

August 2021 VSP Newsletter

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2 YEAR STATUS REPORTS DUE AUGUST 30, 2021: ***The two-year status report required in [RCW 36.70A.720 \(1\) \(i\)](#) is due on August 30, 2021.*** Some of you have already begun preparing this report, even though the due date is after the end of this fiscal year. That is a best practice and we

encourage such planning and forethought.

All work groups, county staff, conservation district staff, and other staff responsible for VSP implementation should review [Policy Advisory 05-18](#) to ensure they understand the two-year report and deadline.

In our VSP outreach efforts, the Commission is aware of some confusion over the difference between the two-year status report and the five-year review and evaluation report.

Each county in the VSP has recurring reporting requirements. These reporting requirements are set out in detail in [Policy Advisory 05-18](#).

Two-Year Status Report

The VSP statute says that in implementing the work plan, the watershed group must “*provide a written report of the status of plans and accomplishments to the county and to the Commission.*”

The two-year status report provides the County and VSP work group with a forum for updating the public on the

VSP implementation progress made during each biennium. These status reports should provide a snapshot of what's been done during each two-year period and should answer the questions:

- "How far along are we with our planned implementation?" (*"status of plans"*) and
- "What have we done?" (*"accomplishments"*).

The two-year status report is **not** reviewed and evaluated by the Commission, the VSP Technical Panel, or the VSP Statewide Advisory Committee. There is no statutory authority in the VSP statute for the Commission, Technical Panel, or Statewide Advisory Committee to review and evaluate the two-year status report. Monitoring results are not required to be reported in the two year status report unless a county wants to share those as part of demonstration of progress and results of the VSP.

This two-year report is due to the county and to the Commission "*within sixty days after the end of each biennium....*" In other words, no later than August 30 at the end of each biennia, a two-year report is due. All VSP counties have the same deadline for submitting the two-year status report.

The two-year status report should be sent as a PDF by email to Commission staff member Bill Eller at beller@scc.wa.gov, and should be cc'd

to Commission staff member Alicia McClendon at AMcClendon@scc.wa.gov. Upon receipt by the Commission, a confirmation email will be sent back to the sender to confirm receipt. The two-year status report will be posted on the [Commission's VSP County Directory web page](#). The two-year status report should also be sent to the county, as that is required by statute.

Past 2-YR status reports are available for each county on the Commission's VSP web page on the [VSP County Directory](#). Under each county name in the directory is a link called "*Reports*". Click on that link to access any report the Commission has on file for that county.

THE VSP TECHNICAL PANEL MEETS ON AUGUST 12, 2021, AT 8:00 AM: As part of the five year report review and evaluation process, the next public meeting at which the Technical Panel can meet and discuss reports is set for August 12, 2021, at 8:00 am.

Stevens, Ferry, Grays Harbor, and Lincoln county reports are on the agenda. Counties will be given the opportunity to seek clarity and feedback from the TP regarding their comments during the public meeting, however, the presentation of new or additional data of information will not be available.

The link to attend the online meeting is here: **Topic: VSP 5YR Review Tech Panel & SAC meeting**

Join Zoom Meeting

<https://us02web.zoom.us/j/83818799530?pwd=MVBnMEpra1NLQ0Z0dis0a3d1c01lUT09>

Meeting ID: 838 1879 9530

Passcode: 157425

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The agenda and other materials will be posted on the Commission VSP web page.

THE VSP STATEWIDE ADVISORY COMMITTEE MEETS ON AUGUST 12, 2021, AT 10:30 AM: The VSP Statewide Advisory Committee will meet

immediately after the VSP Technical Panel to discuss their recommendations on the county five year reports at 10:30 am, August 12, 2021.

The link to join that online meeting is here: **Topic: VSP 5YR Review Tech Panel & SAC meeting**

Join Zoom Meeting

<https://us02web.zoom.us/j/83818799530?pwd=MVBnMEpra1NLQ0Z0dis0a3d1c01lUT09>

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The agenda and other materials will be posted on the Commission VSP web page.

JOINT TECHNICAL PANEL AND STATEWIDE ADVISORY COMMITTEE MEETING: The next joint meeting of the Statewide Advisory Committee and Technical Panel will be Thursday, September 2, 2021 at 8:00 a.m. The link to join is below. Remember to use the meeting ID and the passcode:

Topic: Joint VSP TP & SAC meeting
Join Zoom Meeting Join Zoom Meeting
<https://us02web.zoom.us/j/84632466673?pwd=MnN5cUNWK1FSR2c0L0tiWU03SFgwQT09>

Meeting ID: 846 3246 6673

Passcode: 162690

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DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 846 3246 6673

Passcode: 162690

The agenda and other materials will be posted on the Commission VSP web page.

