants, which was intended to be pre-State Environmental Policy Act (SEPA) discussion of our entire grazing program review. The official SEPA comment period was in September and there was a public hearing at the Fish and Wildlife Commission meeting in October. We anticipate a final decision on the WAC and FWC policy will occur at the January 2021 Fish and Wildlife Commission meeting. More information at: https://wdfw.wa.gov/about/commission/meetings/2020/22-24october2020-fwc-agenda.

Wolf-Livestock Conflict Reduction Measures in Grazing Permits: Entering the 2020 grazing season, we applied the new wolf-livestock conflict approach by adding the template language to new permits and assessing the risk and any need to add additional measures to reduce the potential for conflict in places where active wolf packs were present in the vicinity. Of the several permits that went through internal review, only two resulted in changes (adding additional nonlethal deterrents). Department staff provided the Director with a range of options to choose moving forward on these two permits, which included removing livestock, and the Director chose to keep cows on the land with additional deterrent measures that the permittees agreed to add to their permits.

Collaborative Weed Management: WDFW typically treats about 12,000 acres of weeds annually using integrated pest management and often works cooperatively with other agencies, tribes, counties, and non-profits to conduct mutually beneficial projects across ownership boundaries. After the Governor's Stay Home/Stay Healthy order in March, WDFW quickly reached out to WSDA and county weed boards across the state and, based on their response and internal discussion, began weed management as an essential function in mid-April to meet legal and environmental obligations and mitigate fire risk on our lands.

Emergency Grazing Assistance: In response to 2020 wildfires, WDFW offered three emergency grazing permits to non-Department permittees and was able to offer an alternate to one of our own permittees whose allotment burned. All permits were in Okanogan County. This is more assistance than offered by any other public land manager despite WDFW having the smallest land ownership across Washington.

Regional Conservation Partnership Program (RCPP): WDFW is leading the Southwest Washington Small Forest Lands Conservation Partnership RCPP, collaborating with the Natural Resources Conservation Service (NRCS), DNR, the Conservation Commission, eight conservation districts, and WSU Extension. To date the CDs and DNR have completed 43 forest stewardship plans that make producers eligible for NRCS financial assistance. WSU Extension's outreach and education efforts have reached over 1,050 landowners representing over 27,000 acres. The partners and NRCS held an Environmental Quality Incentives Program (EQIP) signup in June 2020 that provided \$208,824 to help seven forest landowners improve forest health, fish and wildlife habitat, and water quality. WDFW is a partner in several other RCPP efforts in Washington.

Water Resource Inventory Area (WRIA) 1 Salmon Recovery & Water Quality RCPP: WDFW also has an active role in the WRIA 1 Salmon Recovery & Water Quality RCPP partnering with Whatcom Conservation District. Through this agreement partners work with producers to replace culverts on farm access roads,



restoring fish passage in agricultural and rural areas; work with Tribes to construct instream wooden structures to provide habitat for salmon; and integrate and publicize NRCS programs in rural, agricultural and Tribal communities.

Shared Stewardship Strategy: On May 8, 2019, the State of Washington signed a Memorandum of Understanding (MOU) with the Pacific Northwest Region of the United States Forest Service on Shared Stewardship. Through the MOU, the Washington Departments of Natural Resources and Fish and Wildlife, along with the Service, established a framework to work collaboratively to accomplish mutual goals, further common interests, and respond to the increasing suite of challenges facing communities, landscapes, and natural and cultural resources of the State of Washington. The MOU among these three agencies is the foundation for future collaboration with tribal partners, local governments, conservation districts, other state and federal agencies, and non-governmental groups. The intent is to collectively focus investments on land management in areas with promise to achieve the greatest benefits. The agencies will work on a landscape scale to effectively manage risks while improving forest and rangeland health and productivity, enhancing scenic stability, reducing hazardous fuels, conserving fish and wildlife resources, providing recreational opportunities, sustaining cultural resources and providing for the health, prosperity, and enjoyment of our communities and visitors. WDFW is currently in the process of hiring a Shared Stewardship position to coordinate the implementation of the MOU internally and externally. More information at: https://wdfw.wa.gov/news/state-federal-agencies-align-historic-partnership-reduce-wildfire-risk-andimprove-forests

