



# Washington State Conservation Commission

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## Meeting Packet

*December 2, 2021*

**\*\*Held virtually due to COVID-19\*\***

*Lacey, WA, 98503*

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

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## 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 Lori Gonzalez at 360-407-7417, or call 711 relay service. All accommodation requests should be received no later than Monday, November 15, 2021 to ensure preparations are appropriately made.

## Meeting Coordinates

At 8:30 a.m. on December 2, 2021, please log into the meeting using [this link](#). You may use your computer audio, or dial into the meeting using the information provided after logging in. SCC staff requests that you self-mute your audio line to allow for full discussion by Commissioners.

## Public Comment

Public Comment will be allowed prior to the beginning of all action topics. Comments will be limited to three (3) minutes per comment.

*Agenda – Please note: all agenda items needing action will be listed under Tab 1.*

TIME	TAB	ITEM	LEAD
8:30 a.m.		<b>Call to order/Welcome/Introductions</b> <ul style="list-style-type: none"> <li>• Pledge of Allegiance</li> <li>• Roll Call</li> <li>• Additions/Corrections to agenda items</li> </ul>	<i>Chairman Longrie</i>
8:40 a.m.	1.	<b>Consent Agenda – call for public comment (Action)</b> <ol style="list-style-type: none"> <li>a. September 16, 2021 draft meeting minutes</li> </ol>	<i>Chairman Longrie</i>
8:45 a.m.	1.	<b>Commission Operations – call for public comment (Action)</b> <ol style="list-style-type: none"> <li>b. Good Governance Sub-committee Report</li> <li>c. Final Review of 2022-2027 Strategic Plan</li> <li>d. Nomination of Chair and Vice-chair</li> </ol>	<i>Shana Joy Laura Meyer Comm. Beale</i>

TIME	TAB	ITEM	LEAD
9:25 a.m.	1.	<b>Policy &amp; Programs – call for public comment</b> ( <i>Action</i> )	
		e. Irrigation Efficiencies Grants Program – Policy Recommendation	<i>Jon Culp</i>
		f. Comments regarding off-site stock watering	<i>Jon Culp</i>
		g. Legislative Update <i>w/ possible action items</i>	<i>Ron Shultz and Alison Halpern</i>
		h. Conservation District Elections Proposal Update	<i>Ron Shultz</i>
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<b>10:15 a.m. – BREAK</b>			
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10:30 a.m.	1.	<b>District Operations – call for public comment</b> ( <i>Action</i> )	
		i. Franklin Conservation District Supervisor Appointment	<i>Comm. Crose</i>
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10:40 a.m.	2.	<b>District Operations</b> ( <i>Information</i> )	
		a. Regional Manager Report	<i>Jean Fike</i>
		b. Center for Technical Development November Update	<i>Packet Item</i>
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	2.	<b>Budget and Finance</b>	
		c. Budget Update	<i>Sarah Groth</i>
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11:00 a.m.	2.	<b>Policy and Programs</b> ( <i>Information</i> )	
		d. 2022 Legislative Session Preview and Update	<i>Alison Halpern</i>
		• Sustainable Farms and Fields	
		• Green Energy Technical Assistance Bill	
		e. Centennial Accord Update	<i>Int. Dir. Robinson</i>
		f. Voluntary Stewardship Program Update	<i>Packet Item</i>
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<b>12:00 p.m. – LUNCH</b>			
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1:00 p.m.	2.	<b>Commission Operations</b> ( <i>Information</i> )	
		g. Communications Update	<i>Laura Meyer</i>
		h. WACD Resolutions w/SCC named	<i>Int. Dir. Robinson</i>
		i. SCC General Agency Update	<i>Int. Dir. Robinson</i>
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	2.	<b>Partner Updates</b> ( <i>Information</i> )	
		j. WA Dept. of Fish and Wildlife	<i>Packet Item</i>
		k. National Association of Conservation Districts Report	<i>Packet Item</i>
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<b>2:00 p.m. – ADJOURN</b>			<i>Chairman Longrie</i>

**TAB 1**

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## Regular Business Meeting

The Washington State Conservation Commission (Commission/SCC) met virtually on September 16, 2021. 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*  
**Jim Kropf**, *Washington State University*  
**David Giglio**, *Department of Ecology*  
**Terra Rentz**, *Department of Natural Resources*  
**Sarah Spaeth**, *Governor Appointee*  
**Daryl Williams**, *Governor Appointee*

### COMMISSION STAFF PRESENT

**Carol Smith**, *Executive Director*  
**Mike Baden**, *North Central and Northeast Regional Manager*  
**Allisa Carlson**, *South Central Regional Manager*  
**Stephanie Crouch**, *Administrative Assistant*  
**Bill Eller**, *Voluntary Stewardship Program Coordinator*  
**Jean Fike**, *Puget Sound Regional Manager*  
**Lori Gonzalez**, *Executive Assistant*  
**Josh Giuntoli**, *Southwest Regional Manager*  
**Sarah Groth**, *Fiscal Manager*  
**Alison Halpern**, *Policy Assistant*  
**Karla Heinitz**, *Contracts Manager*  
**Laura Meyer**, *Communications Coordinator*  
**Shana Joy**, *District Operations Manager*  
**Levi Keesecker**, *Natural Resources Scientist*  
**Ron Shultz**, *Policy Director*

### PARTNERS REPRESENTED

**Ryan Baye**, *WA Association of Conservation Districts*  
**Roylene Comes At Night**, *USDA, Natural Resources Conservation Service*  
**Michael Kuttel, Jr.**, *WA State Department of Fish and Wildlife*  
**Angela Reseland**, *WA State Department of Fish and Wildlife*  
**Doug Rushton**, *National Association of Conservation Districts*  
**Tom Salzer**, *WA Association of Conservation Districts*

### GUESTS ATTENDED

Please see "[Attachment A](#)" for full list of attendees.

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## Consent Agenda (Action)

*Draft July 15, 2021 meeting minutes*

**Motion by Commissioner Crose to approve the July 15, 2021 meeting minutes. Seconded by Commissioner Cochran. Motion carries.**

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## District Operations (Action)

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*2022 Commission Meeting Locations*

Chairman Longrie welcomes Shana Joy, SCC Regional Manager Coordinator to share the next agenda item related to District Operations. Ms. Joy explains that If in-person Commission meetings are possible in 2022, the Regional Managers propose to offer the opportunity to host those meetings to the conservation districts noted in Table 1. Additionally, in the event that a Commission meeting is conducted in a remote format only, Regional Managers propose to work with other SCC staff and conservation districts to bring either a virtual district tour or a topical presentation(s) to that Commission meeting to continue providing an opportunity to hear from the districts about successes, innovations, and challenges that we would otherwise have an opportunity to learn about on the tours hosted by the districts.

***Motion by Commissioner Williams to approve the proposed 2022 meeting dates and potential locations (listed below) in the event that in-person Commission meeting(s) are possible. Seconded by Commissioner Crose. Motion carries.***

<i>Date</i>	<i>Hosting District</i>	<i>Location</i>
January 19 & 20, 2022	Snohomish CD	Everett / Edmonds
March 16 & 17, 2022	Thurston CD	Olympia / Lacey
May 17, 18, & 19, 2022	Lincoln CD	Davenport / Spokane
July 20 & 21, 2022	Kittitas County CD	Ellensburg
September 14 & 15, 2022	Pacific CD	Long Beach / Other TBD
December 1, 2022	WACD Annual Meeting	TBD

*Cultural Resources Policy Update*

Chairman Longrie welcomes Jean Fike, SCC Puget Sound Regional Manager, to present on the Cultural Resources Policy Update. Ms. Fike shares that The Commission has been operating under Executive Order 05-05 since July 2015. Policy and procedures were developed at that time to comply with EO 05-05, mitigate impacts and protect cultural resources as conservation districts implement projects funded through Commission programs.

Following the issuance of EO 21-02 on April 7, 2021 Commission staff have been in communication with DAHP to determine what changes would be needed in the Commission’s cultural resources process to bring it into compliance with the new EO. As in 2015, the process is closely modeled after that used by NRCS. It is not expected that the new EO 21-02 requirements will increase compliance costs appreciably.

***Motion by Commissioner Cochran to approve the policy and procedure changes as presented (meeting packet pages 20-22), effective immediately. Seconded by Commissioner Giglio. Motion carries.***

*Benton CD Mid-term Supervisor Appointment*

Chairman Longrie welcomes Commissioner Crose to begin presentation on the mid-term supervisor appointment to the Benton CD board. Commissioner Crose shares that the SCC received one application for a mid-term appointment on the Benton 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.

The application was sent to all Commission members for their review prior to the September 16th 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 an interview with the candidate listed below and contacting references.

***Motion by Commissioner Crose to appoint Bridget Gallant to the Benton Conservation District board of supervisors. Seconded by Commissioner Beale. Motion carries.***

*Certification of Palouse CD's September 13, 2021 election*

Chairman Longrie invites Bill Eller, SCC VSP Coordinator, to begin presentation on the next agenda item. Mr. Eller explains that on February 9, 2021, the PCD held an election. Due to an error, fewer than two polling officers were present when the sole ballot was processed. As a result, the Commission declined to certify the February PCD election at its regular meeting on March 18, 2021.

PCD then went to Superior Court in Whitman County and the court invalidated the February election and ordered another election to be held. This was necessary because neither PCD nor the Commission have the ability to hold an election outside of the first quarter of the year, as required by statute and our administrative code. PCD held this second election on September 13, 2021. There were 15 ballots returned and all voted for Jacob Smith. There were no errors during this second election.

***Motion by Commissioner Beale to certify Palouse Conservation District's September 13, 2021 election, and announce that Jacob Smith was the winner of this election. Seconded by Commissioner Williams. Commissioner Cochran abstains. Motion carries.***

*Report and Recommendations from the Joint Committee on Elections*

Chairman Longrie welcomes Laura Meyer, SCC Communications Manager, Ron Shultz, SCC Policy Director, and Mark Craven, Chairman of the Joint Committee on Elections, to begin presenting on the recommendations from the committee. Mr. Craven begins by providing background on the committee, sharing that In 2019, there was increasing awareness in the Legislature and in the general public about the way special purpose districts ran elections, including conservation district elections. During the 2019 Legislative Session, bills were introduced to modify conservation district elections by placing them on the general election ballot. These bills did not pass.

Following the Legislative Session, staff from the Washington State Conservation Commission (SCC) and the Washington Association of Conservation Districts (WACD) met to discuss possible election reforms. The SCC conducted a survey of districts to gather feedback on potential reforms. Results indicated a wide divide in perspectives. At their December 2019 meeting, Commission members committed to continuing to explore election reforms. This exploration continued into 2020, including two all-district webinars to discuss election reforms in the late summer and fall.

At their December 2020 meeting, the Commission was presented with several recommendations with no requested action. The Commission passed a motion to establish a more formal process and committee for the SCC, WACD, and districts to review the election issue and developing recommendations. The SCC and WACD formed the Joint Committee on Elections (JCE) in early 2021, which met through the spring and summer of 2021 to discuss district elections and identify recommended reforms.

The recommended actions are fully described in the report (meeting packet pages 72-82). They are:

Part 1: Conduct elections every other year, rather than every year as done currently.

*Currently, all conservation districts conduct elections every year. This proposal would move elections to every other year.*

*Why propose this change?*

*Saves costs associated with conducting an election.*

*Gives districts the option of choosing to run their election in either an odd or an even year.*

Part 2: Extend supervisor terms (for both appointed and elected) from the current three-year term to a four-year term.

*When this proposal was presented to conservation districts, the option was for either a 4-year term, or a 6-year term. Most responders felt the 4-year term would be most appropriate. Some commenters noted a 6-year term would be too long of a commitment for a voluntary board member. For current supervisors, there will be a process to modify the three-year term to a four-year term.*

*- With a four-year term, two supervisor positions would be up for election during one election cycle, and one supervisor position would be elected in the next cycle two year later.*

*- Under the four-year term, the two appointed supervisor positions would be appointed by the Commission in "off years" when no election is held.*

*Why propose this change?*

*Reduces election costs.*

*Normalizes CD elections to match terms of several other elected positions.*

*Allows CDs to follow same schedules as other elections.*

Part 3: Conduct district elections during one Conservation Month.

*Districts follow the current election process but with more emphasis on local election outreach. All districts would conduct their election during one "Conservation Month", with the Commission determining the month. The SCC would coordinate broad statewide advertising/promotion of conservation districts and potential election opportunities throughout Conservation Month. The campaign will be developed in coordination with CDs, particularly with members of the Communications, Partnership, and Outreach group who have been building a foundation for this.*

*Why propose this change?*

*Focusing the election in a Conservation Month would allow for broad communication and publicity of CDs and their work to a statewide audience.*

*Goal would be to increase awareness of CDs and increase participation in CD elections.*

*Cost of the "Conservation Month" publicity would be borne by the Commission.*

Part 4: Allow conservation districts the option to go on the general election ballot.

- By a vote of the board of supervisors, a CD could choose to go on the general election ballot, rather than conduct the election under the current process.*
- CD supervisors would not be required to run in a primary election, and — similar to cemetery districts, supervisors would be exempt from Public Disclosure Commission (PDC) and personal financial filing requirements.*

*Why propose this change?*

*Empowers each CD to make a local determination about which election approach works best for their communities and their district, consistent with our core value of locally led conservation.*

*This option has the highest potential to increase voter turnout because it would be on the ballot with other entities.*

**Motion by Commissioner Cochran to approve all four parts of the recommendation from the Joint Committee on Elections (listed below). Seconded by Commissioner Crose. Motion carries.**

*Part 1: Conduct elections every other year, rather than every year as done currently.*

*Part 2: Extend supervisor terms (for both appointed and elected) from the current three-year term to a four-year term.*

*Part 3: Conduct district elections during one Conservation Month.*

*Part 4: Allow conservation districts the option to go on the general election ballot.*

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## Commission Operations (Action)

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### *Governance Sub-Committee Report*

Chairman Longrie welcomes back Shana Joy to present on the Governance Sub-Committee report. As SCC staff have been working over the last year to review existing agency policies and fill policy gaps, governance was identified as a gap in their policies. In December 2020, Commissioners appointed and tasked the Governance Sub-Committee to “craft governance policies for the State Conservation Commission by the end of calendar year 2021.”

The Committee has met five times to date to make progress on this task and introduced a draft Governance and Commissioner Expectations Policy at the July 15th Commission meeting. One comment was shared with the Committee since the policy was introduced. The comment expressed concern about the 2-year term of office for the chair and vice chair. The prior policy prescribed a 1-year term of office. The Committee discussed the concern and decided to retain the 2-year term of office. The corresponding language is yellow-highlighted in the attached policy in the event that Commissioners would like to discuss this point. Additionally, the draft was reviewed with our legal counsel at the Attorney General’s office and minor suggested edits were incorporated into the final document. The Committee requests that Commissioners take action to adopt this policy today. Two additional draft policies are introduced today for Commissioner review and discussion: Commissioner Compensation (an update of current policy) and Commission Meetings (new policy).

Two additional draft policies are introduced today for Commissioner review and discussion: Commissioner Compensation (an update of current policy) and Commission Meetings (new policy). Review of these two additional drafts by all staff and the Attorney General’s office will be conducted prior to the December 2nd Commission meeting. It is anticipated that the Committee will request action to adopt these two policies at the December 2nd Commission meeting which will complete the task they were asked to do.

***Motion by Commissioner Rentz to adopt the “Governor and Commissioner Expectations” policy as presented (meeting packet pages 40-43). Seconded by Commissioner Spaeth. Motion carries.***

### *Area Member Election Process for 2021*

Chairman Longrie welcomes back Ron Shultz to present on the Area Member Election Process for 2021. Mr. Shultz shares that because the Washington Association of Conservation Districts (WACD)

will be holding their 2021 annual meeting via a hybrid style, with in-person and options to participate online, the Commission will need to change the existing Interpretive Statement (IS) regarding the process of electing the elected position to the Conservation Commission. In 2013 the Commission adopted an interpretive statement to clarify the process for election of the elected representatives on the Commission. The state statute indicates the timing of the election, establishes the district areas for representation, and how vacancies are filled. What was unclear was how the election was to be conducted. The Commission clarified this in the interpretive statement.

