

KING COUNTY AGRICULTURE COMMISSION

MEETING NOTICE

THURSDAY, FEBRUARY 8, 2018

4:00-7:00 P.M.

21 ACRES

13701 NE 171ST STREET, WOODINVILLE

PROPOSED MEETING AGENDA

(AGENDA ITEM TIMES ARE TENTATIVE)

4:00	Call to Order* <ul style="list-style-type: none">• Introductions• Approval of Agenda• Approval of Minutes (Jan) <i>*please raise your hand to be recognized by the Chair</i>	Amy Holmes, Vice Chair Pro Tem
4:15	New Business - Enforcement Update and Winery Code Amendments	Jim Chan, Director, Enviro Services, DPER and Karen Wolf, Sr. Policy Analyst, KC PSB
4:35	Public Comment related to a specific agenda item –3 minutes/person; limit 3 people same side of any issue	Amy Holmes
4:45	Old Business - Updates (approx. 5 min each) <ul style="list-style-type: none">• Commission Details (new commissioners)• KC Ag Program• Pearson Eddy• Local Food Initiative• Farm, Fish, Flood 2.0• King Conservation District• Farm Bureau• Snoqualmie Watershed Improvement District (WID)• Beefing Up Infrastructure	<ul style="list-style-type: none">• Patrice Barrentine• Richard Martin• Richard Martin• Mike Lufkin• Meredith Molli• KCD Staff• Bruce Elliott• WID Staff• Patrice Barrentine
5:15	Land Conservation Initiative Update <ul style="list-style-type: none">• Letter from Director Christie True	Bob Burns, Deputy Director, KC DNRP and Mike Murphy KC DNRP, Land Conservation Program Manager
5:40	Planning for 2018 <ul style="list-style-type: none">• Revised Calendar• Orientation Brainstorm	Amy Holmes, Patrice Barrentine
5:45	Break	
6:00	New Business – Cedar Grove’s Sound Sustainable Farm	Chris Cunningham
6:15	Resolving Roundabout Encroachment on Sammamish APD	John Taylor
6:26	Selection Committee update	Leigh Newman-Bell
6:28	Land Committee update	Amy Holmes
6:30	Recognition of Service: Commissioners Larry Pickering, Eldon Murray, Bob Vos	John Taylor
6:40	General Public Comment: 3 minutes/person; limit 3 people same side of any issue	Amy Holmes
6:50	Concerns of Commissioners	Amy Holmes
7:00	Adjourn	Amy Holmes

Next Meeting : March 8, 4-7pm, King Street Center, Seattle



King County

Water and Land Resources Division

Department of Natural Resources and Parks
King Street Center
201 South Jackson Street, Suite 600
Seattle, WA 98104-3855
206-477-4800 Fax 206-296-0192
TTY Relay: 711

**King County Agriculture Commission
DRAFT Meeting Minutes
Thursday, January 11th, 2018
King Street Center, Seattle**

Commissioners	P	A	Commissioners	P	A	Commissioners	P	A
Leann Krainick, Chair Pro-Tem	X		Bruce Elliott	X		Leigh Newman-Bell	X	
Amy Holmes, Vice Chair Pro-Tem	X		Meredith Molli	X		Larry Pickering	X	
Roger Calhoon	X		Eldon Murray	X		Bob Vos	X	

P=Present; A=Absent

County Staff/Representatives Present		
Josh Baldi, DNRP	Steve Evans, DNRP	Megan Moore, DNRP
Patrice Barrentine, DNRP	Councilmember Kathy Lambert	Rick Reinlasoder, DNRP
Dylan Brown, Councilmember Lambert's office	Mike Lufkin, DNRP	Ted Sullivan, DNRP
Katy Buck, Councilmember Upthegrove's office	Richard Martin, DNRP	John Taylor, DNRP

Guests Present		
Sarah Collier, Tilth Alliance	Julie Kintzi, Tilth Alliance	Josh Monaghan, KCD
Nayab Khan, farmer	Kelly Marquardt, Rep. Del Bene's office	Year Eng, farmer

Meeting Action Summary

- **Approval of November 9th, 2017 Meeting Minutes**
- **Old Business: Commission, County, and Organizational Updates**
- **Commission Planning for 2018**
- **Discussion/Vote: Land Conservation Initiative Draft Letter**
- **Agriculture Code Amendments, Welcome from Josh Baldi, Land Committee Update**
- **Remembrance: Ron Mariotti**
- **Commissioner Concerns**

Meeting called to order at 1:06 pm

Approval of Meeting Agenda

Leann Krainick advised that the public comment period has been split into two periods: one early in the meeting to address specific agenda items, and a second general period later in the meeting to address other items. She said, due to the Commission's schedule and resource constraints, the limit would be three minutes per commenter, and no more than three commenters on the same side of a given issue.