Hydraulic Code Rulemaking: In May 2020, WDFW completed rule amendments to implement the hydraulic code elements of 2SHB 1579 - a bill passed by the legislature during the 2019 legislative session. This bill implements recommendations of the Southern Resident orca task force (task force) related to increasing Chinook abundance. The bill enhances authority for WDFW's civil compliance program. A major emphasis of the civil compliance program will be to ensure applicants know how to comply with the hydraulic code through the education and technical assistance we provide when we advise and consult on permits, conduct inspections, and perform on-site technical visits. The bill also adds a procedure for potential applicants to request a pre-application determination about whether a project requires a hydraulic project approval (HPA) and repeals a statute relating to bank protection in saltwater areas for single-family residences. More information at: https://wdfw.wa.gov/about/regulations/2020

Brian Abbott Fish Barrier Removal Board (FBRB) Cooperation with Conservation Districts: Conservation districts have been strong partners with the FBRB. Districts identify fish passage barriers, provide technical assistance, connect landowners with grant programs and in many instances serve as the project sponsor for fish passage projects. Over the last two biennia, CDs have served as the project sponsors for 19 percent of all FBRB fish passage project grants. More information at: https://wdfw.wa.gov/about/advisory/fbrb

Fish Screening: In 2020, WDFW provided technical assistance for fish screening projects to a wide variety of water users in our agricultural community, successfully collaborating with our Conservation District partners on many of these projects. Of special note was the progress made toward bolstering the fish screening education and outreach in Whatcom, Skagit, Snohomish, and King counties resulting in improved communication with CDs and helping to protect juvenile Chinook salmon, a primary food source for Southern Resident killer whales. As has been the case historically, fish screening work in Eastern Washington continues to make progress with notable successes by the Yakima Tributary Access & Habitat Program (YTAHP). In 2020, WDFW, Kittitas County Conservation District, and North Yakima Conservation District worked collaboratively



through YTAHP to restore fish passage into 2.5 miles of tributary habitat and compliantly screen 6,009.2 acrefeet of diverted water for irrigation through eight projects in the Yakima Basin.

Wildfires: The wildfires of 2020 in central and eastern Washington took a toll on wildlife habitat. Three WDFW wildlife area units burned completely while portions of several other wildlife areas burned. WDFW is still assessing damage, but we estimate about 90,000 acres of WDFW-managed lands burned causing concerns for greater sage-grouse, Columbia Basin pygmy rabbit and other species. However, all is not lost. Native vegetation is already greening-up in some of the burned areas. WDFW is working with CDs, the Conservation Commission, other state and federal agencies and nongovernmental organizations to assess wildfire damage and develop short-term and long-term recovery actions across public and private land ownerships. More information at: https://wdfw.wa.gov/about/wdfw-lands/wildfire.

WDFW 25-Year Strategic Plan: In 2019 WDFW began developing a 25-year strategic plan to help guide department work with partners, policy, and funding decisions. WDFW gathered feedback from a diverse range of stakeholders, partners, and employees while developing the plan. In October 2020, the FWC approved the 25-Year Strategic Plan. The plan is a living document and the department intends to revisit as needed to proactively address conservation challenges, engage communities through recreation and stewardship, deliver science that informs Washington's most pressing fish and wildlife questions, and move WDFW toward operational and environmental excellence. More information at: https://wdfw.wa.gov/about/administration/strategic-planning.

Cooperation with Natural Resources Conservation Service (NRCS): WDFW and NRCS are continuing their working relationship through contribution agreements to work on fish passage, screening and habitat projects; and wildlife habitat through the Conservation Reserve Program (CRP). WDFW and NRCS have a mutual interest in helping to bring about the conservation and wise use of land, water, wildlife, and related resources. They have a mutual interest in ensuring that NRCS Farm Bill programs are effectively implemented and address conservation priorities. Both NRCS and WDFW desire to make the best technical assistance available to land users and to encourage participation in the various USDA financial incentives offered under the Farm Bill conservation programs. To avoid duplication of effort, improve communication, and to streamline the delivery of technical assistance to the land user, both parties have agreed to cooperate by assigning certain tasks in the delivery of technical assistance to each agency. Accelerated delivery of technical and administrative assistance through funding provided by these agreements will increase staff resources and enhance fish and wildlife habitat and associated natural resources.