The interpretive statement establishes the election is to be held during the WACD annual meeting, how candidates are to provide notice of their candidacy, how the Commission will distribute candidate information for supervisor consideration, and how the election itself will be conducted during the WACD annual meeting.

The problem is, all of this was developed with the expectation that the WACD annual meeting would be held in-person. Due to COVID-19 restrictions, the annual meeting this year will be held via a hybrid style with in-person and options to participate online. Because of this, there is a need to provide for a temporary interpretive statement to cover this unique situation. The attached draft temporary interpretive statement will accomplish this purpose. It should be noted that the temporary interpretive statement expires December 31, 2021.

***Motion by Commissioner Crose to approve a temporary interpretive statement, which describes the process for electing the elected position to the Conservation Commission, limited to the 2021 election. Seconded by Commissioner Williams. Motion carries.***

*SCC Interim Executive Director – Approve*

Chairman Longrie shares that the Executive Director search committee has talked to and is recommending that Kirk Robinson be appointed as the interim director of the SCC. Mr. Robinson was the previous interim director and did a wonderful job, and the search committee has full confidence in appointing him as the interim director. He would begin on October 18, 2021.

***Motion by Chairman Longrie to approve Kirk Robinson as the interim Executive Director of the Washington State Conservation Commission. Seconded by Commissioner Beale. Motion carries.***

*2022-27 Strategic Plan – Stakeholder Feedback*

Chairman Longrie welcomes Laura Meyer to present on the 2022-27 Strategic Plan. Ms. Meyer shares that on July 9, SCC staff sent a request for feedback on our 2022-2027 priority areas and goals to a list of stakeholders, including all conservation districts and several external partners familiar with our work. Stakeholders used an electronic form to submit their comments, which were due August 16.

The staff teams who have been developing each of the five priority areas met to discuss the comments received in their area. For each comment they considered a) whether revisions/additions were needed to goals, and b) if/how the feedback could be incorporated as we build out the objectives, strategies, and tactics under each goal (as applicable).

The majority of stakeholder comments reference specific actions respondents would like to see in our strategic plan. SCC staff will consider and incorporate these actions as we build out our objectives, strategies, and tactics underneath each goal, as appropriate.

Stakeholder feedback helped us identify one important area of SCC/CD work that's missing from our current goals. We specifically call out wildfire resiliency in Goal V under Climate Resiliency, but the goal is too narrow to capture other preparedness and recovery work done for climate-related hazards, such as flood and drought. Staff recommend revising the goal to correct this.

***Motion by Commissioner Giglio to move forward with the current approved goals, revising Goal V under the Climate Resiliency priority area (modified language below). Seconded by Commissioner Williams. Motion carries.***

*“Strengthen the ability of our natural and working landscapes and communities to prepare for and respond to drought, wildfire, flood, and other climate-related hazards.”*

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## Policy & Programs (*Action*)

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### *Rulemaking Process Approval for Public Records*

Chairman Longrie welcomes back Ron Shultz to begin presenting on the next two agenda items. Mr. Shultz explains that pursuant to RCW 42.56.030 all state agencies must currently publish in the state Washington Administrative Code (WAC):

- a) Descriptions of its central and field organization and the established places at which, the employees from whom, and the methods whereby, the public may obtain information, make submittals or requests, or obtain copies of agency decisions;
- b) Statements of the general course and method by which its operations are channeled and determined, including the nature and requirements of all formal and informal procedures available;
- c) Rules of procedure;
- d) Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the agency; and
- e) Each amendment or revision to, or repeal of any of the foregoing.

The Conservation Commission has no such rules in the agency WACs. The purpose of this request is for the Commission to approve Commission staff to proceed with rulemaking to comply with this statutory requirement.

Although there is a template for such rules for agencies to use, most agencies will vary from the template to meet their agency's particular needs. For example, the Washington Department of Agriculture (WSDA) rule includes a section on records statutorily exempt from disclosure. We will include a similar section in our rule.

It is not necessary for the Commission to approve the draft rule language at this time. Only to approve submittal of the appropriate paperwork to the code reviser's office to begin the process. The Commission will have the opportunity to review the rule at a later date, and will give final approval to the rule after a public hearing has been held.

*Rulemaking Process:* If the Commission approves the initiation of the rulemaking process for agency rules relating to public records requests, Commission staff will file the CR-101 with the state Code Reviser to begin the rulemaking process. This document is a statement of the agency's intent to initiate rules on a topic. Following this, Commission staff will work with staff from the Code Reviser's Office to finalize the rule language. We will then file a CR-102, which includes the proposed rule language and specifies the date(s) and process for public review and comment, including a public hearing. Following receipt of comments, Commission staff will finalize the draft rule and submit it to

the Commission for final approval. Once approval is received, staff will file a CR-103 with the Code Reviser for final inclusion in the agency's rules.

***Motion by Commissioner Williams to approve staff to proceed with the rulemaking process for agency rules relating to public records requests. Seconded by Commissioner Giglio. Motion carries.***

#### *Rulemaking Process Approval for Public Records*

Mr. Shultz continues to share that The Conservation Commission has statutory authority to remove a conservation district supervisor in a narrow set of circumstances. According to statute, "a supervisor may be removed by the state conservation commission upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason." RCW 89.08.200. There is no other statutory language providing guidance on what the notice process is to be, or how such a hearing is to be conducted. The Commission currently has no policy or rule on how these matters are to be undertaken.

In 2018, following receipt of complaints regarding the conduct of certain supervisors at the Thurston Conservation District, the Commission initiated an investigation process to determine if the complaints had merit to consider potential removal of the supervisors. Following the results of the investigation, and because the Commission has no rule or process for the statutory requirement for a hearing before removal, the Commission consulted their Assistant Attorney General and developed a process for conduct of the hearing for potential removal. The process was developed and the hearing was conducted. The subject supervisors contested the format of the hearing.

Following action by the Commission to remove the two supervisors, the subject supervisors appealed the decision based on the process used. The case started at Thurston County Superior Court and ultimately reached the State District Court. The District Court issued its decision on February 9, 2021. This decision was appealed to the State Supreme Court, who denied hearing the appeal on June 7, 2021 the Supreme Court denied review, effectively ending appeals in the case.

The decision of the Court of Appeals still stands. In that decision, the court faulted the Commission for failing to follow the appropriate process consistent with the state Administrative Procedures Act (APA). However, the process used by the Commission did not deprive the supervisors of their rights; therefore, there was no harm in the result.

Through this memo, Commission staff request the Commission's approval to begin the rulemaking process for such a rule. The APA rule for hearing and action upon the hearing findings is a template rule prepared by the Office of Administrative Hearings. These rules are consistent with the state APA statute which states: "Each agency shall adopt as much of the model rules as is reasonable under its circumstances." RCW 34.05.250. Adoption of these rules is also consistent with advise from our Assistant Attorney General that, to be responsive to the Court of Appeals decision relating to the conduct of the hearing, the Commission should adopt rules.

It should be noted; the proposed rules are only part of the policy for reviewing complaints against conservation district supervisors. There is a policy currently under development for how such complaints will be handled in an initial review phase to determine merit. The Commission will be presented with this policy for review at a later date. The policy under development and this proposed rule will form one complete package for Commission review. Because the timeline for rulemaking can be long, they are requesting approval to begin the rulemaking process now so that the rule and the policy can proceed in tandem.

*Rulemaking process:* If the Commission approves the initiation of the rulemaking process for agency rules relating to public records requests, Commission staff will file the CR-101 with the state Code Reviser to begin the rulemaking process. This document is a statement of the agency's intent to initiate rules on a topic. Following this, Commission staff will work with staff from the Code Reviser's Office to finalize the rule language. We will then file a CR-102, which includes the proposed rule language and specifies the date(s) and process for public review and comment, including a public hearing. Following receipt of comments, Commission staff will finalize the draft rule and submit it to the Commission for final approval. Once approval is received, staff will file a CR-103 with the Code Reviser for final inclusion in the agency's rules.

***Motion by Commissioner Williams to approve staff to proceed with the rulemaking process for hearings relating to investigations and removal of a conservation district supervisor.  
Seconded by Commissioner Dorner. Motion carries.***

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## Budget (*Information*)

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### *Fiscal Year 22 & Biennium 19-21 close update*

Chairman Longrie welcomes Sarah Groth, SCC Fiscal Manager, to present on the next agenda items. Ms. Groth shares that SCC recently completed the closing of their fiscal year 22 and Biennium 19-21 financials and reports in compliance with OFM's deadlines. SCC finance staff processed over 550 vouchers for over \$8,500,000 in reimbursements to districts, counties and contractors from June 1, 2021 - August 15, 2021.

Overall, SCC is returning a very small amount in operating funding, approximately \$646,915 out of \$16,952,000, or just under 4%. Given the uncertainty that continued into fiscal year 2022, districts, Regional Managers and fiscal staff worked hard, and were in frequent contact about the status of projects and funding balances to ensure the least of amount of funding was returned.

For their capital programs, they have a large enough re-appropriated balances to be to have all capital funds qualify for re-appropriation, meaning they will not be returning any capital funding. For some perspective, in biennium 17-19 SCC returned approximately 8.5% in operating funds and approximately 0.5% in capital funds.

SCC financial staff will continue to closely monitor all budgets and appropriations and will continue to provide reports and updates to support program staff, Regional Managers, Executive Director and staff to ensure we utilizing the funding in accordance with state and federal laws, and all programmatic guidelines.

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## District Operations (*Information*)

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### *District Operations Report*

Chairman Longrie welcomes Josh Giuntoli, SCC Southwest Regional Manager, to present the District Operations Report. Mr. Giuntoli shares that recently, the RM team has assisted with partnering or participated in partner and relationship building ongoing efforts with: individual conservation districts, WADE, Center for Technical Development, WACD, DNR, NRCS, Ecology, NASCA, WDFW, NACD, 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.

Mike Baden, Allisa Carlson, and Courtney Woods are administering the wildfire recovery grant program by regularly reviewing applications for technical assistance and cost-share project funding needs. As of September 1, \$917,533 worth of funds have been awarded to conservation districts. The SCC also provided a letter of sponsorship for the Emergency Watershed Protection Program (EWP) to NRCS to support assessment work to determine if eligible projects exist in the areas burned by this summer's wildfires.

Mike Baden is leading implementation of a Hazard Mitigation Grant that the SCC is receiving from the Department of Emergency Management. He has been working with the National Fire Protection Association to schedule the final three Home Ignition Zone Assessment trainings for the fall. Initial work has started with the Lincoln County CD on organizing the final "Outreach Strategies for Community Wildfire Preparedness and Recovery" training. This training is planned to occur in early February 2022.

16 districts were written into the grant proposal to conduct a target of 10 home ignition zone assessments if they attended one of the Home Ignition Zone assessment trainings. This work was intended as a practical follow-up to practice what they were taught during the training. Funding has also been provided to 11 of those districts that attended one of the spring trainings. 5 more districts were included in the grant that would be able to conduct this work after successfully completing one of the fall Home Ignition Zone trainings.

Allisa Carlson and Shana Joy are participating on a steering committee with WDFW and DNR staff to implement a shrubsteppe habitat wildfire recovery and resiliency budget proviso that was appropriated to WDFW in this new biennium. The steering committee conducted a kick-off meeting with invited partners and stakeholders on August 31st to provide information about the proviso, planned near term actions to occur in fall of 2021, and opportunities for engagement including crafting a collaborate strategy for long term wildfire resiliency in the shrub steppe. The Foster Creek and Lincoln County Conservation Districts have been participating in the ongoing discussions as the near term actions work will focus primarily in the footprints of the Pearl Hill and Whitney Fires of 2020. Allisa is also plugging into the work of two of the near term action technical workgroups identified to provide recommendations to the steering committee on wildlife friendly fencing and hay for deferred grazing.

Mr. Giuntoli represents the Executive Director of the Commission as an ex-officio member of the Chehalis Basin Board (CBB). Since the last report, the Office of Chehalis Basin (OCB) approved a budget of \$70m for aquatic and flood work in the Chehalis Basin. Budget approval was initially delayed as certain details on the flood side of funding were reconciled between interested parties. Mostly it was how funding was being obligated for elements of the flood retention facility that were seen as going beyond the SEPA and NEPA process. At the August 16 board meeting, 7 of 7 voting members approved the funding plan. As the proposed flood retention facility progresses through the SEPA and NEPA process, the CBB approved a structure to begin evaluating alternatives to the proposed project. This structure would include creating a newly chartered Local Actions Non-Dam (LAND) Alternative Advisory Group which would serve in an advisory capacity on technical, policy, and/or implementation feasibility issues while a third-party consultant team develops options for a non-dam alternative.

Chehalis Basin CDs continue to engage in work associated with the Early Action Reaches within the Aquatic Species Restoration Program (ASRP) while continuing to provide valuable on-the-ground work in the Basin with private landowners and partners. Construction on projects in this current in-stream work window are well underway. An example is that Lewis CD is seeing great progress with a project on private land in the upper Chehalis Basin. In partnership with Weyerhaeuser Company,

Lewis CD sponsored this river restoration project to open seven miles of previously isolated stream habitat for salmon and steelhead. Construction to remove a fish passage barrier on the West Fork Chehalis River is well underway and will be completed soon.

Josh continues to convene a monthly meeting of Chehalis Basin CDs and partners (lead entity, Office of Chehalis Basin, WDFW, and others) to provide direct updates and collaboration with each other on work and activity in the Basin.

**Attendees**

Mike Baden  
Ryan Baye  
Perry Beale  
Jennifer Boie  
Brynn Brady  
Nicole Capizzi  
Allisa Carlson  
William Cavecche  
Alan Chapman  
Larry Cochran  
Roylene Comes At Night  
Mark Craven  
Harold Crose  
Stephanie Crouch  
Marian Dacca  
Jeanette Dorner  
Bill Eller  
Jean Fike  
Joy Garitone  
Martin Gibbons  
David Giglio  
Josh Giuntoli  
Lori Gonzalez  
Sarah Groth

**Attendees (cont.)**

Alison Halpern  
Kirstin Haugen  
Karla Heinitz  
Shana Joy  
Levi Keesecker  
Mike Kuttel, Jr.  
Jim Kropf  
Dean Longrie  
Laura Meyer  
Mike Mumford  
Zorah Oppenheimer  
Nick Peak  
Chris Porter  
Terra Rentz  
Angela Reseland  
Doug Rushton  
Kathy Sakahara  
Tom Salzer  
Don Schwerin  
Ron Shultz  
Carol Smith  
Sarah Spaeth  
Nick Vira  
Daryl Williams

December 2, 2021

**TO:** Conservation Commission Members  
Kirk Robinson, Interim SCC Executive Director

**FROM:** Shana Joy, District Operations & Regional Manager Coordinator

**SUBJECT:** Governance Sub-Committee Report

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Action Item	<input checked="" type="checkbox"/>
Informational Item	<input type="checkbox"/>

### Summary:

In December 2020 the Commissioners tasked the Governance Sub-Committee to “craft governance policies for the State Conservation Commission by the end of calendar year 2021.” At the September 16<sup>th</sup> Commission meeting, action was taken to adopt the *Governance and Commissioner Expectations Policy*. An error in that policy has come to light since then so the Committee requests that Commissioners take action to adopt the corrected policy that is included with this report. Also in September the Governance Sub-committee introduced two additional draft policies to you: *Commissioner Compensation* (an update of current policy) and *Commission Meetings* (new policy). The Committee requests that Commissioners take action to adopt these two policies which will conclude the work of the Committee.