Bob Vos approved of dividing the comment period into two sections, but not limiting commenters, citing that allowing public say is an important Commission duty. Larry Pickering suggested keeping a three-person limit, but allowing for exceptions if a significant issue came up. Ms. Krainick requested advance notice to plan for such exceptions. Patrice Barrentine said in cases of multiple comment requests, the first three people on the public sign-in sheet would receive a comment slot.

Mr. Vos motioned to accept today's agenda as written. Mr. Pickering seconded the motion, which carried unanimously.

Approval of Prior Meeting Minutes (November 9th, 2017)

Bob Vos disagreed with the phrasing of his motion on the Commission's Land Conservation Initiative (LCI) letter. Patrice Barrentine agreed to clarify the wording. Amy Holmes motioned to accept the minutes with this correction. Larry Pickering seconded the motion, which carried unanimously.

Public Comment Period

There was no public comment during this period.

Old Business: Updates – Commissioners, County/Organization Staff

- **Commission Details (Patrice Barrentine):**
 - Ms. Barrentine reported all Commission meeting materials and resources from 1994 – 2011 are now archived, and will soon be available digitally. This means there will now be a permanent publicly accessible history of the Commission.
 - Leann Krainick, Amy Holmes, and Ms. Barrentine met December 14th to work on the Commission policies and procedures document, crafting a more dynamic agenda, and selecting 2018 meeting locations. The policies and procedures should be ready for Commission review by spring 2018.
 - Ms. Barrentine's annual report on Commission activities has been submitted to the County Executive, and a response to the Commission's Pearson Eddy letter has been received and distributed to Commissioners.
 - Ms. Barrentine listed the Commission's notable 2017 achievements, including reviewing and signing the Farm Fish Flood (FFF) agreement, and King County Council (KCC) and Executive approving revised agriculture code amendments into law in December. Bob Vos thanked Randy Sandin of DPER for his work on the code issue.
 - A Commission delegate and alternate for King Conservation District (KCD)'s Advisory Committee need to be selected by March or April.
 - The new incoming Commissioners have been approved by the Executive. They will join the February Commission meeting and have voting rights by March. The list includes three "ex officio" non-voting seats: KCD, DPER, and Seattle/King County Public Health, with a fourth for WSU to be added soon. Ms. Barrentine thanked Mr. Vos, Larry Pickering, and Eldon Murray for serving beyond their terms to accommodate the appointment process.
 - Ted Sullivan reported that a large portion of the old Neely farm near and partially inside the city of Auburn is for sale, and an offer has been made for it by a developer. Ms. Barrentine said the County is watching and concerned about this.
 - A joint meeting with the Rural Forest Commission (RFC) is pending Ms. Krainick and Ms. Holmes meeting with the RFC chair. The former RFC liaison has retired; Ms. Barrentine and Richard Martin are serving in that capacity until a replacement is hired.
- **King County Agriculture Program (Richard Martin):**
 - Mr. Martin reported the County's agriculture land use survey team finished their work in December and their data is being finalized. A meeting was held in the Snoqualmie APD for public review and input on the maps; future meetings in the Sammamish APD and south King County are planned. He asked anyone in the Enumclaw area willing to host such a meeting to contact him. He said the goal is to have everything ready to post online by mid-February.
 - Pearson Eddy:
 - NRCS has agreed to work with partners to develop a vegetation management plan. Stakeholders, including local tribes, the Snoqualmie salmon recovery forum, the Snoqualmie WID, DNRP, and local landowners, met with NRCS January 10th and presented their action recommendations. These include varying degrees of tree removal, limb removal, and/or tree thinning in certain areas. NRCS's task is to find a solution acceptable to the majority.
 - Mr. Martin said another part of NRCS's response, replacing the water control structure, is critical as it will likely fail in the next flood. The County is requesting, in addition to addressing this, thinning of trees in areas closest to King County. He is hopeful talks will wrap up by February.
 - Bob Vos noted public opinion favors full tree removal, not thinning. Mr. Martin said thinning is more likely to be permitted by state DNR, and there are also concerns that maintaining a certain degree of single stem trees vs. woody shrubs is better overall in terms of water being held back. He added he would follow up on NRCS's recent response letter to DNRP/the Commission.
 - Mr. Vos asked if the large public meeting's minutes were sent to NRCS; Meredith Molli asked for copies for the Commission as well. Mr. Martin agreed to follow up on this.