State Acres for Wildlife Enhancement (SAFE): WDFW's private lands biologists continued to provide technical assistance to farmers enrolled in the SAFE initiative of CRP. Farmers have enrolled over 111,300 acres in SAFE in Washington, with nearly 73,000 acres in Douglas County, home to the core populations of state threatened greater sage-grouse, state endangered sharp-tailed grouse, and federally endangered Columbia Basin pygmy rabbit. Unfortunately, the efforts and partnerships formed through SAFE were recently hindered by changes to the initiative. First, the 2018 Farm Bill struck the broad waiver language that allowed a county's cropland acreage enrolled in CRP to exceed 25 percent and makes only Conservation Reserve Enhancement Program (CREP) eligible for this waiver. Now in counties, like Douglas County, FSA cannot offer a CRP signup until enough contracts expire to get under the 25 percent county cropland acreage cap which will take two to three years. Second, the Farm Service Agency (FSA) made a discretionary decision to move SAFE whole field practices from Continuous CRP to General CRP. Now producers can only offer acres during the annual general signup through a competitive process rather than the past non-competitive continuous signup, and financial incentives are greatly reduced. WDFW partnered with Conservation Northwest and Foster Creek CD to



Washington Department of Fish and Wildlife WILDLIFE Washington Department of Fish and Wildlife 2020 Issue Highlights Report to the Washington Association of Conservation Districts

identify ways in which to highlight that these changes limit the viability of SAFE and could also impact voluntary conservation efforts in the county. In June 2020, agricultural producers in Douglas County volunteered to speak about the importance of CRP and its SAFE initiative to wildlife conservation and their local economy as well as the consequences of the above changes in a video: https://www.youtube.com/watch?v=S8uGCMqnYeY.

Activity Report | November 2020



Message from the State Conservationist



Hello Conservation Partners,

While Fiscal Year 2020 presented us many challenges, due to our strong partnerships with all of you, and the tremendous work of our staff and producers, we had a stellar year, and we're on target to have an even better year this year. So far, we have been busy meeting with staff and partners during Washington Association of Conservation Districts meetings, employee roundtables, and fiscal year kickoff meetings to do our very best to listen, learn and understand the

circumstances and situations we are all facing. I am personally very grateful for all the wonderful information we have received so far. I hope to hear from all of you as well, especially any ideas on ways we can improve and support you better.

Regardless of the challenges COVID presents us, through our strong partnerships, we can make sure Fiscal Year 2021 is better than the last.

~ Roylene

Important EQIP eligibility and AGI dates

The EQIP application process is a continuous process. Those who are interested in EQIP should work with their local NRCS office to identify and plan the conservation measures needed to address the resource concern identified on your land. Those who have previously developed a conservation plan with NRCS could already have the conservation planning step completed.

Those who are applying for EQIP for the first time should schedule a meeting with NRCS to discuss their options before moving forward. Local NRCS conservationists will help you develop a conservation plan, identify conservation measures and pursue funding through one of the EQIP fund pool options available in Washington.

Establish Eligibility with USDA Farm Services Agency (FSA) Each applicant must establish themselves as a USDA customer

- Message from the State Conservationist
- Important EQIP eligibility and AGI dates
- New rule enhances
 Environmental Quality
 Incentives Program
- Manage Your USDA
 Business Online,
 Conservation Client
 Gateway retired
- Notice of Intent to Adopt a
 Final Environmental
 Impact Statement
 prepared for the
 SKOKOMISH RIVER
 BASIN ECOSYSTEM
 RESTORATION by the
 Natural Resources
 Conservation Service,
 Mason County, WA
- USDA Funds
 Conservation Innovation
 with \$14.6 Million
 Investment in New Tools,
 Technology Development
- USDA updates RCPP announcement to clarify forestry eligibility
- Opportunity for Washington conservation partners to safeguard, restore wetland ecosystems
- NRCS Announces 2021
 Wildfire Recovery
 Assistance to Washington
 Producers Impacted by
 2020 Wildfires

and attain all Farm Service Agency (FSA) eligibility requirements by November 20, 2020.