### Requested Actions:

Adopt the corrected *Governance and Commissioner Expectations Policy* as presented.  
Adopt the *Commission Meetings Policy* and *Commissioner Compensation Policy*.

Adopt the *Commissioner Compensation Policy* as presented with option 1.

(OR)

Adopt the *Commissioner Compensation Policy* as presented with option 2.

### Staff Contact:

Shana Joy, [sjoy@scc.wa.gov](mailto:sjoy@scc.wa.gov) or 360.480.2078

### Background and Discussion:

As SCC staff have been working over the last year to review existing agency policies and fill policy gaps, governance was identified as a gap in our policies. In December 2020, Commissioners

appointed and tasked the Governance Sub-Committee to “craft governance policies for the State Conservation Commission by the end of calendar year 2021.”

*Governance Sub-Committee Members are:*

David Giglio, Commissioner  
Jeanette Dorner, Commissioner  
Sarah Spaeth, Commissioner  
Carol Smith, Executive Director  
Kirk Robinson, Interim Executive Director  
Alison Halpern, Policy Assistant,  
Sarah Groth, Fiscal Manager,  
Jean Fike, Puget Sound Regional Manager  
Shana Joy, Regional Manager Coordinator

The Committee met six times over the course of 2021 to complete the assigned work. In the last Committee report to you we highlighted a particular portion of the *Governance and Commissioner Expectations Policy* in the term of office prescribed for the Chair and Vice Chair. The policy language states a two-year term of office when in fact the term of office for the Chair is prescribed in RCW 89.08.050 as a one-year term. This oversight did not come to light until recently and the Committee requests the Commissioners adopt a corrected policy that resets the term of office for the Chair and Vice Chair to a one-year term to align with the statutory language. The attached Governance and Commissioner Expectations policy shows this correction in the language on page 3 of the policy.

Two additional draft policies were introduced for Commissioner review and discussion in September: *Commissioner Compensation* (an update of current policy) and *Commission Meetings* (new policy). These two draft policies have now been reviewed by SCC staff and our legal counsel at the Attorney General’s office and suggested edits to the language have been incorporated into the documents presented today. The Committee requests that Commissioners take action to adopt these two policies. The Committee’s work will be concluded with the adoption of these two policies unless further direction is given by the Commissioners.

*Recommended Actions and Options:*

Adopt the corrected *Governance and Commissioner Expectations Policy* as presented.

Adopt the *Commission Meetings Policy* as presented.

Adopt the *Commissioner Compensation Policy* as presented with option 1.

(OR)

Adopt the *Commissioner Compensation Policy* as presented with option 2.



# Washington State Conservation Commission

<b>Policy #</b>	21-XXXX Governance and Commissioner Expectations
<b>Applies to:</b>	WSCC Commissioners
<b>Effective Date:</b>	XX, 2021

## PURPOSE

The purpose of this policy is to establish agency governance policy and commitments, provide additional clarity and establish standards of behavior and expectations for service of the Washington State Conservation Commission (WSCC) Board of Commissioners.

## BACKGROUND

The WSCC is established and authorized under RCW 89.08. Several specific sections of this RCW guide and authorize the policies established herein:

### RCW 89.08.030

“The commission shall consist of ten members, five of whom are ex officio. Two members shall be appointed by the governor, one of whom shall be a landowner or operator of a farm. At least two of the three elected members shall be landowners or operators of a farm and shall be elected as herein provided. The appointed members shall serve for a term of four years.

The three elected members shall be elected for three-year terms, one shall be elected each year by the district supervisors at their annual statewide meeting. One of the members shall reside in eastern Washington, one in central Washington and one in western Washington, the specific boundaries to be determined by district supervisors.

The director of the department of ecology, the director of the department of agriculture, the commissioner of public lands, the president of the Washington association of conservation districts, and the dean of the college of agriculture at Washington State University shall be ex officio members of the commission. An ex officio member of the commission shall hold office so long as he or she retains the office by virtue of which he or she is a member of the commission. Ex officio members may delegate their authority.

The commission may invite appropriate officers of cooperating organizations, state and federal agencies to serve as advisers to the conservation commission.”

### RCW 89.08.050

“It shall have authority to delegate to its chairman, to one or more of its members, to one or more agents or employees such duties and powers as it deems proper...”

“The commission shall organize annually and select a chairman from among its members, who shall serve for one year from the date of his selection...”

## POLICY

### **Governance**

#### Board of Commissioners Purpose

The Board of Commissioners represents, leads, and serves the agency and holds itself accountable to it by committing to act in the agency’s best interests and by ensuring that all Board and agency action is consistent with law and the agency’s policies. The Board’s purpose is to assure that the agency achieves its goals and that it operates according to its values.

The Board and its Commissioners are committed to effectively governing the agency, testing all of its decisions, maintaining Commissioner relationships with each other, evaluating the Executive Director, training new Commissioners, working with staff and subcontractors and serving its constituents.

#### Governing Commitments

The Board will govern lawfully, encourage full exploration of diverse viewpoints; act with integrity as ethical leaders, focus on governance matters rather than administrative issues; observe clear separation of Board and Executive Director roles, make all official decisions by formal vote of the Board; and govern with long-term vision.

The Board will function as a single unit. The opinions and personal strengths of individual Commissioners will be used to the Board’s best advantage, but the Board faithfully will make decisions as a group, by formal vote. No officer, individual, or committee of the Board will be permitted to limit the Board’s performance or prevent the Board from fulfilling its commitments.

The Board is responsible for its own performance and commits itself to continuous improvement. The Board will assure that its Commissioners are provided with training and professional support necessary to govern effectively, including ethics training. After attending conferences or events, Commissioners will report back to the Board at the next regular meeting about what they have learned.

The Board will carry out a summative self-assessment with full, honest and timely participation by all Commissioners. The assessment will include evaluation of the Board as a whole.

#### Board Job Description

The Board’s job is to represent, lead and serve the agency and to govern by establishing expectations for organizational results, expectations for quality operational performance, and monitoring actual performance against those expectations. The Board will:

- Set agency external-facing policy
- Evaluate Board performance.
- Hire the Executive Director and evaluate their performance.
- Adopt and keep current a long range strategic plan and monitor performance against the plan.
- Review and accept the periodic report of the State Auditor.
- Adopt and monitor implementation of biennial operating budgets.

- Review and approve biennial and supplemental budget requests, and new legislation to the Governor and state legislature.
- Appoint two conservation district supervisors to each conservation district board.
- Work with the Office of the Attorney General to support the WSCC in its work.
- Support implementation of the Conservation Accountability and Performance Program
- Set election rules for conservation district elections (Chapter 135-110 WAC)

## **Board Officers**

The officers of the Board of Commissioners (Board) are those listed in this policy. Their duties are those assigned by this policy, and others required by law.

## **Chair**

The Chair provides leadership to the Board of Commissioners, ensures the faithful execution of the Commission's processes, exercises interpretive responsibilities consistent with the spirit and intent of the Commission's policies, and normally serves as the Board of Commissioners' spokesperson. The Chair has the following specific authorities and duties:

- Monitor Commissioner actions to assure that they are consistent with the Board's own rules and policies:
  - Chair Commission meetings using the authority normally vested in the Chair as described in Robert's Rules of Order;
  - Conduct and monitor Commission meeting deliberations to assure that Board discussion and attention are focused on Board issues, as defined in Board policy;
  - Assure that Commission meeting discussions are productive, efficient, orderly, and respectful;
  - Lead the Commission's annual performance evaluation of the Executive Director;
  - Execute all documents authorized by the Commission, except as otherwise provided by law or delegation of authority;
  - Appoint members of all Commission committees and sub-committees with the ratification of the full Commission.
  - Represent the Board as its official spokesperson about issues or topics decided by the full Board.

## **Vice-Chair**

The Vice-Chair serves in the absence or inability of the Chair to perform the specific authorities and duties of the Chair.

## **Election of Chairperson and Vice Chairperson** (replaces policy no. 05-02)

A nominating committee will be formed for the purpose of recommending candidates for the office of chairperson and vice chairperson for action by the governing body at the December Commission Meeting.

The nominating committee will include members of the Commission Board and partners. The term of office for the chairperson(s) and vice chairperson(s) shall be one year, with a maximum of two consecutive terms per role.

Only the three elected, two appointed, and ex-officio member representing Washington State University (WSU) shall be eligible for the office of chairperson or vice chairperson. Ex-officio

members representing the regulatory Departments of Ecology, Agriculture, Natural Resources and WACD shall be ineligible to serve as chairperson or vice chairperson.

### Procedure

A nominating committee of 3 Commissioners will be formed annually by the Board at the September regular Commission meeting for the purpose of recommending candidates for the offices of chairperson and vice chairperson.

At the next regular meeting following the September meeting, the nominating committee shall present recommendations to the full Commission board and request action. While the recommendation of the nominating committee is not binding on the full Commission board, it will be carefully considered prior to board action.

The newly elected chairperson and vice chairperson will begin service at the next regular or special meeting of the Conservation Commission, typically occurring in January of the following year.

## **Executive Committee** (replaces policy no. 05-03)

### Purpose and Structure

The purpose of the Executive Committee is to provide feedback and guidance, upon request and as appropriate, to the Executive Director between regular meetings of the full Commission Board and to make any decisions as are formally delegated to the Executive Committee by the full Commission Board. The chairperson and vice chairperson, will collectively be called the Executive Committee of the Commission. The Executive Committee shall serve as a standing committee of the full Commission Board with no expiration.

### Duties

Duties of the Executive Committee may include but are not limited to:

- Provide feedback and informal guidance, upon request and as appropriate, to the Executive Director on agency matters between regular Commission meetings,
- Remain informed of legislative developments and provide feedback to SCC staff on pending legislation that may be contentious and urgent,
- Review and provide input into draft agendas for commission meetings

Additional responsibilities of the Executive Committee may also be assigned by action of the Commission. The Executive Committee shall report out its activities, as appropriate, to the full Commission board at the next regular Commission meeting.

## **Committees or Sub-Committees**

The Board may create committees or sub-committees if they are deemed helpful to assist the Board in the performance of its responsibilities. If committees are established, they will be used exclusively to support the work of the Board at the direction of the Board.

- Committees will not be used to direct, advise, assist, or oversee the staff. Committees will have no authority over staff and may exercise demands on staff time and organizational resources only to the extent authorized by the full Board and Executive Director.
- Committees will customarily prepare recommendations for consideration by the full Board.
- Committees may not speak or act for the Board unless specifically authorized to do so. The responsibilities and authority of all committees are carefully stated in writing to

assure that committees fully understand their duties and extent of authority, and to assure that committee work will not usurp or conflict with the Board's own authority or conflict with authority delegated to the Executive Director.

- All Board committees are considered to be ad hoc, or temporary, unless specifically authorized by the full Board as a standing committee. The date for the termination of each committee is listed for each committee. Committees may be renewed or reauthorized upon their expiration, but unless the Board acts to renew the committee's existence it shall cease to exist upon the date specific.
- Format for Board Committees will follow:
  - Name
  - Purpose and Charge
  - Membership
  - Reporting Schedule
  - Term
  - Authority over Resources

### **Advisors to the Board of Commissioners** (replaces policy no. 05-07)

The Natural Resources Conservation Service, the Farm Service Agency, the Washington Department of Fish and Wildlife, the U.S. Environmental Protection Agency, and the U.S. Forest Service are recognized as an important contributor to Conservation Commission meetings. Even though they are not a regular member of the Commission, the following policy shall serve as a guide for their participation in the meetings.

- They may attend all meetings and executive sessions by invitation.
- They may not make motions or vote.
- They may be recognized by the chairman and enter discussion on any subject in the same manner as any regular Commission member.

Additional short-term or topic-specific advisors may be invited to participate in Commission meetings, agency initiatives or projects at any time.

### **Commissioner Expectations**

#### **Attendance and Engagement**

Commissioners will make every effort to attend all regular and special meetings of the WSCC. To ensure that the WSCC's meetings are conducted with maximum effectiveness and efficiency, Commissioners will spend such time as may be needed in advance of the meetings to review meeting materials, interact with the agency, organization, or region of conservation districts represented as may be needed on topics appearing on each agenda in preparation for and to enable fully engaged participation in each meeting.

If a Commissioner must be absent for a meeting, the Commissioner is expected to notify the Chairperson and Executive Director as soon as possible. A substitute delegate may participate on behalf of ex-officio Commissioners only. Any substitutes are expected to adhere to and uphold all policies, procedures, and expectations of the WSCC and the Commissioner for which they are acting as a substitute. Every effort will be made to provide timely meeting materials and information to identified substitutes but it is the primary responsibility of the appointed Commissioner to ensure the substitute is fully prepared to attend the meeting.

#### **Code of Conduct**

The Commissioners will conduct themselves lawfully, with integrity and high ethical standards, in order to model the behaviors expected of staff and to build constituent confidence and credibility. The Commission will conduct its official business with social and fiduciary responsibility that encourages public trust. Commissioners will maintain awareness of, abide by and uphold all WSCC policies and procedures.

To build trust among Commissioners and to ensure an environment conducive to effective governance, Commissioners will:

- Communicate openly and respectfully with one another, agency staff, and the public;
- Listen to understand one another, staff, and the public;
- Support the Chair's efforts to facilitate an orderly meeting;
- Focus on issues rather than personalities;
- Exercise honesty in all written and interpersonal interaction, never intentionally misleading or misinforming each other;
- Make every reasonable effort to protect the integrity and promote the positive image of the organization and one another;
- Maintain confidentiality appropriate to sensitive issues and information that otherwise may tend to compromise the integrity or legal standing of the Commission, especially those matters discussed in executive session.

Commissioners will not attempt to exercise individual authority over the agency or staff.

- Commissioners will not attempt to assume personal responsibility for resolving operational problems or complaints;
- Commissioners will not personally direct any part of the operational organization;
- Commissioners will respect decisions of the Board and will not undermine those decisions;
- Commissioners will not publicly express individual negative judgments about Executive Director or staff performance. Any such judgments will be expressed in executive session;
- Commissioners will refer any requests for access to the agency's records to the SCC Public Records Officer;
- Commissioners will serve the interests of the entire organization. Commissioners recognize this responsibility to the whole to be greater than:
  - any other responsibility a Commissioner may have as a member; and
  - ties based upon membership on other boards or staffs.

### Communication and Representation

Each Commissioner will strive to serve as a communication conduit with the agency, organization, group, or region of conservation districts represented. Each Commissioner should bring relevant news from their constituents to the WSCC in a timely manner and carry WSCC news and information back to their constituents as well.

### Representing the Commission

Only the designated spokesperson(s) for the agency will provide formal or informal comments to the press or media on behalf of the agency or Board. In the circumstance where Commissioners participate in meetings or events where it may not be clear from which perspective or which organization they are representing, all Commissioners will make it very clear that while they do serve as a Commissioner, they are not speaking on behalf of, or representing the agency unless formally designated to do so by the Chair or Executive Director. Commissioners may be

involved in numerous aspects of natural resource conservation in roles outside of their service as a Commissioner; it is essential that when speaking as a Commissioner to ensure that the policies and formal positions adopted by the full Board and agency are represented accurately and are not undermined.

#### **Ethics and Conflict of Interest** (incorporates language from SCC policy no. 13-02)

The Ethics in Public Service Act, RCW 42.52 applies to all state employees and officers. All Commissioners are responsible for knowing and adhering to the Ethics Act (RCW 42.52) and rules (WAC 292-110), applicable agency policies and procedures, and for making choices that exemplify an adherence to the highest ethical standards. Detailed information on issues related to state ethics, including interpretations and clarifying examples of the Ethics Act and rules are available at the Executive Ethics Board's website [www.ethics.wa.gov](http://www.ethics.wa.gov).

Commissioners are expected to avoid conflicts of interest involving all matters considered by the Board. A conflict of interest exists when a Commissioner is confronted with an issue in which the Commissioner has, or appears to have, a personal or financial interest or an issue of circumstance that could render the Commissioner unable to remain objective and focus upon the agency's interest.