VSP COMMISSION- COUNTY CONTRACTS FOR THE NEW BIENNIA: All VSP contracts for the new

biennia were sent out to counties at the end of May. The effective date of the contract is July 1, 2021. However, delays without reasonable explanation on the part of the county in signing this contract past August 31, 2021, may result in the Commission denying any reimbursement during that time. If you find you cannot comply with signing this contract by August 31, 2021, you must contact Karla Heinitz at 360-407-6212 or by email at kheinitz@scc.wa.gov immediately. Do not forget to fill out Appendix D with the contacts for the contract and billings for your count. If a contract is received without an Appendix D filled out, it will not be signed by SCC until a completed Appendix D is returned.

If the county chooses to sub-contract any VSP work to a conservation district or entity a copy of the sub-contract needs to be sent to Karla Heinitz at the commission for the county's VSP file.

Two original signed contracts need to be returned to the Commission no later than **August 31, 2021**. Any contracts returned after this date without notification SCC cannot guarantee reimbursement of any expenses. If there will be a delay in returning the signed contracts, please contact Karla Heinitz at kheinitz@scc.wa.gov.

The effective date of this contract is July 1, 2021. However, delays without reasonable explanation on the part of

the county in signing this contract past August 31, 2021 may result in the Commission denying any reimbursement during that time. If you find you cannot comply with signing this contract by August 31, 2021, you must contact Karla Heinritz at 360-407-6212 or by email at kheinritz@scc.wa.gov immediately.

The Commission-County VSP contract requires that each county provide the Commission a VSP implementation budget for the biennia, no later than 120 days after the contract is signed. Example budgets are posted to the Commission's [VSP implementation web page](#) – which can be accessed directly under the “Implementation” tab, under the “Project management” heading as *Example budgets*, and directly [here](#).

The design of the budget just needs to show the Commission that the county work group is able to meet the Commission-County contract deliverables and the VSP statutory obligations.

SCC-COUNTY CONTRACT FOR FY21-23 AND BUDGET WEBINAR: The Commission hosted a webinar for those involved in VSP implementation, primarily county, conservation district, technical service providers, and consultants. In case you missed it, it has been posted on the Commission's VSP Implementation web page under

the “Billing” tab. A link to that page is [here](#).

SAVE THE DATE: SEPTEMBER 29, 2021 AT 9 AM – 5 YEAR REPORT STAKEHOLDER LISTENING SESSION: The Commission will hold a listening session on the VSP 5 Year Report at the Hal Holmes Community Center - 201 Ruby St, Ellensburg, WA 98926 - 9:00 a.m. – 12:00 p.m..

The session is open to all VSP stakeholders, including counties, TSP's, consultants, Statewide Advisory Committee members, and Technical Panel members who wish to participate. The meeting can be attended in one of two ways: (1) in-person, observing COVID-19 social distancing protocols for Kittitas County, or (2) by web-meeting, using the link below:

Join Zoom Meeting
<https://us02web.zoom.us/j/85306422205?pwd=aWRpVWJpKzF6UXpoZVc3ZStDQllpdz09>

Meeting ID: 853 0642 2205

Passcode: 623190

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+1 312 626 6799 US (Chicago)

Meeting ID: 853 0642 2205

Passcode: 623190

MEET YOUR CONSERVATION COMMISSION VSP TEAM: The Conservation Commission is committed to the success of the VSP, and has dedicated a number of staff to that effort. Staff welcome questions and contact from any VSP stakeholder, and are available to support watershed work groups and VSP technical service providers as they implement VSP. To allow our limited staff to serve all 27 VSP watershed work groups, staff have been assigned groups. Those assignments, as well as areas of VSP expertise, are identified and included below:



POLICY

Ron Shultz

Director of Policy & Inter-governmental Relations

rshultz@scc.wa.gov

360-407-7507

Work group assignments: Grays Harbor, Mason, Pacific, San Juan, Skagit and Thurston



GENERAL

Bill Eller

VSP Coordinator

beller@scc.wa.gov

509-385-7512

Work group assignments: Benton, Chelan, Cowlitz, Franklin, Kittitas, Lewis, Okanogan, and Yakima



CONTRACT / BILLING

Karla Heinitz

Contracts Manager

kheinitz@scc.wa.gov

360-407-6212



TP REPRESENTATIVE

Brian Cochrane

Habitat & Monitoring Coordinator

bcochrane@scc.wa.gov

360-701-5749

Work group assignments: Asotin, Columbia, Garfield, Walla Walla, and Whitman



MONITORING

Levi Keesecker

Natural Resources Scientist

lkeesecker@scc.wa.gov

360-789-3650

Work group assignments: Adams, Douglas, Ferry, Grant, Lincoln, Pend Oreille, Spokane and Stevens



ADMINISTRATIVE

Alicia McClendon

Administrative Assistant

amcclendon@scc.wa.gov

360-407-6200

Assigning staff to work groups is intended to provide better communication and access for the work groups, and in no way should be construed to limit a work groups' or technical service providers' ability to contact Commission VSP staff. All staff can answer questions in their area of

expertise, and can assist with other areas or involve other staff as needed.