Important information regarding FSA eligibility

One eligibility requirement that is not instantaneous is the Adjusted Gross Income (AGI) determination. On average, AGI determinations take 3 weeks to be processed by the Internal Revenue Service (IRS). Weeks prior to the application cut-off date of November 20, 2020, it is highly recommended that applicants submit their completed AGI form to FSA. Submitting your AGI form to FSA on the last day will result in your AGI eligibility not being met by the eligibility cutoff date November 20, 2020 for FY21 EQIP Classic funding.

FSA offices can be found by visiting the USDA Service Center Locator to find the NRCS and FSA representatives for your county.

New rule enhances Environmental Quality Incentives Program

USDA released the final rule for its Environmental Quality Incentives Program (EQIP). The rule updates USDA's flagship program as directed by the 2018 Farm Bill and integrates feedback from agricultural producers and others. NRCS received nearly 600 comments on the interim final rule, which was published December 17, 2019. More information is available at the Washington NRCS website.

Manage Your USDA Business Online, Conservation Client Gateway retired

Previously, self-service conservation activities were available through Conservation Client Gateway, but that portal was retired Oct. 15.

You can now manage your conservation activities and request assistance from NRCS by logging into your farmers.gov account. These conservation features join several others already available through the <u>farmers.gov portal</u>, including the ability to view farm loan information. As more content and capabilities are added, farmers.gov is quickly becoming the online hub for producers to find resources, submit applications, and request assistance.

Click here to learn more

Notice of Intent to Adopt a Final Environmental Impact Statement prepared for the SKOKOMISH RIVER BASIN ECOSYSTEM RESTORATION by the Natural Resources Conservation Service, Mason County, WA

The Natural Resources Conservation Service (NRCS) announces its intent to adopt a Final Integrated Feasibility Report and Environmental Impact Statement (FR/EIS) dated April 2015. prepared by the U.S. Army Corps of Engineers (USACE) for the SKOKOMISH RIVER BASIN ECOSYSTEM RESTORATION project under the provisions of the Council on Environmental Quality (CEQ) regulations (40 CFR section 1506.3). NRCS has reviewed the FR/ EIS and determined that the document adequately addresses the environmental impacts related to the proposed action to implement the National Environmental Restoration plan alternative that includes a levee removal, a side channel reconnection, wetland restoration at two sites, and placement of large woody debris. USACE prepared the FR/EIS to evaluate significant ecosystem degradation in the Skokomish River Basin: formulate, evaluate, and screen potential solutions to problems; and recommend an alternative with a Federal interest supported by a local entity willing to provide the necessary items of local cooperation. Implementation of the project is expected to result in improved in-stream, wetland, and riparian habitats that will benefit salmon, birds, and mammals; improved water quality in Hood Canal, benefitting shellfish; restoration of channel characteristics resembling nearby less-disturbed watersheds; improved recreational opportunities and fishing; and support local businesses.

NRCS holds land rights in the project area under its floodplain easement program (FPE), which purchases permanent easements from willing landowners to restore, protect, maintain and enhance the functions of floodplains while conserving their natural values such as serving as fish and wildlife habitat, improving water quality, retaining flood water, and recharging groundwater. The NRCS decision to be made is whether to develop a new Operations and Management plan for the FPE that will allow the USACE action to proceed. NRCS' action would not add any environmental impacts to those described in the FR/EIS and would further the purpose of the FPE restoration plan to restore the floodplain functions and values to the natural conditions to the greatest extent practicable. NRCS will accept comments on its intent to adopt the FR/EIS at the address below for 30 days following publication of this notice. The FR/EIS may be viewed here.

FOR FURTHER INFORMATION CONTACT: For further information concerning adoption of the FR/EIS, to obtain hard copies of the EIS, or to provide written comment, contact NRCS' Environmental Compliance Specialist by email at karen.fullen@usda.gov or by telephone at 208-685-6989.