To assure that there is no perception of impropriety or unethical behavior, Commissioners will recuse themselves from any discussion or decision which directly involves or affects them. A Commissioner will recuse him/herself by notifying the Chair of the potential conflict of interest and leave the room when the issue in conflict is voted upon.

If a Commissioner does not recuse him/herself when it may be improper for them to participate in discussion or decisions, other Commissioners or the Executive Director, have the right and obligation to request that the Commissioner recuse him/herself.

Commissioners should notify the Chairperson and Executive Director of any actual or potential violations of this policy. When in doubt, Commissioners should consult with the designated Ethics Advisor (Executive Director) or the Human Resources Office.

#### **Process for Addressing Violations by Commissioners**

The Board and each of its Commissioners are committed to faithful compliance with the provisions of the Board's policies. The Board recognizes that failure to deal with deliberate or continuing violations of its policies risks the loss of confidence in the Board's ability to govern effectively. Therefore, if the Board determines that a Commissioner's violation of law, regulation, or policy requires it the Board can address the issue and may use the following process with every attempt made to resolve the issue at the lowest possible level:

1. Conversation in a private setting between the offending Commissioner and the Chairperson or other individual Commissioner;
  - a. If the Chair's compliance is in question, the Vice-chair will be notified.
2. Discussion in an executive session between the offending Commissioner and the full Board if in compliance with the Open Public Meetings Act.
3. Removal by the Board from any leadership or committee positions to which the offending Commissioner has been appointed or elected.
4. Censure of the offending Commissioner as a means of separating the Board's focus and intent from those of the offending Commissioner.
5. Removal from the Board. For ex-officio Commissioners, a request may be made to the agency or organization that has appointed the Commissioner in question to appoint

another representative for their agency or organization. For Governor appointed Commissioners, a request may be made to the Office of the Governor to consider making a new appointment.

### *Ethics Violations*

The Executive Director is designated as the agency's Ethics Advisor who coordinates and manages the agency's ethics program. The Executive Director may also appoint another member of staff to serve as the Ethics Advisor. The Ethics Advisor is the agency's liaison to the Washington State Executive Ethics Board. The Ethics Advisor may:

- a. Assess the application of conflict of interest laws and regulations to the information reported and counsel those Commissioners with regard to resolving actual or potential conflicts of interests or appearances.
- b. Counsel Commissioners concerning ethics standards and programs.
- c. Assist Commissioners in understanding and implementing agency ethics programs.

The Executive Ethics Board has the authority and responsibility for investigating alleged violation(s) of the Ethics Act. Anyone may file an ethics complaint against a state employee or officer. Complaint forms are available on the Executive Ethics Board's website. Complaints may be filed anonymously or the complainant may choose to remain confidential. Ethics complaints may be filed directly with this Board at the following website: <https://ethics.wa.gov/online-complaint-form>.

## **Decision Making**

### **Board Decision Making**

The Board will make decisions:

- Through a formal vote of a quorum of the Board in an open and public meeting.
- After seeking out the most complete and accurate information and perspectives from all sides of a situation.
- After providing opportunity for and consideration of public comment.

Action items brought to the Board, to the greatest extent possible, will be initially introduced at an open and public meeting. If the Board chooses to act, action would occur at the next or a future open and public meeting.

### **Board and Executive Director Relationship**

The Executive Director is the Board's primary contact with Commission staff. The Board does not work directly with individual staff members on the operations of the organization. The Executive Director may direct staff to communicate with Commissioners as needed.

The Board will direct the Executive Director only through official decisions of a quorum of the full Board.

- The Board will make decisions by formal, recorded vote in order to avoid any disclarity about whether direction has been given.
- The Executive Director is neither obligated nor expected to follow the directions or instructions of individual Commissioners or committees unless the Board has specifically delegated such exercise of authority.
- Should the Executive Director determine that an information request received from an individual Commissioner or a committee requires a material amount of staff time or is unreasonable, the Executive Director is expected to ask that the committee or the Commissioner refer such requests to the full Board for authorization.

### Staff Accountability

The Executive Director is responsible for all matters related to the day-to-day operations of the agency, within the values expressed by the Board in policy. All staff members are considered to report directly or indirectly to the Executive Director.

- The Board will never give direction to any contractor hired by the Executive Director regarding a contract with the Executive Director or to any employee other than the Executive Director.
- The Board will not participate in decisions or actions involving the hiring, evaluating, compensation, disciplining or dismissal of any contractor hired by the Executive Director or any employee other than the Executive Director.

### Authority of the Executive Director

The Board will provide direction to the Executive Director through written policies and/or formal vote of the full Board. The Executive Director is authorized to establish any administration policies or procedures, make any decisions, establish any practices and develop any activities that the Executive Director deems appropriate to achieve the work of the agency. The Executive Director is not expected to seek Board approval or authority for any decision falling within the Executive Director's area of delegated authority.



# Washington State Conservation Commission

<b>Policy #</b>	21-XXXX Board of Commissioners Meetings
<b>Applies to:</b>	WSCC Commissioners and Staff
<b>Effective Date:</b>	XX, 2021

## PURPOSE

The purpose of this policy is to establish guidance for the structure and conduct of meetings of the Board of Commissioners.

## BACKGROUND

The WSCC is established and authorized under RCW 89.08. Specifically, RCW 89.08.040 states the Commission may adopt such rules as may be necessary for the execution of its functions. RCW 42.30.070 also authorizes the governing body of a public agency to adopt such rules or policies as required regarding the conduct of business by that body. Other, specific portions of the RCW and Washington Administrative Code provide guidance for this policy.

## POLICY

### Regular Meetings

The WSCC Board shall meet a minimum of six times per year on the third Thursday of every other month beginning in January each year. Regular meetings may be conducted over one or more concurrent days. A schedule of the regular meetings of the WSCC Board shall be filed with the State Code Reviser on or before January of each year for publication in the Washington state register. RCW 42.30.070

### Special Meetings

The WSCC Board may schedule and conduct special meetings as deemed necessary at any time. The WSCC commits to following all requirements for public noticing of special meetings under the Open Public Meetings Act, RCW 42.30.080.

### Emergency Meetings

Emergency meetings of the Board may be called by the Executive Director and Executive Committee, if there is a need for expedited action by the Board to meet the emergency. Consistent with the provisions of RCW 42.30.070, the Chairperson of the Board may provide for a meeting time and location other than the regular meeting location and time. Notice requirements do not apply to emergency meetings called for emergency matters as permitted by RCW 42.30.070, 42.30.080, and 42.14.075.

### Executive Sessions

Executive sessions may be conducted from time to time only under the specific circumstances for which executive sessions are authorized pursuant to RCW 42.30.110. All executive sessions will be properly stated on the meeting agenda with the specific reason authorizing the executive session.

### Format and Location of Meetings

Meetings of the Board could be conducted in person or remotely. In person meetings will have a remote participation option. Remote options will be available for board members who have extenuating circumstances that prevent them from attending in person. Every effort will be made to provide a means for remote meeting participation for the public for all regular and special business meetings of the Commission.

In the case of a declared emergency, concerns for the safety of Commissioners, staff or the public, or in times of constraints to the agency's operating budget, regular and special meetings of the Commission may be conducted only through the use of a remote meeting platform. Opportunity for public participation will be provided through the appropriate use of technology to ensure that members of the public can see and hear the proceedings. An appropriate method of soliciting and considering public comment prior to any action items will be utilized.

All information pertaining to access and participation in a regular or special business meeting of the WSCC shall be made available on the WSCC website at [www.scc.wa.gov](http://www.scc.wa.gov) at least 7 business days prior to any meeting.

The format of and/or physical locations for a calendar year of regular meetings will be reviewed and approved at the September meeting of the full Board in the prior year. Locations and corresponding meeting dates, once approved, will be made available on the WSCC website at [www.scc.wa.gov](http://www.scc.wa.gov).

### Parliamentary Procedure

The Board of Commissioners shall follow Roberts Rules of Order in the conduct of all regular and special meetings. The Chairperson shall serve as the parliamentarian for all meetings. In the absence of the Chairperson, the Vice Chairperson shall serve as the parliamentarian.

### Meeting Accommodations

Persons needing an accommodation to participate in WSCC public meetings should call WSCC staff at 360-407-6211, or call 711 relay service. All accommodation requests should be received no later than 7 business days prior to a scheduled meeting, to ensure preparations are appropriately made.

### Meeting Agendas (replaces prior policy no. 05-04)

Meeting agendas will be set through coordination and communication between the Executive Director and Executive Committee. An agenda item may be requested by communicating in writing with the Executive Director, or designated WSCC staff, at least 30 days prior to a scheduled regular meeting. A form may be established and provided for this purpose. Making a request for an agenda item is not a guarantee that the item will be included on an agenda. The Executive Committee and Executive Director shall make all decisions pertaining to requests from individual Commissioners, partners, or the public as meeting agendas are set. Requests from WSCC staff for agenda items shall be within the authority of the Executive Director to manage.

## Consent Agenda

The Board may use a consent agenda as a means to expedite the disposition of routine matters and to dispose of other items of business it chooses not to discuss. All administrative matters delegated to the Executive Director that are required to be approved by the Board will be acted upon by the Board via the consent agenda. An item may be removed from the consent agenda upon approval of a majority of the Board members present at the meeting.

## Meeting Packets and Information

Packets of written materials or information will be compiled and made available to Commissioners, WSCC staff, and the public at least 10 business days prior to a regular meeting and at least 48 hours in advance of a special meeting. Packets may be directly mailed or emailed to Commissioners and will be made available to the public through the WSCC website at [www.scc.wa.gov](http://www.scc.wa.gov). Alternative formats of written materials or information may be accessed by contacting WSCC staff at 360-407-6200 at least 7 business days in advance of the meeting.

## Public Comment

Public comment will be solicited prior to all action items that appear on the meeting agenda. Public comment should be focused on the agenda item under consideration at the time. An opportunity for public comment will be afforded to each person that signs-in requesting to provide comment (for in-person meetings) or indicates a desire to provide comment by raising their hand or utilizing chat/question features on a remote meeting platform. The Chair person may limit the time allotted to each person.

## Staff Participation

WSCC staff may provide additional or late-breaking information on any agenda item upon being recognized by the Chairperson. Information offered should be focused upon the agenda item under consideration at the time and factual in nature. WSCC staff may also respond to questions posed to them directly by Commissioners during a meeting.

## Minutes and Recording of Meetings

WSCC staff will create action-oriented written minutes of each regular and special meeting of the full Board. Draft minutes will be reviewed and approved at the subsequent meeting of the full Board. Approved minutes will be made available to the public on the WSCC website at [www.scc.wa.gov](http://www.scc.wa.gov) within 30 days of approval by the Board.

Electronic recordings may be made of either in-person or remotely conducted meetings for the sole purpose of facilitating accurate and timely creation of written meeting minutes. Any recordings created will be managed according to the appropriate records retention schedule published by the Washington State Archives.

## Disruptive Behavior

To ensure that the Board's meetings are conducted with maximum effectiveness and efficiency, Commissioners will:

- Communicate openly and respectfully with each other and with staff, and
- Support the Chair's efforts to facilitate an orderly meeting.

It is inappropriate and will not be tolerated for any person in attendance at a business meeting of the full Board to do any of the following: engage in disorderly, disruptive, disturbing, delaying or boisterous conduct, such as, but not limited to, handclapping, stomping of feet, whistling,

making noise, use of profane language or obscene gestures, yelling or similar demonstrations, which conduct substantially interrupts, delays, or disturbs the peace and good order of the proceedings of the Board.

Any person attending a business meeting of the Board who is deemed by the Chairperson to be unreasonably disturbing the business of the Board shall be asked to cease such disruption by the Chairperson. The Chairperson shall determine if the conduct is actually disruptive and whether the conduct has impaired the ability of the Board to attend to the business of the agency. If so, the Chairperson may, on their own authority or with consent of the Board, remove the person from the meeting and enter into the record the basis for removing the person. Such removal may include, in the case of remote participation, the termination of the individual's remote access to the meeting. Continued disruptions may result in a recess or adjournment of the meeting consistent with RCW 42.30.050:

*In the event that any meeting is interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are interrupting the meeting, the members of the governing body conducting the meeting may order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by majority vote of the members. In such a session, final disposition may be taken only on matters appearing on the agenda. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the governing body from establishing a procedure for readmitting an individual or individuals not responsible for disturbing the orderly conduct of the meeting.*



## Washington State Conservation Commission

<b>Policy #</b>	21-XX Commission Member Compensation
<b>Applies to:</b>	The following members on the State Conservation Commission; Governor Appointees, Regional Representatives and Washington Association of Conservation Districts President
<b>Effective Date:</b>	XX, 2021

### PURPOSE

This policy is to define the process for authorization of Commission member compensation as provided for in RCW 89.08.040 and defined in RCW 43.03.250.

### BACKGROUND

Members of the WSCC Board are entitled to compensation consistent with RCW 43.03.250 and are entitled to travel expenses incurred in the discharge of their duties. RCW 89.08.040. WSCC Board members are considered a “class four” group for purposes of compensation. RCW 43.03.250.

[RCW 43.03.250](#)(2) & (3) states:

(2) Each member of a class four group is eligible to receive compensation in an amount not to exceed one hundred dollars for each day during which the member attends an official meeting of the group or performs statutorily prescribed duties approved by the chairperson of the group. A person shall not receive compensation for a day of service under this section if the person (a) occupies a position, normally regarded as full-time in nature, in any agency of the federal government, Washington state government, or Washington state local government; and (b) receives any compensation from such government for working that day.

(3) Compensation may be paid a member under this section only if it is authorized under the law dealing in particular with the specific group to which the member belongs or dealing in particular with the members of that specific group.

### POLICY

A member of the WSCC Board may be compensated for those activities and statutory duties approved by the chairperson or Executive Director of the WSCC consistent with [RCW 43.03.250 and this policy](#).

As stated in RCW 43.03.050(2), a member is eligible to receive compensation in an amount not to exceed one hundred dollars for each day during which the member attends an official meeting of the group or performs statutorily prescribed duties approved by the chairperson of the group. A person shall not receive compensation for a day of service under this section if the person (a) occupies a position, normally regarded as full-time in nature, in any WSCC Policy #

agency of the federal government, Washington state government, or Washington state local government; and (b) receives any compensation from such government for working that day.

A minimum of two hours of time must be spent in order to claim compensation for that day.

Commented [JS(1): Option 1 language

A compensation scale will be followed based on amount of time spent in a given day:

Commented [JS(2): Option 2 language

<b>Amount of Time Spent</b>	<b>Compensation Rate</b>
3 hours or less	\$25
Greater than 3 hours and less than 5 hours	\$50
5 hours or more	\$100

A member may waive compensation by a formal written denial letter addressed to the State Conservation Commission.

Travel days are not compensated unless an official meeting is attended or the member is performing statutory duties approved by the chairperson of the WSCC Board.

## PROCEDURE

Dependent upon funding availability, the following activities are preauthorized for compensation when the member is participating solely as a representative of the Washington State Conservation Commission (SCC) in these activities:

1. Regular and special Commission meetings, including teleconferences.
2. Washington Association of Conservation Districts (WACD) meetings, including Officers and Directors, Taskforces, Special Committees and teleconferences.
3. Local Work Group or State Technical Advisory Committee meetings.
4. Conservation district appointed supervisor interviews.
5. Participating in meetings conducted by SCC staff as an appointed member of an established SCC committee or sub-committee.

Commission members seeking compensation for activities other than those identified above must first seek approval from the WSCC chairperson or executive director. Requests must be in writing and the written approval must be submitted with other documents required for compensation.

Commission members seeking compensation for activities beyond a regular/special Commission meetings or committee meetings are encouraged to share an update on those activities where information may be of interest to the Commission. Commission staff may provide a form for this update.