- **Local Food Initiative (Mike Lufkin):**
 - Mr. Lufkin reported the County’s USDA farmers’ market promotion grant finished in December. The grant funded a regional farmers’ market media promotion last summer, a CSA-at-work program to be expanded next year, and a local food blog.
 - Farm King County: The FKC website received over 7,600 page views in 2017 (an increase from 2016), with “farmland access” the most visited topical page. Mr. Lufkin said for 2018, work is being done on metrics and indicators to better present website data, which will be integrated into the site. Patrice Barrentine and FKC’s Technical Advisory Team are working on a workshop/events calendar. He also noted a need to better promote the website to non-English speakers.
 - There is a collaboration, led by the Port of Seattle, to do a feasibility study for a food production space in the city. Consultants found a need for such a space in the city, but locating affordable space is challenging. Preference is that the facility be in the SODO area, but is not strictly limited to that. The facility scope would be for Seattle and south King County. Mr. Lufkin said there is a lack of technical information for getting started in food sector ventures. He has worked to ensure farm community needs are integrated into this effort, not just food entrepreneurs.
 - The County’s three farmer training organizations (Tilth Alliance, SAgE, and Sno-Valley Tilth [SVT]) received a grant for three years of funding for improved inter-organizational coordination, sharing best practices, better access to farmland and technical assistance for new/aspiring farmers, and ongoing program operations.
 - Working Farmland Partnership: There is a collaboration between multiple stakeholders, like KCD, PCC, and SVT, to pilot this project in 2018. It will build off County land survey work to identify unfarmed “farmable” land, and pairing that land with suitable farmers. The pilot will focus on the Snoqualmie Valley and Vashon Island.
 - Fresh Bucks program: The County seeks to build this out to all county farmers’ markets and some retail establishments in 2018.
 - Good Food Bags program: Another local food access program to be expanded this year, this and other food access programs will be funded by Seattle’s new sweetened drink tax. The goal is that produce purchased for this program this will benefit local farmers as well as in-need families.
- **Farm Fish Flood 2.0 (Richard Martin):** Mr. Martin reported January 12th is the first meeting of FFF 2.0’s Implementation Committee. The goal of the meeting is to ensure the committee understands their role and responsibilities. Task forces are still forming, and work plans, expected to start by February, will also be discussed. More delegates are still sought for the flood caucus and the buffers task force lead is still vacant.
- **King Conservation District (Josh Monaghan):**
 - Mr. Monaghan said the “Discovery Farm” project will hold a public meeting on February 1st, and Patrice Barrentine will send out invitations. The project goal is to focus on agriculture buffer research, including buffer effectiveness over the years. KCD is seeking steering committee members, and hopes to conduct the research this summer.
 - KCD’s Advisory Committee will build the foundation of KCD’s 2020-2024 schedule this year.
 - Department of Ecology has set up an advisory committee for “voluntary clean water for agriculture.” The first meeting was last week. The committee will review best management practices (BMPs) for water quality, and possibly agriculture buffers as well. Larry Pickering voiced an interest in serving on the committee; Mr. Monaghan said he would follow up with him.
 - A community agriculture website, funded by a soil-mapping project grant, has been launched in beta. The site, kcdcommunityag.org, will be a place for community gardeners to network and share BMPs.
 - KCD’s building has been sold, and they will move to a new location this summer.
- **Farm Bureau (Bruce Elliott):**
 - The Bureau’s national convention was recently held in Nashville, with speeches from the President and the Secretary of Agriculture.
 - A team from the Bureau will attend Olympia’s Legislative Day on January 30th.
 - Another team will go next week to Washington, DC for “DC Days,” to speak to the local Congressional delegation.
- **Beefing Up Infrastructure (Patrice Barrentine):** Ms. Barrentine said details for two possible sites for the USDA mobile processing unit are still being reviewed with an implementation goal of August, and she would have more information next month. Larry Pickering asked about a USDA meat shop closer to King County; Ms. Barrentine replied that there are some in the County in talks to pursue this.