USDA Funds Conservation Innovation with \$14.6 Million Investment in New Tools, Technology Development

SPOKANE VALLEY, Wash., (Nov. 2, 2020)— USDA's Natural Resources Conservation Service (NRCS) is awarding more than \$14.6 million in grants in states across the country to support the development of innovative systems, tools, and technologies for production and conservation on agricultural lands. Funds are provided through the Conservation Innovation Grants (CIG)

program, which awards grants to organizations, universities, and others that are developing innovations to support farmers, ranchers, and forest landowners.

Washington State was awarded three National CIG projects. One in the Energy Conservation category and two in the Wildlife Habitat category for more than \$2 million in grants.

Energy Conservation American Council for an Energy Efficient Economy Data-driven market transformation for controlled environment agriculture

NRCS Award: \$595,026 | States: CO; IL; MA; OR; PA; WA

The American Council for an Energy Efficient Economy will characterize key performance indicators, baseline data, and facility level benchmarking for controlled environmental agricultural facilities. The project will develop a comprehensive suite of data tools, coupled with a market intervention strategy to address barriers to energy conservation, adoption of energy-efficient technologies, access to energy use data, and best practices.

Wildlife Habitat Heart of the Rockies Landowner collaborative strategies for nonlethal predator control

NRCS Award: \$886,255 | States: AZ; CA; ID; MT; NM; OR; WA

Heart of the Rockies will accelerate innovation by developing a community of practice to implement nonlethal predator control techniques across diverse social and ecological contexts. Through a diverse partnership, the project will evaluate the effectiveness of techniques across occupied grizzly bear and wolf habitat, examining potential for conservation practices and developing collaborative strategies and producer guidelines for nonlethal predator control.

Texas A&M AgriLife Research Automated wildlife monitoring: Enabling producers to measure their conservation impacts

NRCS Award: \$694,167 | States: TX; CA; WA; AZ

Texas A&M will use innovative integration of camera, image, and sensor technology to create a tool to monitor wildlife typically difficult to observe. Dramatic images, fine-scale data, ArcGIS compatibility, and an accessible web interface will empower producers and scientists to better monitor wildlife on agricultural land, creating a low-cost monitoring system with the potential to measure the positive effects of conservation measures.

This USDA investment has generated more than \$15.3 million in partner matching funds, resulting in almost \$30 million for

conservation innovation. Authorized in the 2002 Farm Bill, the CIG program has awarded nearly \$300 million to-date.

"The world's population is increasing, but available agricultural land is decreasing," said Roylene Comes At Night, state conservationist for USDA's Natural Resources Conservation Service in Washington. "Through science and innovation, we can help farmers improve the health of their operations and productivity on their lands while protecting the natural resources we all depend on. The new systems, tools, and technologies being developed through CIG are helping us ensure the longevity of American agriculture."

The 2020 funding pool focused on five priority areas: air quality, water quality, water reuse, energy conservation, and wildlife habitat. This is the first year that water reuse is a priority area, pursuant to USDA's commitment under the National Water Reuse Action Plan, announced by the Environmental Protection Agency on Feb. 27, 2020.

NRCS selected 24 projects for the 2020 CIG awards. For a full list of projects and descriptions, visit the <u>CIG website</u>.

More About CIG

CIG is a competitive grants program that supports development, testing, and research of conservation technologies, practices, systems, and approaches on private lands. Grantees must match the CIG investment at least one to one.

All U.S.-based non-Federal entities and individuals are eligible to apply. Funding announcement information can be accessed through the CIG website or on Grants.gov.

Washington State NRCS does not offer a State CIG Program.

CIG also contributes to the <u>Agriculture Innovation Agenda</u>, a USDA initiative to align resources, programs, and research to position American agriculture to better meet future global demands. Specifically, USDA is working to stimulate innovation so that American agriculture can achieve the goal of increasing production by 40% while cutting the environmental footprint of U.S. agriculture in half by 2050.

For more information about the CIG program, visit the CIG website.