### **Authorization by the Board**

Authorization must be given by the WSCC chairperson or executive director for all in-state attendance at conservation district, regional or national meetings where the Board member will be acting as a representative of the agency not included in the above activities. All out of state activities must be pre-approved by a motion passed by the governing board. Examples include: National Association of Conservation Districts events or National Association of State Conservation Agencies events. Authorization must be requested and granted prior to

attendance or participation at a meeting or event. Approval must be in writing and submitted with other documentation when seeking compensation.

***Compensation Payment***

WSCC Board members may be compensated for authorized activities by submitting a compensation request in a form provided by SCC staff. Compensation requests are to be submitted at the end of each month in which an approved activity has been performed or fulfilled. All requests for compensation must be submitted no later than 10 days prior to the end of the fiscal year, June 30th.

Within ten (10) business days, SCC staff will submit the request for compensation to the Department of Enterprise Services Payroll division.

December 2, 2021

**TO:** Conservation Commission Members  
Kirk Robinson, SCC Interim Executive Director

**FROM:** Laura Meyer, SCC Communications Director

**SUBJECT:** Finalization of 2022-2027 Strategic Plan

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Action Item

Informational Item

### Summary:

In accordance with the SCC-approved timeline for developing our agency's long-range plan, our 2022-2027 Strategic Plan is presented for Commissioners' final review and action.

### Requested Action (if action item):

Staff recommend approving the 2022-2027 Strategic Plan as presented today.

### Staff Contact:

Laura Meyer, SCC Communications Director ([lmeyer@scc.wa.gov](mailto:lmeyer@scc.wa.gov), 360-701-9455)

### Background and Discussion:

Throughout calendar year 2021, staff have been working together in teams and seeking input from Commissioners, CDs, and other partners to develop our 2022-2027 Strategic Plan:

- January: Commissioners reviewed our statute and made revisions/additions to our agency's mission, vision, and values.
- March: Commissioners reviewed, revised, and approved the five draft strategic priority areas presented by staff that provide the framework for our plan.
- May: Commissioners reviewed, revised, and approved draft goals under each priority area.
- July-August: Staff collected input from CDs and other partners on our priority areas and goals.
- September: Commissioners reviewed and approved a revision proposed to our draft goals based on stakeholder/CD input.
- October: Staff provided another opportunity for CDs to provide comments on our plan and reminded them of the opportunity during Area Meetings. No additional comments were received.

The culmination of this work—a final draft of our 2022-2027 Strategic Plan—is presented on the following two pages for Commissioners’ review.

### Recommended Action and Options (if action item):

Staff recommend the following action:

- Approve the 2022-2027 Strategic Plan as presented.

### Next Steps:

- The 2022-2027 Strategic Plan will direct our work for the next five years.
- Staff will continue to build out and begin implementing objectives, strategies, and tactics under each priority area/goal and engage CDs and partners with this work. This will include prioritizing actions for detailed annual work plans each year.
- Staff will share regular updates on our progress to Commissioners through Friday Updates and Commission Meeting presentations, as appropriate.
- At each May SCC meeting, staff will provide detailed progress reports, next steps, and any adaptive management needed, and allow time for discussion/input from Commissioners and partners.
- Staff will work with our new executive director to develop a schedule for regular staff team coordination and updates as we implement our plan.

# What We Believe

## Mission

To conserve natural resources on all lands in Washington State, through voluntary and incentive based programs, in collaboration with conservation districts and other partners.

## Vision

Our state shall have healthy soils, water, air, and ecosystems, and sustainable human interaction with these resources, including viable agriculture and forestry.

The State Conservation Commission and districts are recognized as trusted partners who promote voluntary stewardship and accomplish natural resource goals.

## Values

### Sustainability

We envision a future with healthy, diverse landscapes – including viable working lands – voluntarily supported by informed resource stewards.

### Relationships

We foster strong partnerships with a diversity of stakeholders and maintain open communication and transparency to create trust.

### Knowledge

We value local knowledge, diverse cultures, and ideas. We strive to offer voluntary, collaborative solutions that reflect state, local, and community priorities.

### Accountability

We employ clear policies, procedures, and performance measures that ensure effective, efficient use of public resources.

### Respect

We exhibit personal and institutional integrity for agency members and staff, conservation districts, and our partners.

### Diversity, Equity, and Inclusion

We commit to inclusion across gender, race, age, religion, accessibility, identity, veterans status, neurodiversity, and experience to have a culture where all feel included and valued. We believe that diversity drives innovation and our work should reflect the diversity of people across Washington State. We strive to remove barriers that impact equity in our programs and agency.

## Strategic Priority Areas and Goals



### Voluntary Conservation of Natural Resources

- Goal I. Protect and enhance fish and wildlife habitat
- Goal II. Protect and improve water quality and availability
- Goal III. Protect and improve soil health
- Goal IV. Improve forest and rangeland health on private land
- Goal V. Strengthen awareness of natural resources' value and conservation opportunities



### Agricultural and Working Lands Viability and Food System Support

- Goal I. The SCC is a trusted and knowledgeable partner in advancing working lands protection and agricultural viability across Washington
- Goal II. Working lands are available for future generations
- Goal III. Maintain water supply for agriculture
- Goal IV. Economically viable farms, farmland, and strong local and regional food systems



### Climate Resiliency

- Goal I. Equip producers and land stewards to strengthen adaptive management strategies to successfully adapt to a changing climate
- Goal II. Increase carbon sequestration
- Goal III. Decrease greenhouse gas emissions
- Goal IV. Increase stakeholder understanding about climate-smart practices and holistic co-benefits
- Goal V. Strengthen the ability of our natural and working landscapes and communities to prepare for and respond to drought, wildfire, flood, and other climate-related hazards



### Governance and Accountability

- Goal I. The SCC Board and agency operates legally, transparently, accountably, and inclusively
- Goal II. A fully engaged and representative Commission board
- Goal III. Conservation district boards represent their community
- Goal IV. Conservation districts operate legally, transparently, accountably, and inclusively
- Goal V. Conservation district boards are well-supported to achieve their mission



### Leadership, Partnership, and Collaboration

- Goal I. Earn and maintain the trust of partners and decision-makers
- Goal II. Demonstrate leadership in voluntary conservation resulting in innovative natural resource solutions that work
- Goal III. Cultivate a broad and inclusive culture of conservation
- Goal IV. Foster collaborative, holistic, multi-benefit solutions for natural resources and agriculture

December 2, 2021

**TO:** Conservation Commission Members  
Kirk Robinson, SCC Interim-Executive Director

**FROM:** Jon K Culp, Water Resources Program Manager

**SUBJECT:** IEGP Program Policy Recommendation from the Steering Committee

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Action Item	<input checked="" type="checkbox"/>
Informational Item	<input type="checkbox"/>

#### Summary:

Staff proposes changing the Policy and Guidelines of the Irrigation Efficiency Grants Program to adopt recommendations from the Efficiencies Steering Committee. The changes have been recommended to enhance program accessibility and maximum resource benefit.

The proposed changes would apply to the Commission's direct appropriation for the Irrigation Efficiencies Grants Program that it received from the Legislature for the present biennium to include re-appropriation funds from the previous biennium.

Staff brings this to you for your initial review, input, revision, and approval to send out for a 30 day comment period for the conservation districts.

#### Requested Action (if action item):

Forward to conservation districts for 30 day comment period, per SCC's policy on policies.

#### Staff Contact:

Jon K Culp, Water Resources Program Manager [jculp@scc.wa.gov](mailto:jculp@scc.wa.gov)

#### Background and Discussion:

The Irrigation Efficiencies Grants Program began in 2001 out of that year's drought as a way to minimize the impact of irrigated agriculture on low streamflow in critical streams across the state. A diverse steering committee was formed to develop general direction and initial guidance of the program. Several times through the life of the program, the steering committee has been reconvened to address the changing needs of the customers and resources. Major revisions of the

guidance were made in 2006 and then in 2011 to accommodate funding from Ecology's Office of the Columbia River.

In June 2017, the steering committee again came together in Ellensburg to discuss and strategize the future direction of the program and what changes were needed to keep the IEGP relevant. Most policy issues were forwarded with some direction to subcommittees that convened to create recommendations. These recommendations were subsequently adopted by approval of the Commission.

During the legislative session in 2019, the legislature appropriated \$4M to the Commission directly for the implementation of the Efficiencies Program. During the 2021 session, the legislature re-appropriated \$3.88M and appropriated an additional \$2M for program implementation.

Due to the implementation of much larger programs under Ecology's water resource section and the Office of the Columbia River, it has become apparent that our small program is no longer competitive in funding the work that we have been investing in for the last 20 years.

The steering committee convened on November 23<sup>rd</sup> and forward a list of adaptive management policy revisions for consideration. This list will be made available prior to the December business meeting.

#### Recommended Action and Options (if action item):

Staff forward for your consideration the following policy and guideline recommendation from the program's steering committee. (list will be provided prior to the December Commission Meeting)



# Washington State Conservation Commission

December 2, 2021

**TO:** Conservation Commission Members  
Kirk Robinson, SCC Interim Executive Director

**FROM:** Jon Culp, WSCC Water Program Manager  
Ron Shultz, WSCC Policy Director

**SUBJECT:** Ecology Proposed Change to Stock Water Policy

Action Item

Informational Item

### Summary:

The Department of Ecology is proposing a change to existing policy relating to conveying stock water away from streams to protect water quality. This proposal has implications for conservation districts and the work they do with landowners to incentivize the removal of cattle from streams. Ecology is requesting comment on this proposed policy by December 5. This memo proposes a Commission comment to the amended policy.

### Requested Action (if action item):

Approval of an agency comment to the proposed policy.

### Staff Contact:

Jon Culp, WSCC Water Resources Program Manager  
Ron Shultz, WSCC Policy Director

[jculp@scc.wa.gov](mailto:jculp@scc.wa.gov)  
[rshultz@scc.wa.gov](mailto:rshultz@scc.wa.gov)

### Background and Discussion:

In many areas of the state, landowners will allow cattle and livestock to have direct access to streams and surface waters. Such access may cause negative impacts to water quality and riparian habitat. However, for landowners, such access to water is critical to maintain their cattle and livestock herds. Conservation districts work with landowners to identify approaches to remove surface water access for cattle and livestock. These strategies have historically included the use of exclusion fencing, and small pumps or other mechanical means to move surface water to watering facilities away from the riparian area.

In Washington, use of surface waters of the state requires a water right consistent with the state water code (Title 90.03 RCW). Appropriation or diversion of any amount of surface water for a beneficial use requires a water right. The current water code does not include an allowance for a *de minimus* use without a water right.

In 1994, Ecology issued a policy for conveying stock water away from streams to protect water quality. (POL-1025) The purpose of this policy is: “To provide a simple, consistent response to water right related issues when conveying [stock water] away from streams to protect water quality and stream habitat.” The policy states: “The change of water right process (90.03.380 RCW) will not be required when small amounts of water consistent with historic practice are diverted (screened and piped) to nearby [stock water] tanks for consumption by livestock.”

Conservation districts have been utilizing this policy when engaging with landowners to develop plans for removing livestock from streams and surface waters. This approach has been an important tool to incentivize landowners by allowing stock water use away from the surface water.

Ecology is proposing a change to POL-1025 to clarify that any such diversion of surface water for stock water purposes requires a water right or claim, and if no water right exists, one must be obtained by the landowner.

Ecology is seeking comment on this proposed policy change. Comments are due December 5.

### **Discussion and Recommended SCC Comment**

The ability to provide for out-of-stream stock water is an important tool for conservation districts to work with landowners to remove livestock from streams and surface waters. For landowners who do not have a water right, the emphasis on requiring a water right could be a disincentive since water rights are difficult to obtain. For landowners with an existing water right, the proposed revised policy would not affect their ability to move livestock out of the surface water and provide stock water from that source.

The proposed revised policy is a more accurate statement of existing law than the current policy. However, the practical impact of the policy may be to remove a key tool for conservation districts to incentivize the removal of livestock from surface water bodies. This could have a negative impact on our efforts to improve water quality and protect and enhance riparian areas, two equally important state natural resource values.

First, Commission staff recommend the Commission recommend a 60-day extension of time for comment on the proposed change. The change will have significant impacts to the manner in

which conservation districts engage with landowners. These potential impacts need to be discussed among the districts and shared with Ecology for consideration as part of their policy revision deliberations.

Second, in the event the current December 5 comment deadline is not extend, Commission staff recommend the Commission provide comment on Ecology's proposed policy change. Staff further recommends the comments focus on suggested positive actions that could be taken to accomplish our state's water resource objectives, while also continuing support for tools for conservation districts to provide incentives to landowners to remove livestock from streams to improve water quality and riparian habitat.

Recommended Comment:

The Conservation Commission appreciates the opportunity to comment on the proposed changes to the current Ecology Policy and Interpretive Statement: Policy for Conveying Stockwater Away From Streams to Protect Water Quality.

Our state's 45 conservation districts work closely with landowners to assist in the development of plans to improve water quality and riparian habitat. These activities include strategies and best management practices for the removal of livestock from having access to surface waters. A key component of these strategies is the ability of the conservation district to work with the landowner to provide stock water for the livestock excluded from the surface waters.

The Conservation Commission recognizes the need to clarify the existing Ecology policy to identify when a water right is needed for the diversion of stock water for livestock use. The Commission appreciates Ecology's efforts to balance the need to improve water quality with the requirements of the state's water laws. However, the potential effect of the policy may be to reduce the availability of a key tool for conservation districts working with landowners to remove livestock from surface water. This could be a hindrance in the state's efforts to achieve improved water quality and functioning riparian habitat conditions.

Because this issue involves the balancing of several priorities for the state, including water quantity, water quality, and the preservation of viable agricultural activity, the Commission recommends the following actions be taken in conjunction with the proposed policy changes:

1. The Commission offers to convene a stakeholder group to discuss how stock water could be provided in a manner consistent with state law, but still meet the needs of the landowner.
2. Examine existing instream flow rules to determine whether they include an exemption for stock water use.

3. Examine existing adjudicated watersheds to determine if they include a non-diversionary stock water reserve.
4. Explore possible statutory changes for legislative consideration to allow for a de minimus use for stock water.
5. Allow for a phased implementation of the new policy.

We believe these actions, taken in conjunction with the revised policy, will help address issues that may arise that could negatively impact our ability to also address water quality and riparian protection and enhancement.

#### Recommended Action and Options:

Commission staff recommends approval of the proposed comment.

#### Next Steps:

If the Commission approves submittal of comments on the proposed policy change, Commission staff will prepare and submit comments by the December 5 deadline. Commission staff will also distribute the Commission's comments to all conservation districts. Commission staff also propose convening a meeting of conservation districts to discuss this issue.

#### **ATTACHMENTS:**

1. Current Ecology Policy, POL-1025
2. Proposed changes to Ecology Policy, POL-1025

December 2, 2021

**TO:** Conservation Commission Members  
Kirk Robinson, SCC Interim Executive Director

**FROM:** Ron Shultz, WSCC Policy Director

**SUBJECT:** Legislative Update and Process for Legislative Decisions

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Action Item

Informational Item

### Summary:

The next Legislative session will begin on Monday, January 10, 2022. This will be a short, 60-day session. Covid restrictions will continue to impact the operation of session. Commission staff will implement a process for review of legislative proposals, and a process for approval of agency positions on legislation.

### Requested Action (if action item):

Review of the process for decisions on positions on proposed legislation.

### Staff Contact:

Ron Shultz, WSCC Policy Director

[rshultz@scc.wa.gov](mailto:rshultz@scc.wa.gov)

### Background

The Washington Legislature will begin their next session on Monday, January 10, 2022. This will be a short, 60-day session, ending March 11, 2022.

Covid will still have impacts on the operation of the Legislature. The Senate recently approved a plan for a hybrid approach to session, with in-person floor action and remote committee days. The House may have a similar approach.