Thank you for your efforts to make VSP successful! We look forward to continuing to work with you!

COMMERCE UPDATING GMA WAC:

The Department of Commerce is preparing to review and update the administrative rules for the Growth Management Act (GMA). They are considering changes based on new legislation, case law, and the need to clarify any statutory requirements that the existing rules do not adequately address.

They have collaborated with a number of state agencies over the past few months to develop a draft scope of potential changes. They will work with local governments and Tribes over the summer to refine the scope.

They welcome comments on the [draft scope](#), and will consider your feedback as they finalize the scope. They will begin releasing recommended changes to the Washington Administrative Code (WAC) later in the calendar year, and anticipate holding a public hearing next spring.

You can find additional information about the WAC update here: [Growth Management Act WAC Update](#)

Please email written comments to:
gmarulemaking@commerce.wa.gov
by August 13, 2021.

Commerce will release proposed changes to specific sections or chapters for public comment prior to a formal hearing on the rules. They intend to file a CR-102 in April 2022.

Some excerpts relevant to the Voluntary Stewardship Program from Commerce's draft scope are below. The full draft scope can be found [here](#).

From Pages 3-4 of the Commerce's draft scope:

WAC Chapters and Section
Proposed for Amendments
Chapter 365-190 – Minimum
guidelines to classify agricultural,
forest, and mineral lands and
critical areas

Commerce is considering changes to this entire chapter. The Minimum Guidelines provide extensive substantive guidance to local governments as to how to identify, classify, and designate critical areas and natural resource lands. They include expanded definitions, procedural recommendations, and references to pertinent statutes and rules adopted by other agencies. Potential changes address two general policy areas

and recommendations for meeting the underlying GMA requirements:

1. The classification and designation of agricultural, forest and mineral lands
2. The requirements and guidelines for designating and protecting critical areas....

Critical areas:

All appropriate critical areas in all counties and cities must be designated. The GMA permits no exemptions, exclusions, or limitations on applicability that would result in some critical areas not being designated.

Commerce will consider adding new definitions based on agency recommendations. The Departments of Health and Fish and Wildlife recommended changes to sections on critical aquifer recharge areas and fish and wildlife habitat conservation areas. Commerce may amend other sections to clarify the need to protect the functions and values of critical areas through a no-net loss standard.

Chapter 365-195 – Best available science

Commerce plans to review this entire chapter. The best available science rule provides guidance to local governments on

implementing requirements to include best available science in developing and adopting critical areas regulations. Multiple agencies encouraged us to update the guidance on monitoring and adaptive management. The approach to monitoring and adaptive management in this chapter is obsolete. New recommendations will reflect Commerce's 2018 guidance and provide a rationale for establishing and maintaining feedback loop systems. Monitoring and adaptive management will help ensure ongoing implementation is fair, transparent, efficient and effective. Commerce may also clarify when agency guidance constitutes best available science in response to concerns expressed by local governments.

From Page 6 of the Commerce's draft scope:

WAC 365-196-485 – Critical areas
Commerce may include new recommendations for developing and maintaining ongoing monitoring and adaptive management program to ensure critical areas regulations are achieving desired goals. It may clarify that adaptive management includes changes to the way

codes are implemented, use of administrative interpretations, education approaches, improved pre-application processes, and other activities, including but not limited to changes to actual code language.

WAC 365-196-660 –
Supplementing, amending, and monitoring
Commerce may adjust this section to reflect recommendations on monitoring and adaptive management of critical areas.

From Page 7 of the Commerce's draft scope:

WAC 365-196-830 – Protection of Critical Areas (DOH, WDFW,) Commerce may amend this section to reflect changes in Chapter 365-190 and 365-195 WAC. Commerce may elaborate on compensatory mitigation. Commerce may add language regarding no-net loss requirements to ensure for the protection of functions and values of critical area ecosystems.

SUBSCRIBE TO THE VSP
NEWSLETTER: New subscribers should access this link and choose the subscription for the "*Voluntary Stewardship Program (VSP)*" under the *Programs and Policy* tab:

<https://public.govdelivery.com/accounts/WASCC/subscriber/new>.

If you have any questions on how to sign up, please contact Bill Eller (beller@scc.wa.gov) or Laura Johnson (LJohnson@scc.wa.gov) at the Commission.

Bill Eller | beller@scc.wa.gov | 509-385-7512 | Washington State Conservation Commission