USDA updates RCPP announcement to clarify forestry eligibility

Proposal deadline for the Regional Conservation Partnership Program extended to November 30, 2020

Contact: Laura Williams

Regional Conservation Partnership Program Coordinator

Phone: (509)323-2988

Email: laura.williams@usda.gov

SPOKANE VALLEY, Wash. – USDA's Natural Resources Conservation Service (NRCS) today re-posted a revised Regional Conservation Partnership Program (RCPP) funding announcement, inviting potential conservation partners to submit project proposals for federal funding. NRCS will award up to \$360 million dollars to locally driven, public-private partnerships that improve the nation's water quality, combat drought, enhance soil health, support wildlife habitat and protect agricultural viability.

The original announcement had stated that "Forest land eligibility does not encompass industrial forest lands that are owned by companies, organizations, and individuals who engage in commercially oriented forest management and production activities." NRCS has removed this language, which partners may have interpreted as limiting opportunities for RCPP projects on forest lands where eligible activities would help achieve conservation benefits.

NRCS has also extended the proposal deadline to November 30, 2020 at 11:59 p.m. Eastern. To learn more about the opportunity for funding, read the <u>August 4th announcement</u>, and more information on how to apply, view the <u>Application for Program</u> Funding on grants.gov

Opportunity for Washington conservation partners to safeguard, restore wetland ecosystems

Proposals due Nov. 30, 2020 for Wetland Reserve Enhancement Partnership

Contact: Carlee Elke

State Easement Program Coordinator

Email: carlee.elke@usda.gov Phone: (509)323-2920

SPOKANE VALLEY, Wash. – The United States Department of Agriculture (USDA) announced up to \$30 million is available in technical and financial assistance through the Wetland Reserve Enhancement Partnership (WREP) to help conservation partners protect and restore critical wetlands on agricultural lands in Washington.

Restored wetlands help improve water quality downstream, enhance wildlife habitat, reduce impacts from flooding, and provide recreational benefits.

"This partnership enhances the locally driven process to better address critical wetland functions that progress beyond localities," said Kevin Norton, acting Chief of USDA's Natural Resources Conservation Service (NRCS). "WREP works with other NRCS landscape-level conservation efforts to coordinate the delivery of conservation assistance to producers in targeted areas that yield the most impacts for accelerated benefits nationally and regionally. Continuing to leverage these partnerships helps us continue the important work with producers to help recover the health of wetland ecosystems on working lands."

Eligible conservation partners in Washington will work through WREP to voluntarily execute high priority wetland protection,

restoration, and enhancement activities on eligible agriculture lands.

NRCS will review partners' project proposals and evaluate priority resource concerns, objectives, costs, and expected outcomes for each project and rank proposals based on criteria set forth in the requirements listed on each state's NRCS website.

Proposals should be emailed to Easement Program Coordinator Carlee Elke by November 30, 2020.

About the Wetland Reserve Enhancement Partnership

Funding will be provided through the Wetland Reserve Enhancement Partnership, which is part of the Agricultural Conservation Easement Program (ACEP), a Farm Bill conservation program. Through WREP, states, local units of governments, nongovernmental organizations, and American Indian tribes collaborate with NRCS through cooperative and partnership agreements. These partners work with tribal and private landowners who voluntarily enroll eligible land into easements to protect, restore, and enhance wetlands on their properties.

WREP partners are required to contribute a financial or technical assistance fund match.

Wetland Reserve Easements enable landowners to successfully reduce impacts from flooding, recharge groundwater, enhance and protect wildlife habitat, and provide outdoor recreational and educational opportunities. Healthy wetlands, including those protected and restored through WREP, contribute to USDA's Agriculture Innovation Agenda of reducing the environmental footprint of U.S. agriculture in half by 2050. Earlier this year, Secretary Perdue announced the department-wide initiative to align resources, programs, and research to position American agriculture to better meet future global demands.

Partners benefit from WREP by targeting outreach and enrollment priorities supported by NRCS, including places impacted by natural disasters. Easements enable landowners to adopt a variety of conservation practices that improve the function and condition of wetlands.

Partners looking to learn more about opportunities for WREP funding for fiscal year 2021 are encouraged to attend the WREP workshop on October 22, 2020, at 1 p.m. EDT. Visit the national WREP webpage for more information on the workshop or this program opportunity.