Another key issue on the minds of legislators during session will be the new redistricting maps as well as the 2022 election.

Anticipated key issues for the upcoming session include:

- Governor's Salmon Plan – will include both budget and policy components.
- Green Technical Service – legislation to establish technical assistance from the SCC to conservation districts to work with landowners on energy efficiency and green energy opportunities.
- Conservation District Elections – Legislation from the Commission, as well as possible bills from legislators.
- Supplemental Budget – Both operating and capital. The Commission has three supplemental budget proposals. The Governor's proposed supplemental budget is due to be released by December 17.

### **Decision Process for Positions on Legislation**

Each year prior to session, the Commission reviews and approves the process to be used by Commission staff for taking a position on legislation during session. The legislative process can move quickly, especially in a short session. Having a process for how positions will be determined will help Commission staff and the Commission be able to determine quickly whether and/or what position to take on legislation.

The proposed process begins with the review of introduced legislation by Commission staff. The Commission will once again convene a weekly legislative team meeting. These meetings include Commission staff, WACD staff and the WACD legislative liaison. During these weekly meetings, recently introduced bills are discussed and it's determined whether a position should be taken or just tracked. Also during these meetings the team reviews the legislative committee meeting calendar for the following week to determine whether the Commission should testify on any bills being heard during the week. The WSCC executive director has the final decision on the position to take on a bill and whether to testify on a bill.

The WSCC executive director will also have the authority to determine whether an issue in a bill is of such significance that it needs to be referred to the Commission's executive committee or the full Commission for discussion and position approval.

Commission staff will communicate to the Commission on a weekly basis all positions on legislation, the status of all bills tracked, and issues of interest before the Legislature. This communication will be via the regular Friday Update.

### Recommended Action and Options (if action item):

Commission staff recommends the approval this process for determining the Commission's position on legislation during the Legislative session.

### Next Steps:

If the Commission approves this process, Commission staff will begin implementation in December and continue through the completion of the Legislative session.

December 2, 2021

**TO:** Conservation Commission Members  
Kirk Robinson, SCC Interim Executive Director

**FROM:** Alicia McClendon, Administrative Assistant  
Allisa Carlson, South Central Regional Manager

**SUBJECT:** Franklin Conservation District Mid-term Supervisor Appointment

Action Item

Informational Item

**Summary:**

The SCC received one application for a mid-term appointment on the Franklin 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.

The application was sent to all Commission members for their review prior to the December 2nd 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 an interview with the candidate listed below and contacting references.

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

Conservation District Mid-Term Supervisor Application

<i>Conservation District</i>	<i>Name of Applicant (s)</i>	<i>Area Commissioner</i>
Franklin	1. Jacob Heinen	Harold Crose

**Requested Action (if action item):**

After recommendation and discussion, members will appoint the applicant to the conservation district board, as appropriate.

Staff Contact:

Alicia McClendon, [amcclendon@scc.wa.gov](mailto:amcclendon@scc.wa.gov)

Alissa Carlson, [acarlson@scc.wa.gov](mailto:acarlson@scc.wa.gov).

**TAB 2**

December 2, 2021

**TO:** Conservation Commission Members  
Kirk Robinson, Interim SCC Executive Director

**FROM:** Shana Joy, District Operations & Regional Manager Coordinator

**SUBJECT:** District Operations and Regional Manager Report

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Action Item

Informational Item

### 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
- Records Retention and PRA
- **CD Audits & Annual Financial Reporting**
- Chehalis Basin
- Commission Meeting Planning
- District Digest Publication
- Human Resources (law/rule updates, hiring, performance evaluations, compensation, healthcare, issues)
- OPMA & Executive Sessions

#### *Conservation District Service, Recent Topics*

- COVID 19 Operations
- Finance Tracking & Management
- **Hazard Mitigation Grant**
- Fiscal Year/Biennium End
- Public Records Requests
- **Area Meetings**

- Supervisor Cost Share
- Property Purchase
- **WACD Annual Meeting Planning**
- **SCC & District Policy Development**
- **RCP**
- Bidding & Contracting
- Fire Recovery
- **Elections and Mid-term Appointments**
- Equipment Rental
- **Inter-local Agreements & Staff Sharing**
- Rates & Charges
- CD Bonding
- Heritage Gardens Program
- **Building Better Series**

### *Issues Resolution in Progress*

- Personnel management: issues, turn-over, capacity gaps, transitions
- Inter-district relationships and partnering
- Grant vouchering requirements
- District governance

### *Partnerships & Partnering Assistance*

Most recently, the RM team has assisted with partnering or participated in partner and relationship building ongoing efforts with: individual conservation districts, WADE, Center for Technical Development, WACD, DNR, NRCS, Ecology, NASCA, WDFW, NACD, 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.

Shana Joy is representing the Commission in a new collective effort to provide additional resources, mentorship, and training opportunities for current, new, or aspiring managers/leaders within the conservation district family together with CTD, WADE, and WACD staff. The new [\*\*Building Better – Leadership and Management Learning Community\*\*](#) series is a monthly session offered on the 2<sup>nd</sup> Wednesday of each month at 1:00 p.m.

Shana Joy also continued to engage in discussions with DNR staff to explore a funding relationship mechanism between DNR and the SCC for conservation district work around forest health and community wildfire resiliency.

### *Wildfire Recovery*

Mike Baden, Allisa Carlson, and Courtney Woods are administering the wildfire recovery grant program by regularly reviewing applications for technical assistance and cost-share project funding needs. As of November

15<sup>th</sup>, \$1,347,512 funds have been awarded to conservation districts. Remaining funds are withheld for cultural resources costs and technical assistance.

### *Hazard Mitigation Grant Implementation*

Mike Baden is leading implementation of a Hazard Mitigation Grant that the SCC is receiving from the Department of Emergency Management. All 7 of the scheduled National Fire Protection Association (NFPA) “Assessing Structure Ignition Potential from Wildfire Trainings (ASIP) have been completed. 4 trainings were conducted in the spring and the final 3 were recently conducted on October 26-29 (SW focused), November 2-5 (SC focused), and November 15,16,18,19 (SE focused). The Whatcom, Benton, and Spokane CDs assisted with training logistics, registration, and outreach. In total, over 168 individuals participated in the trainings, a significant number of which were CD staff.

Initial work has started with the Lincoln County CD on organizing the final “Outreach Strategies for Community Wildfire Preparedness and Recovery” training. This training is currently planned to occur in early February 2022.

16 districts were written into the grant proposal to conduct a target of 10 home ignition zone assessments if they attended one of the Home Ignition Zone assessment trainings. This work was intended as a practical follow-up to practice what they were taught during the training. Funding has also been provided to all 16 of those districts that attended one of the spring or fall trainings and assessments are under way.

### *COVID 19 Response*

The Regional Manager team continues to provide timely resources, information, FAQs, and sometimes just moral support to conservation districts as we all navigate the ongoing COVID 19 pandemic. The team continues to monitor and review new information and guidance as it is released from the Governor’s Office, CDC, and other sources.

### *WDFW Shrubsteppe Habitat Budget Proviso*

Allisa Carlson and Shana Joy are participating on a steering committee with WDFW and DNR staff to implement a shrubsteppe habitat wildfire recovery and resiliency budget proviso that was appropriated to WDFW in this new biennium. The steering committee meets regularly and has engaged in two sessions with a Near-Term Action Advisory stakeholder group to hear recommendations from technical teams on topics such as wildlife friendly fencing, deferred grazing, species recovery, or cultural resources protection. Planning is underway to kick off work on a collaborative long-term strategy for long term wildfire resiliency in the shrubsteppe with professional facilitators in January 2022. The Foster Creek and Lincoln County Conservation Districts have been participating in the ongoing discussions as the near term actions work will focus primarily in the footprints of the Pearl Hill and Whitney Fires of 2020. Allisa is also plugging into the work of two of the near term action technical workgroups identified to provide recommendations to the steering committee on wildlife friendly fencing and hay for deferred grazing. The invitation is still open to stakeholders interested in engaging in crafting of the long term strategy and you can join the effort by reaching out to [Hannah Anderson](#), DFW Wildlife Diversity Division Manager.

## *Chehalis Basin*

Josh Giuntoli, SW RM, represents the Executive Director of the Commission as an ex-officio member of the Chehalis Basin Board (CBB). A couple highlights from the last report, include significant progress with the Local Actions Non-Dam (LAND) Alternative Advisory Group. This steering group, made up of nine members, will be responsible for recommending an alternative for flood damage reduction that achieves to the greatest extent feasible the LAND Alternative outcomes identified by the CBB. [This PDF link directs](#) you to the LAND group and their bios. Another highlight includes OCB staff and consultants [providing an analysis of the existing Skookumchuck Dam](#) and explores how dam functions could be altered to provide some level of flood protection. It has been discussed that in the next 10-years, the Dam, operated by TransAlta, a power generating facility, will no longer be in need of the dam for steam generation. While there is currently no plan in place for the future of the dam, the CBB is interested in technical information related to dam modifications once it is no longer serving the intended purpose.

Chehalis Basin CDs continue to engage in work associated with implementing the Chehalis Basin Strategy. They continue providing valuable on-the-ground work in the Basin with private landowners and partners. Recently, SCC has worked with funding partners to wrap up contracts that will fund CD work for the next biennium. This allows them to continue engaging in various Basin Strategy meetings and provide technical assistance to landowners around aquatic species habitat and flood damage reduction.

Josh continues to convene a monthly meeting of Chehalis Basin CDs and partners (lead entity, Office of Chehalis Basin, WDFW, and others) to provide direct updates and collaboration with each other on work and activity in the Basin.



## WSCC Center for Technical Development (CTD) November 2021 Commission Meeting

### CTD Work Accomplishments (July 2021 forward)

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

**Explore more @ [www.wactd.org](http://www.wactd.org)**

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### Certification

*CTD Planner Certifications:* The CTD Planner Certification Program saw some exciting changes in the application process over the past year, based on feedback from applicants and the review team. CTD was able to streamline the application process by moving to Smartsheet, allowing for a cleaner submission process for applicants and a more efficient review process for the review team. With a handful of planners now successfully certified, the CTD leadership team is currently exploring ways to increase participation. **The CTD is developing a strategic plan including outreach efforts such as newsletter articles, informational webinars, and direct outreach to district managers to help identify and overcome barriers to completing certification.**

*Plan Templates:* The CTD has enrolled assistance with **creation of a Statewide Farm Planning template and helpful links to planning resources/tools**. The template provides consistency in statewide planning as well as template availability to those Districts without such resources on hand.

*Planner Resources:* With ongoing changes and new hybrid (virtual and in-person) work environments, the CTD continues to curate and share virtual support tools and training opportunities on our webpage and via GovDelivery. Over the past year, CTD has continually updated our planner resources on the CTD webpage, providing links to new opportunities and content for more effective remote working. **The CTD Training Library helps district staff easily locate past webinars and training opportunities by topic.** The Library is continually updated with new content.

*Connecting Community:* **The CTD continues to build and host multiple Networking Forums for different planning disciplines and expertise.** These Networking Forums have garnered good participation and interest from staff members. Four Networking Forums are already underway: Cover Crop, Farm, Dairy, and Riparian. These Forums are held quarterly and provide a much-needed space for planners and technical staff to share successes and challenges, ask questions, and connect district staff year-round.

CTD actively solicits ideas for new Forums; as a result of this feedback, a new “Plant Sale Networking Forum” made its debut in October. An email listserv function and a shared Google drive complement the forum and provide additional space for connection and sharing.

The “Building Better: Leadership and Management Learning Community” series hosted by the CTD in collaboration with WSCC, WADE, and WACD targets existing and developing District managers/leaders of all levels and continues to gain speed. The monthly learning and sharing network, hosted the second Wednesday of every month, held its first meeting in August 2021.

A “Smartsheet Networking Forum” is in currently in development, for launch early in the new year.

Forum feedback and ideas for discussion are always encouraged, via embedded forms on the CTD website and through direct communication with Forum hosts. All Networking Forum information is available on the CTD website and promoted regularly through the monthly newsletter and special email announcements.

*NRCS Planner Designations:* FY21 saw some changes to the NRCS nomenclature and updated course requirements for planners. The **CTD continues to coordinate with NRCS to help District staff through the NRCS Planner Designation process**, updating CTD materials to reflect changes and communicating to District staff through webinars and email announcements. **Updates to the Training Plan Template and related materials were released in November.** CTD’s coordination with NRCS is also part of the new Washington Conservation Planning Partnership plan, and the CTD is on-point to help District staff meet NRCS’s goal to certify as many planners as is applicable.

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## Training

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*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 and NRCS proposed and supported a 5-year cooperative agreement to share the cost of a **highly needed fulltime Training Coordinator position to exponentially expand the CTD’s reach and impact to help District staff through training, certification, and support processes.** However, while NRCS approved the agreement, funding has not yet been allocated by NRCS. Therefore, the CTD pro-actively sought temporary funding for this vital position and applied for an NACD grant in June 2021. That effort was successful, and the **NACD grant is now providing short-term support for the Training Coordinator for one year while long-term funds are pursued.** An introductory meeting was held in August with NRCS to help identify cooperative tasks and coordinate workflow between agencies, and the Training Coordinator works in close communication with NRCS.

*National Conservation Planning Partnership (NCPP):* The **CTD participates in regular (bi-monthly) web-meetings of the National Conservation Planning Partnership (NCPP)** 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. The CTD also participated with NRCS Washington and other state partners to work on the Washington State Conservation Action Plan to improve training, certification, and communications.

*Training Needs Inventory (TNI):* The CTD released its annual TNI in close coordination with NRCS in June 2021, with the goal of 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. TNI responses were communicated to NRCS in mid-July and the CTD participated in the

NRCS EDC meeting to voice support for highly requested trainings in August. **The FY22 NRCS State Training Bulletin has now been released and the CTD will begin coordinating District staff into trainings**, prioritizing requests from the TNI survey.

*NRCS Training Events:* Covid-19 continues to impact the ability to hold in-person training events, and training continues to be primarily modified to virtual formats. The CTD keeps in regular contact with NRCS and posts new information regarding training opportunities on the CTD website. Additionally, with the long-term uncertainty associated with holding in-person training, the **CTD continues to advocate with NRCS to consider/create more web-based training events into the future**. Over the last year and a half, the CTD successfully partnered with NRCS to hold several key in-person courses in a hybrid format (virtual classroom followed by regional, small-group field days) and strongly advocates for this model as new courses are planned.

Recent and upcoming courses include:

- **Nutrient Management Planning (NMP)** – was held successfully in November in a virtual format. Attendees will now create NMP plans in upcoming months to be reviewed by CTD and NRCS staff before receiving Job Approval Authority for the 590 Conservation Practice Standard.
- **Working Effectively With American Indians** – was held successfully in November over 5 non-consecutive days, in a virtual format. This training was co-hosted by NRCS South Dakota and NRCS Washington.
- **Working Effectively With Organic Producers** will be held November 30 and December 1, in a virtual format.
- **Comprehensive Nutrient Management Planning (CNMP)** – scheduled for **February 2022**
- **Conservation Planning, Part 2**, which is a critical training for all planners, is identified in the FY22 NRCS State Training Bulletin and is currently in development.

The CTD continues to strengthen their training partnership with NRCS and hopes that these web-based modular trainings will also serve as a pilot for ongoing collaboration with fully online and hybrid web-classroom training opportunities.

*Other Training Events:* The CTD **continues to curate and host monthly webinars** focused on timely topics. The webinars have been well-received and are advertised on the CTD website, newsletter, and through special email announcements. The CTD co-hosts additional outside virtual training opportunities through NRCS and others, as appropriate. Additionally, we continue to send out guidance on virtual training opportunities to help staff stay focused and relevant in a remote/hybrid working environment. The CTD is always soliciting input and ideas for trainings through the newsletter and website.