NRCS Announces 2021 Wildfire Recovery Assistance to Washington Producers Impacted by 2020 Wildfires

SPOKANE VALLEY, Wash. – USDA's Natural Resources Conservation Service Washington agricultural operations have been significantly impacted by the wildfires this year, and the U.S. Department of Agriculture has technical and financial assistance available to help farmers and livestock producers recover. As

agricultural producers move into recovery mode and assess damages, they should contact their local USDA Service Center to report losses and learn more about program options available to assist in their recovery from crop, land, infrastructure and livestock losses and damages.

"Washington agricultural producers are vital to the state's economy. NRCS stands ready to assist in Washington farmers, ranchers, foresters, orchards, and livestock operations with their recovery from these wildfires." said Roylene Comes At Night, State Conservationist.

NRCS offers programs to help in the recovery process. The Environmental Quality Incentives Program's Wildfire Recovery fund pool provides resource protection for areas burned by catastrophic fires. Benefits include preventing soil erosion protection, minimizing spread of noxious and invasive plants, protecting water quality and restoring livestock infrastructure necessary for grazing management. Applicants must be within the 2020 Washington wildfire season burnt areas and have property burnt or destroyed. Completed EQIP applications need to be received by NRCS, and eligibility requirements need to be established with Farm Service Agency by the established cutoff date November 20, 2020.

Due to the emergency nature of this fund pool, any conservation practice(s) that cannot be installed and certified by September 30, 2021 will be contracted under general EQIP Statewide fund pools. Early start waivers may be approved for immediate need of conservation practice implementation. Please <u>click here</u> to visit the NRCS Wildfire Recovery website for additional information.

NRCS encourages wildfire affected operators and producers to contact their local USDA Service Center for the documents to help the local office expedite assistance, such as farm records, and pictures of damages or losses.

Assistance for Communities

Additional NRCS programs include the Emergency Watershed Protection program, which aids local government sponsors with the cost of addressing watershed impairments or hazards such as debris removal and stream bank stabilization. Eligible sponsors include cities, counties, towns, conservation districts or any federally recognized Native American Tribe or Tribal Organization.

When a watershed impairment occurs due to a natural disaster event, the district conservationist serves as the local facilitator for EWP activities. The Federal Emergency Management Agency is the lead federal agency for Presidentially declared natural disasters. All NRCS emergency work is coordinated with FEMA or its designee. Sponsors must submit a formal request (via mail or email) to the State Conservationist for assistance within 60 days of the natural disaster occurrence or 60 days from the date when access to the sites become available. For more information, please contact Larry Johnson, EWP program manager, at larry.a.johnson@usda.gov or (509) 323-2955.

EWP provides immediate assistance to communities to mitigate potential hazards to life and property resulting from the fires. NRCS can work with a local sponsor to help a damaged watershed area and reduce erosion so that lives and property are protected while

preventing further devastation in the community. In addition to EWP, Conservation Technical Assistance is another valuable service that NRCS can provide following a wildfire. NRCS technical assistance can help fire victims with planning cost-effective post fire restoration practices.

Our Sister Agency, Farm Service Agency (FSA) also has a number of disaster assistance programs to help offset eligible losses, including the Livestock Indemnity Program, Emergency Assistance for Livestock, Honeybees, and Emergency Conservation Program, Emergency Forest Restoration Program, Noninsured Crop Disaster Assistance Program (NAP) and Tree Assistance Program. Please contact your local FSA office located in a USDA Service Center to determine what program may exist for your specific circumstance.

Producers with Federal crop insurance coverage should contact their crop insurance agent for assistance. Producers should report crop damage to their agent within 72 hours of damage discovery and follow up in writing within 15 days.

More Information

For more information on all USDA disaster assistance programs, visit <u>farmers.gov/recover</u>, or contact your local USDA Service Center, which can be found at <u>farmers.gov/service-center-locator</u>. For assistance with a crop insurance claim, please contact your crop insurance agent.

For more updates, follow us on Twitter

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PROPOSED TIMELINE FOR DEVELOPING OUR FIVE-YEAR STRATEGIC PLAN