With the increase in virtual presentations including webinars, training events, and meetings, the **CTD has curated and created content to support virtual presenters**. This includes a tips handout, presenter orientation events/videos, and access to presentation training events. It is our goal to improve the quality of presentations to increase audience enjoyment and learning. The CTD sent out an announcement to all Districts informing them of the virtual resources available and offering additional support for planning, creating, and hosting virtual events.

All the recorded webinars and trainings hosted by the CTD are now housed on the CTD website in the **CTD Training Library**. The Library is sorted by topic and includes a brief description, the recorded

session, and links to any accompanying training materials. Additional content is added to the Library frequently.

*Training Scholarships:* Training scholarships are a priority for CTD and are once again included in our FY22 budget. Scholarships may be requested at any time using an online form accessed via the CTD website. Regular reminders of the scholarship opportunity are communicated through the website and newsletter. Scholarships are awarded on a quarterly basis to support staff through FY22.

*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. The CTD is currently developing a strategic plan to further refine our outreach and resources for new employees.

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### Communication and Outreach

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*Website:* The CTD website ([www.wactd.org](http://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.

*Outreach:* CTD continues to work on a cohesive marketing plan to increase recognition and impact for CD staff as well as better engage both internal and external partners. Our goal is to **increase awareness of the CTD as a central provision of training and expertise** and increase the collaboration with partners on events and resources. A recent communications survey helped inform improvements for CTD content and guide the marketing plan in development. Moving forward, a dedicated Partnership Engagement Plan will enable strategic communications and engagement with partners and others.

*Newsletter:* The CTD monthly GovDelivery newsletter continues to gain new subscribers (currently we have **more than 450 subscribers**). 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.

*Special Projects:* The **CTD is working with the WSCC on developing a “Conservation Catalog”** that will highlight a number of best management practices (BMP’s) across a landscape. The catalog is meant to be given to new homeowners as a way to increase BMP adoption and working with their local Conservation District. The goal is to have the catalog complete by spring 2022.

The **CTD is working with the VSP group to provide training support** and review of technical documents upon request. The goal is to provide quality assurance, technical support, and better connect VSP staff to CTD certification programs.

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### Technical Expertise and Science Program

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*Expertise:* Experts are 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:* The CTD supports work around the State on Discovery Farms 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.

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### Quality Assurance

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The CTD still holds value of development of a statewide Quality Assurance program for individuals and Districts. While the CTD can offer quality assurance assessments and planning product review upon request, we do not have a dedicated program developer for this area of work at this time.

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### CTD Coordination

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*Database:* The database (run under Caspio) provides assistance in locating staff expertise for engagement in workgroups and captures metrics on expertise and certifications. **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 is currently working on updates to the Database to allow for better tracking of progress towards planner certifications and to ensure that those pursuing certification are contacted for the appropriate training opportunities.

*Budget:* **Whatcom CD currently administers 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 spent considerable time in FY21 **updating its Charter and creating an annual and long-range plan of work including metrics of success and short-term tasks and deliverables**. The entire plan was input into Smartsheet for regular review, reflection, and revision. The sheet also tracks Gantt chart timelines, budget, staff time, and deliverables for a cohesive and interactive management across all CTD members. **The FY22-23 budget and plan of work are available upon request.**

*Leadership:* The CTD Leadership Team and partners (NRCS, WADE, WSCC) continue to meet monthly to ensure tasks are on track.

In October, the CTD lost a core leadership member as Nichole Embertson, CTD Chair, moved on to a new position outside of the District. Nichole was a key driving force behind the long-standing successes of the CTD and her loss is sorely felt. However, the CTD Leadership Team remains committed to advancing the work of the CTD and is taking active steps to continue to move the different elements of the work plan forward. **The annual "Face-to-Face" Leadership Team meeting will take place over two days in early December** and will provide a great opportunity for the team to look to the work ahead and

reassign work tasks as needed. In Nichole's absence Jan Thomas, CTD Training Coordinator, will serve as a first point of contact for the group.

Nichole wished to share these parting thoughts with the Commission members:

*"It is with mixed emotion that I move on from my District to new career adventures, and by default, also leave the Center for Technical Development (CTD). My time as CTD Chair has been some of the most rewarding work I have had the pleasure of conducting. I have seen the CTD grow over the years into such an amazing source of support for District employees and I am so proud of the work left in my wake. Additionally, the mission and values of the CTD resonate to my core and I have treasured my interactions with the entire CTD Leadership team and all who have worked with the CTD along the way. The many partnerships and relationships I have made have been invaluable to both my personal and professional growth, and I leave with a heart full of gratitude and appreciation. I will never forget my time with CTD and thank all of you for allowing me to serve you all during my tenure with the CTD! Take care and keep growing!"*

The CTD continues to prioritize **recruiting new members to both its leadership and working teams. Several new task leads have recently joined the team** to assist with training and event moderation, the development of the Mentoring Program, and assistance with the monthly CTD newsletter. New members represent both east- and west-side Districts, and the CTD continues to actively pursue representation from both sides of the state, and from both small and large districts.

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#### CTD Contact Information

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**For more information on the CTD activities, please contact:**

CTD contact: Jan Thomas, [info@wactd.org](mailto:info@wactd.org)

**For more information, please visit:** [www.wactd.org](http://www.wactd.org)

December 2, 2021

**TO:** Conservation Commission Members  
Kirk Robinson, Interim SCC Executive Director

**FROM:** Bill Eller, VSP Coordinator

**SUBJECT:** A Voluntary Stewardship Program update

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Action Item

Informational Item

### Background Summary:

Staff provides an update on the Voluntary Stewardship Program.

### Requested Action:

None. Informational item only.

### VSP Update:

Commission staff continue to implement the Voluntary Stewardship Program (VSP) on behalf of the Commission. Two FTE's and portions of four other FTEs make up the VSP staff. Their recent efforts include:

- Hiring a communications consultant (1/3 of an FTE) to assist with the VSP monthly newsletter and crafting a VSP communications plan for the Commission.
- With the approval of San Juan County's adaptive management plan, the first VSP five year reporting process was successfully concluded. As you recall, every five years, each VSP county is required to submit a report to the county and the Commission detailing their success in meeting their work plan goals and benchmarks. Each report is reviewed and evaluated by the Technical Panel, and the Commission's Executive Director is the final decision-maker for success. The Commission's Executive Director concurred with all 27 VSP county reports. Counties must now continue to implement VSP and work toward the next five year report, which is due for most in 2025-2026.
- Conducting a VSP stakeholder listening session of the 5 Year Report template and database the Commission created for counties to use to make their 5 Year Reports. Commission VSP staff are working on action items that resulted from that listening session. Those action items include:
  - Making changes to the template and database to remove redundant entries
  - Allowing for a summary table of accomplishments

- Allowing Technical Panel member comments directly in the database
  - Uploading documents directly to the database
  - Creating cloud-based database access for the counties
  - Providing a section to discuss agricultural viability in the report, and
  - Possible legislation related to the two year status report.
- Presentations on VSP at a number of forums:
  - WACD conference on Saturday, November 6, 2021
  - Interagency work group (Department of Commerce) on Wednesday, November 17
  - Washington Association of Counties annual conference on November 18
- All 27 VSP counties have
  - Signed contracts with the Commission for FY 21-23, and each county has \$235,000 available until June 30, 2023 for implementation
  - Provided the Commission implementation budgets for the current biennia, as required in their contract with the Commission.
- Twenty-five (25) of the 27 VSP counties have sub-contracts for VSP implementation with their local conservation districts, Chelan and Cowlitz do not have sub-contracts. Counties are free to contract with anyone to implement VSP, and in some cases, such as Chelan and Cowlitz, the counties use their own staff for VSP implementation.
- The three agencies that serve on the Technical Panel (WSDA, WDFW and ECY) have signed contracts with the Commission and access to the \$190,000 available to them until June 30, 2023. WDFW has an additional allocation to provide High Resolution Change Detection (HRCD) data and services to those VSP counties that use it for their monitoring.
- Conducted our first quarterly VSP monitoring symposium on October 13, 2021, and are planning the next symposium. Symposiums are designed to provide education and outreach on monitoring to VSP implementers who must monitor the functions and values of critical areas in their counties.
- Drafted a VSP monitoring project development guide for VSP implementers to use as a resource when planning for and conducting monitoring.
- Created a biennial work plan for VSP, which includes a meeting opportunity each month for each of the 27 VSP counties to meet with the Technical Panel and Statewide Advisory Committee. The purpose of this time for each VSP county on the joint Technical Panel and Statewide Advisory Committee meeting agendas is for the county to bring any issue to the Technical Panel and Statewide Advisory Committee, but the focus would be on monitoring and preparation for the next five year report (due for most counties in 2025-2026). Counties are invited to participate, but not required.
- Continue to author a VSP monthly newsletter that is read by nearly 700 subscribers.

## Background:

All 27 VSP counties have approved Voluntary Stewardship Program (VSP) work plans (see map below).



All 27 counties are implementing their work plans. After approval of the plan, among other obligations, each county must meet a five-year reporting requirement. Each county five-year report is due five years after they receive initial funding in VSP. So, each county has their own unique five year report deadline.

Thurston and Chelan counties, since they were the VSP pilot counties, submitted their five year review and evaluation reports in July 2019. The Commission used those reports to further drive the development of the 5YR report process, Guide, Template and Database. The other 25 VSP counties submitted their five year review and evaluation reports from November 2020 through May 2021.

Due to when the county VSP work plans were approved, most have only had between 12-18 months of VSP implementation since approval, rather than a full 5 years.

The five year reports are reviewed and evaluated by the VSP Technical Panel and Statewide Advisory Committee, and the Conservation Commission's Executive Director must concur (or not) with the county watershed work group's determination in the five year report of whether the work plan's protection and enhancement goals and benchmarks have been met. There is no definition of "review and evaluate" in the VSP statute.

The Commission created a 5Year Report Guide which supplements the statutory process and defines key terms (like "review and evaluate") and adds other structure to the review and evaluation

process (i.e. report content, how to submit the report, when to submit the report, how long the review will take, what will be reviewed, etc.). A 5 Year Report Template and database were created in order to solicit from each county the information needed by the Director to make her decision.

The next five year reports for Thurston and Chelan counties are due in July 2024, with the rest of the counties due in 2025-2026.

### Staff Contact:

Bill Eller, VSP Coordinator, 509-385-7512, [beller@scc.wa.gov](mailto:beller@scc.wa.gov)

December 2, 2021 Business Meeting

**TO:** Conservation Commission Members  
Kirk Robinson, SCC Interim Executive Director

**FROM:** Laura Meyer, SCC Communications Director

**SUBJECT:** Communications Update

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Action Item

Informational Item

**Summary:**

New communication materials are available on SCC/CD budget requests and initiatives. Other communication projects, including another video in partnership with Washington Grown and a project in partnership with CTD, are in development.

**Requested Action (if action item):**

None – information only

**Staff Contact:**

Laura Meyer, SCC Communications Director ([lmeyer@scc.wa.gov](mailto:lmeyer@scc.wa.gov), 360-701-9455)

**Background and Discussion:**

Staff have been developing fact sheets on the following SCC/CD state budget requests:

- [Conservation Equity and Engagement](#) (\$500K)
- Farmland Protection and Land Acquisition (\$2M) – *currently in development; final or near-final version to be presented at Commission Meeting.*
- Sustainable Farms and Fields (\$2M) – *currently in development; final or near-final version to be presented at Commission Meeting.*

We also have completed a [fact sheet on the Joint Committee on Elections proposal for CD election reforms](#) that is being used by our Policy Team.

**Recommended Action and Options (if action item):**

None

**Next Steps:**

Please keep an eye on Friday Updates for more developments and information on these projects.

December 2, 2021

**TO:** Conservation Commission Members

**FROM:** Kirk Robinson, SCC Interim Executive Director

**SUBJECT:** 2021 WACD Resolutions involving the State Conservation Commission

Action Item

Informational Item

**Summary:**

In October 2021, the Washington Association of Conservation Districts (WACD) held six virtual statewide area meetings hosted by conservation districts. At each area meeting, resolutions were introduced by the original sponsor districts for consideration and comment from the association. The resolutions listed below are resolutions that were identified involving the State Conservation Commission (SCC). Following this memo are the five resolution documents describing the background/problem statements as well identifying if any of these resolutions involve any kind of fiscal or legislative impact.

WACD 2021 Resolutions involving the State Conservation Commission

<i>Resolution number</i>	<i>WACD Resolution title</i>
2021-05	<a href="#"><u>Livestock Riparian Water Rights</u></a>
2021-08	<a href="#"><u>Workplace Policy Improvements</u></a>
2021-09	<a href="#"><u>Stable Funding for CD Wildfire Risk Assessments</u></a>
2021-10	<a href="#"><u>Area Cost Share Rates</u></a>
2021-16	<a href="#"><u>Supervisor Code of Conduct</u></a>

Updates to two 2020 resolutions were made at the November 15, 2021 WACD Board Meeting.

- [2020-06 Diversity, Equity & Inclusion Statement](#)
- [2020-10 Conservation District Election Improvements](#)

Staff Contact:

Kirk Robinson, [krobinson@scc.wa.gov](mailto:krobinson@scc.wa.gov)

Lori Gonzalez, [lgonzalez@scc.wa.gov](mailto:lgonzalez@scc.wa.gov)



Washington  
Department of  
**FISH and  
WILDLIFE**

## Washington Department of Fish and Wildlife 2021 Issue Highlights Report for SCC business meeting December 2, 2021



Washington  
Department of  
**FISH and  
WILDLIFE**

*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:** It's been a whirlwind, including a global pandemic, but Kelly Susewind is enthusiastically 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 razor clams. He now oversees 1,950 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 remotely; embraced new forms of technology to accomplish goals and objectives; as well as increased efforts to be good stewards of WDFW-managed lands, as record numbers of people get outside during this uncertain time to enjoy public lands and outdoor recreation.

**Southern Resident Killer Whale (SRKW) Recovery Progress:** The current population estimate of SRKW stands at 73. One calf was added to the SRKW population in 2021, and at least three late-term pregnancies were observed in J-Pod in late-summer. WDFW began issuing commercial whale watching licenses in 2021, after some adjustments to the license structure were made in the spring legislative session via ESB 5330. Under the new licensing program, WDFW initiated a process wherein whales designated 'vulnerable' receive extra protections, and this process was triggered three times: upon the rapid deterioration and now presumed death of K21 in late July, upon the assessment that two-year-old J56 is in poor body condition for her age, and upon news of the three late-stage pregnancies. In 2021, WDFW received a NOAA species recovery grant and state funding that enabled a permanent killer whale policy lead position at the agency and funded monitoring efforts to assess effectiveness of vessel rules in protecting SRKW. With additional funding, the Department is coordinating with tribes to advance assessments of pinniped population size and diets. To provide more prey for SRKW, WDFW worked with tribes and NOAA to set supportive fishing seasons, and the agency received \$11 million to produce more than 26 million additional smolts. WDFW thanks the conservation districts for leading the fourth annual Orca Recovery Day - October 16, 2021. 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/at-risk/species-recovery/orca> and <https://wdfw.medium.com/help-protect-southern-resident-killer-whales-this-orca-recovery-day-oct-17-aaf6ff208776>

**Voluntary Stewardship Program (VSP):** During 2020-21, WDFW's VSP efforts were focused primarily on reviewing 25 of the 27 VSP-participating counties' 5-year implementation reports. In these reports, each VSP Work Group provided a comprehensive self-assessment of their progress towards meeting the goals and benchmarks established in their county's VSP Work Plan for protecting and enhancing critical areas where agricultural activities occur. With input from regional Habitat Program biologists, WDFW headquarters staff provided written assessments for each county's report as part of the VSP Statewide Technical Panel. Staff also participated in follow-up meetings as requested with a number of county VSP Coordinators to discuss our written comments in more detail. At the local level, WDFW regional staff continued to provide technical assistance to county Work Groups with their VSP implementation efforts. Finally, Habitat Program Science Division staff delivered High Resolution Change Detection (HRCD) data and analysis for 11 of the VSP-participating counties through at least 2017. We expect to complete HRCD analysis through 2019 for all those counties by the end of this calendar year.



## Washington Department of Fish and Wildlife 2021 Issue Highlights Report for SCC Business meeting December 2, 2021

**Priority Habitats and Species (PHS) Riparian Update:** Priority Habitats and Species (PHS) Updates: WDFW published the final manuscript of *PHS Riparian Ecosystems Volume 2: Management Recommendations* in December 2020, and later replaced the manuscript with a professionally designed version. The document is available on the Department's website at <https://wdfw.wa.gov/publications/01988>. Separately, the Department made substantial changes to its spatial data layer for two agency-designated Priority Habitats (shrubsteppe and Eastside steppe) in the online "PHS on the Web" tool in late October 2021. Habitat Program staff began outreach efforts about both the Riparian Management Recommendations and the shrubsteppe/Eastside steppe spatial layer changes in early fall 2021 and have developed new online tools for the latter, including a "Statement of Appropriate Use" and Question and Answer documents, which are available on the Department's website at [https://wdfw.wa.g.vo/sites/default/files/2021-10/shrubsteppe\\_eastside\\_steppe\\_info.pdf](https://wdfw.wa.g.vo/sites/default/files/2021-10/shrubsteppe_eastside_steppe_info.pdf).

**Forests:** Since 2014 when the Strategy for Managing the Washington State Department of Fish and Wildlife's Forests was adopted, WDFW has completed 8,040 acres of non-commercial thinning, 6,286 acres of commercial thinning, and more than 5,300 acres of prescribed burning to restore forests on wildlife areas. In 2020 WDFW completed 1,983 acres of pre-commercial thinning and 270 acres of commercial thinning. WDFW only burned 22 acres in 2020 because the spring burn season coincided with COVID-19 lockdowns and there were concerns about impacting air quality during a respiratory disease pandemic. Treatments were designed to bring forests back into their historic ranges of variability or put them on accelerated trajectories to reach either climatic or fire climax conditions. In addition to improving wildlife habitat, these treatments also make forests more resilient so that they are less vulnerable to severe wildfires or insect outbreaks in the future.

**Wolves:** Since 2008, Washington's wolf population has grown by an average of 26 percent per year. As of 2020, the state's minimum year-end wolf population increased by 22 percent and marked the 12th consecutive year of population growth. As of Dec. 31, 2020, WDFW and the Confederated Tribes of the Colville Reservation (CTCR) documented a minimum of 178 individuals, 29 packs, and 13 successful breeding pairs (not including CTCR breeding pairs as they were not surveyed). The CTCR considers wolves on their lands recovered and did not conduct a formal count in 2020. Because this is a minimum count, the actual number of wolves in Washington is likely higher.

The [Wolf Advisory Group](#) (WAG) unanimously adopted new language clarifying the duties and expectations for range riders during its August 2020 meeting. The updated wolf-livestock interaction protocol reflecting these changes is available [here](#).

In September 2020, Governor Jay Inslee directed WDFW to initiate a new rule making relating to wolf management with the goal of instituting practices that will avoid the repeated loss of wolves and livestock in Washington. WDFW initiated rule making to amend WAC Chapter 220-440 to address wolf-livestock conflict deterrence and filed a [CR-101 on October 13, 2020](#). A [presentation](#) that outlines the components, process, and timeline of this rule making is available [here](#).

Most wolves in the state (76 percent of known packs in 2020) were not involved in any documented livestock depredation. In 2020, WDFW lethally removed three wolves from the Wedge Pack (comprising the entire pack) that were involved in repeated depredations of livestock following the guidance of the state's [Wolf Conservation and Management Plan](#) and [wolf-livestock interaction protocol](#). As of this writing, no wolves have



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been lethally removed in 2021 and depredations documented statewide are at their lowest level in recent years. More information at: [wdfw.wa.gov/wolves](http://wdfw.wa.gov/wolves). If you are interested in receiving email notifications of wolf activity updates, you can [sign up here](#).

**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 111 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 have thus far provided \$237,665 to help nine forest landowners improve forest health, fish and wildlife habitat, and water quality through the EQIP program. One landowner was also assisted through the Conservation Stewardship Program (CSP) with a contract totaling \$10,558. The Healthy Forest Reserve Program (HFRP) is an easement program that focuses on forest conservation and restoration for the benefit of endangered and threatened species. HFRP within this RCPP is directed toward marbled murrelet and marbled murrelet habitat. WDFW and their partners held a sign up and did landowner outreach to promote the program. We received nine applications, of which, seven projects were determined to be a good fit through the screening process. The projects were then ranked on a variety of factors, where the top one or two projects will be selected for funding. WDFW is also a partner in several other RCPP efforts in Washington.

**Shared Stewardship Strategy:** In May of 2019, WDFW and DNR signed a Memorandum of Understanding (MOU) with the Pacific Northwest Region of the U.S. Forest Service on Shared Stewardship. Shared Stewardship is a collaborative process between the agencies to work on shared priorities across boundaries at the landscape level. The agencies will work with tribes, conservation districts, private landowners, nongovernmental organizations, and other stakeholders to plan and implement the right work, in the right places, at the right scale to achieve meaningful outcomes. The MOU addresses: ecological restoration (forest health, reducing wildfire risk, and protecting/enhancing Puget Sound), sustainable recreation, sustainable infrastructure, fish and wildlife conservation, and healthy communities through jobs and economic activity. The Forest Service, WDFW, and DNR are in the process of identifying focal areas to pilot Shared Stewardship. The focal areas will not preclude Shared Stewardship work in other areas of the state as needs and opportunities arise. The intent is to focus resources in key areas to achieve meaningful outcomes and learn how to effectively combine our unique authorities and skillsets. The agencies will coordinate with local partners on needs and opportunities to bring in resources to plan, design, permit, and implement projects. Look for more details in the future as the agencies develop and implement a communication and outreach plan to rollout Shared Stewardship. More information at: <https://wdfw.wa.gov/news/state-federal-agencies-align-historic-partnership-reduce-wildfire-risk-and-improve-forests>

**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 promoting the conservation and wise use of land, water, wildlife, and related resources, as well as 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 streamline the delivery of technical assistance to the land user, both



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parties have agreed to cooperate by assigning certain tasks in the delivery of technical assistance by 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 118,000 acres in SAFE in Washington, with nearly 73,000 acres in Douglas County, home to the core populations of state endangered greater sage-grouse and sharp-tailed grouse, and federally endangered Columbia Basin pygmy rabbit. This year the Farm Service Agency (FSA) moved SAFE whole field practices back to Continuous CRP from the earlier change to General CRP, allowing producers additional opportunities to enroll in the program.

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 one to two years. Feedback from producers indicates support for FSA allowing Douglas County CRP enrollment to exceed the 25% county cropland acreage cap due to the high-quality wildlife cover it provides.

### **WDFW's Shrubsteppe Wildfire Proviso**

#### **Background**

Historic fires in summer and fall 2020 burned over 600,000 acres of shrubsteppe habitat in Washington, impacting 50% of the area occupied by sage and sharp-tailed grouse and eliminating pygmy rabbits in one of three recovery areas within the state. The Washington State Legislature guided WDFW to restore shrubsteppe habitat and associated wildlife impacted by wildfires through a budget proviso in the 2021-23 biennium. Over \$2 million operating funds from the state general fund are to be appropriated each biennium. An additional \$1.5 million of capital funds to rebuild wildlife-friendly fences in prioritized areas will be available through June 2023.

The Shrubsteppe Proviso includes two elements:

- A) Implementation of restoration actions, which may include: 1) species-specific recovery actions; 2) increasing the availability of native plant materials; 3) increasing the number of certified and trained personnel for implementation at scale; 4) support for wildlife-friendly fencing replacement; 5) support for private landowners/ranchers to defer wildland grazing and allow natural habitat regeneration.
- B) Formation of a collaborative group process representing diverse stakeholders and facilitated by a neutral third-party to develop a long-term strategy for shrubsteppe conservation and fire preparedness, response, and restoration to meet the needs of the state's shrubsteppe wildlife and human communities.

#### **Collaborating for Success**

WDFW has partnered with the Washington State Conservation Commission (SCC) and the Washington Department of Natural Resources (DNR) to form a Steering Committee that meets regularly to make decisions



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and guide the implementation of the proviso. WDFW is grateful to SCC and DNR for their dedication and commitment to making this program a success. The complementary perspectives and expertise brought by each entity positively enhance the process, discussions, and outcomes. The Steering Committee works under a consensus-based decision-making model that has been very productive.

Entities and partners that have a vested interest in the shrubsteppe landscape were invited to be advisors in the effort. Advisors are shrubsteppe landowners or land managers who have dedicated staff or direct significant resources to the shrubsteppe landscape. Two advisory groups were convened, each with diverse representation from local, state, federal, tribal, agricultural, and conservation organizations. The Near-Term Action Advisory Group informs and makes recommendations to the Steering Committee on restoration program development. The Long-term Strategy Advisory Group's charge is to inform the development of a comprehensive strategy to address the threat of wildfire in the shrubsteppe landscape.

### [Working together to define the future: developing a long-term strategy](#)

A portion of the funding will be used to support a collaborative group process representing diverse stakeholders and facilitated by a neutral third-party to develop a long-term strategy for shrubsteppe conservation and fire preparedness, response, and restoration to meet the needs of the state's shrubsteppe wildlife and human communities. The strategy will address spatial priorities for shrubsteppe conservation, filling gaps in fire coverage, management tools to reduce fire-prone conditions on public and private lands, landscape scale habitat restoration needs, and identifying and making recommendations on any other threats to the shrubsteppe. This work is expected to begin in early 2022.

### [Delivering restoration services today: implementing near-term actions](#)

Most of the legislative funding will be used to support shrubsteppe wildlife and communities through a restoration service delivery program. We aim to remove barriers and bottlenecks to implementing landscape scale habitat restoration by providing resources such as cultural resource reviews, trained personnel and labor, native seeds and plants, fencing materials for wildlife-friendly versions, and hay to ranchers wishing to defer grazing to allow burned habitat time to recover. Building a landscape scale service delivery program will allow us to leverage additional funding sources and enable our collective ability to react quickly and respond to restoration needs within the narrow ecological windows that exist immediately after wildfires occur.

Initial focus for near-term actions will be on areas impacted by the Pearl Hill fire (Douglas County) and Whitney fire (Lincoln County). Within the burn footprints we'll prioritize areas of high wildlife value, high burn severity, and cheatgrass invasion potential. The state funding is not intended solely for state lands or WDFW-managed lands. Instead, this funding can be used on any land ownership (private, state, tribal, federal, other) in areas prioritized for wildlife benefit and where opportunities exist.

### [Near-Term Action Advisory Group and Technical Teams](#)

More than two dozen people serve on the Near-Term Action Advisory Group, with diverse representation from local, state, federal, tribal, agricultural, and conservation organizations. This advisory group informs and makes recommendations to the Steering Committee on restoration program development including delivery mechanisms and spatial priorities. In addition, six technical teams consisting of subject matter experts are



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working to identify how to expedite the delivery of shrubsteppe restoration services on the ground. The six teams and their purposes are:

- Cultural Resources - Recommend ways to increase capacity to protect cultural resources and conduct cultural resource reviews in order to restore habitat at scale.
- Native Plant Materials – Recommend ways to enhance the availability of native plant materials.
- Species Recovery - Recommend projects for shrubsteppe species affected by the Pearl Hill and Whitney wildfires that would bolster their populations in the interim while habitat restoration gets underway.
- Deferred Wildland Grazing - Recommend best approach and explore delivery mechanisms to temporarily defer grazing to rest burned habitat and promote recovery.
- Wildlife Friendly Fence - Recommend wildlife friendly fencing program that decrease hazards and migration barriers while meeting landowner needs.
- Technical Tool - Recommend software and database solutions to inventory materials, track budget, make assignments, and conduct project planning. Provide mapping products for spatial prioritization.

### Timeline

The Steering Committee has been meeting regularly since April 2021. Near-term Action Advisors and associated technical teams have been meeting since August 2021. We aim to stand up the restoration service delivery program by January 2022 and open project solicitation to landowners seeking resources to restore habitat, replace or retrofit wildlife friendly fence, or rest grazing land by February. The Long-term strategy Advisory group will begin meeting in January 2022 and meet monthly, aiming to have the final strategy developed by June 2023.

For more information about the Steering Committee and Advisory Groups, including meeting calendars, agendas, and materials, visit WDFW's website at <https://wdfw.wa.gov/about/advisory/ssc>. There is dedicated time reserved for public comment at Advisory Group meetings.

National Association of Conservation Districts Update\*  
for  
Washington State Conservation Commission  
**December 2, 2021 Meeting**

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- A. NACD publications are available [here](#). You can subscribe to these digital newsletters: *eResource*, *The Resource*, *Forestry Notes*, and *Conservation Clips*. Resources to stay abreast of issues relevant to conservation districts.
- B. Districts now have an option of **insurance** through NACD via Mercer starting on October 4. See additional information in the 9/14 [eResource](#). Insurance information [here](#). Members who pay dues to NACD at the \$775 level or higher will have access to insurance services at Mercer.
- C. [NACD's Annual Meeting](#) is scheduled for February 12-16, 2022 in Orlando, Florida. Currently scheduled as an in-person meeting, links for registration and hotel reservations can be found on [NACD's annual meeting webpage](#). Adding a virtual component is contemplated.
- D. **NACD 2022 Summer Meeting** will be in San Juan, Puerto Rico, July 16-19, 2022. Details to be determined. Check the [NACD Events](#) page for information to be posted.
- E. **NACD Organizational changes**. Two positions were created to be involved in day-to-day operations. Three positions are currently vacant: government affairs lead, communications director, and membership director. As of October 29, except for the membership position, an offer has been made for one of the positions and an offer is anticipated to be made the week of November 1 for the other. New staff:
1. [Karla Maldonado](#) was promoted to chief operating office.
  2. [Jan Nelligan](#) is the new chief programs officer.
  3. [Mariah MacKenzie](#), Government Affairs Associate.
  4. [Carly Long](#), Marketing Coordinator.
  5. [Jen Nelligan](#), Chief Partnerships Officer.
  6. [Annica McGuirk](#), Northeast Region Representative.
  7. [Terrence Curtiss](#), Director of Membership.
  8. [Rich Duesterhaus](#) will now serve as a Senior Advisor.
  9. [Keith Owen](#) will now serve as Director of Education.
  10. Sarah Kangas (formerly NACD communications director) and Kimberly Ulricks (former membership director) have both left NACD.
- F. **UAC Grants Update**
1. All program information is available on NACD's urban and community webpage, including the RFP, FAQs, link to the application, etc.: <https://www.nacdnet.org/newsroom/nacd-announces-application-period-for-urban-conservation-grants/>
  2. Application period: Now – 11:59 PM local, Jan. 31, 2022
  3. If you know districts who may be interested, please ask them to save the date for an informational session on Dec. 14, 4 PM ET. Registration is available here: <https://nacdnapp.neoncrm.com/eventReg.jsp?event=1376&>
- G. **Resolutions – December 31, 2021 Deadline**. Our area resolutions go through the WACD annual meeting and then those with regional or national implications are shepherded by the WACD national director at NACD. The policy development process via resolutions is described on the [Board of Directors webpage](#). If accepted by NACD, the resolutions are then assigned to one of NACD's standing committees. Contact national director [Doug Rushton](#) for information.
- H. **NACD Pacific Region** bi-monthly zoom meetings are on the first Tuesday of every other month at 4 PM Pacific Time. Open to any interested conservation district affiliates and partners. Contact NACD Pacific region representative [Ariel Rivers](#) for information and meeting access. The November 2 meeting covered: progress on 1-year work plan; legislative update and introduction of new NACD staff.

\*as of November 6, 2021

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