BREAK

Commission Planning for 2018 – Leann Krainick, Amy Holmes, Patrice Barrentine

Ms. Krainick reviewed a tentative schedule for 2018 Commission meetings. She and Ms. Holmes agreed on a need for the Commission to “branch out” to more of the public, and visit each APD and Vashon. She asked any feedback on the schedule to be sent to Ms. Barrentine. Proposed meeting topics include: a joint RFC meeting, Pearson Eddy, and FFF 2.0. Meredith Molli suggested reviewing the Commission’s role and how it interacts with KCC and the Executive, for benefit of new Commissioners. Ms. Barrentine added that a Commission agriculture-centric tour with KCC members was requested in 2017, and thought one would be possible this year, likely in fall. Ms. Molli suggested including DNRP-WLR Division Director Josh Baldi in the tour.

Discussion/Vote: Land Conservation Initiative Draft Letter – Leann Krainick

Ms. Krainick reported Phase 2 of the LCI has been sent to the County Executive. On his approval, it will go to KCC, to decide whether to send it for a public vote. Next is for stakeholder groups, including the Commission, to send letters to KCC, voicing support to send the LCI for a public vote. She asked for those tied to such agriculture organizations to encourage letters from those groups. She stressed these letters would not mean a “rubber stamp” of approval on the whole LCI. The goal is for KCC to approve it by February 8th, to go on public ballot August 8th.

She presented such a letter, drafted by herself and with business letter formatting added by Patrice Barrentine, initiated by a vote at last month’s meeting, for Commission feedback. It also states the Commission supports County fee purchases of farmland only as a “last option.”

Bob Vos motioned to send the letter to KCC as drafted, but urged discussion first to address Commissioners’ concerns. Bruce Elliott seconded the motion, opening up the table for discussion.

Ms. Krainick confirmed agriculture conservation makes up just 20% of proposed LCI funding. She said its proposed language also includes a mandate to comply with FFF. Meredith Molli reiterated a concern on specific targets for land purchases; particularly farmland abutting rivers, which the LCI designates as “multi-objective.” Ms. Krainick replied this concern should be directed to Michael Murphy of DNRP for further information.

Several Commissioners agreed the “last option” phrasing leaves room for possible misapplication. Larry Pickering, who offered the original amendment to add that language, said if parameters for a “last option” were set, he would be more comfortable. Roger Calhoon suggested stating the Commission opposes County purchases of farmland, but not other County land purchases, such as land for parks.

Mr. Vos voiced reservations about the LCI. He said it seems like a premature request for \$1.3 billion that the County would have free reign in spending; that fee purchases are distasteful to most Commissioners; and that the LCI seems like an “end run” around the FFF process. He said the countywide LCI prematurely targets areas that should be first addressed by additional FFF processes, such as the Green Valley.

Mr. Calhoon said it was incorrect to label Commission opposition to County land purchases as unanimous. He generally agreed the County should not hold land, but believed it useful for them to occasionally buy and briefly hold land until it could be sold to new owners. Mr. Vos replied this was tried with the Tall Chief property and had gone badly. Mr. Calhoon asked if measures could be put in place to prevent that from occurring again.

Amy Holmes stated she wanted to keep the “last option” to preserve agriculture, particularly in farmlands outside APDs, as these are more costly to purchase and not protected under FPP. Mr. Calhoon suggested striking out the “last option” wording to leave the language open-ended, saying he did not want to totally bar the County from buying land.

Ms. Barrentine reminded Commissioners that the motion before them was to accept the letter as written, or modify it. Ms. Molli supported sending the LCI to public voters, which Ms. Barrentine confirmed was the intent of the letter and current motion. Mr. Vos said sending the letter would misleadingly convey Commission support of the whole LCI. Ms. Barrentine said it was unlikely more funds for farmland preservation would come another way in the next couple of decades. Ms. Molli conceded this but shared Mr. Vos’s concern about misrepresenting the Commission’s position. Ms. Barrentine suggested a session with Mr. Murphy to give Commissioners more details to make a decision.

King County Councilmember Kathy Lambert disagreed the LCI is a last chance for farmland preservation funds, saying KCC can decide this any time. She cited multiple funds listed by Mr. Murphy in his November 2017 presentation, that these can be used to buy specific parcels if requested. She further stated that as 62% of King County is government-owned open space, she opposes the County buying more land, saying it takes land off the tax rolls and adds burden on unincorporated areas. She also said if the County cannot steward land it already owns, it should not own more.

The motion came to a vote. Two Commissioners voted in favor, six opposed, and one abstained. The motion failed.

Mr. Calhoon stated despite this vote, the LCI will still need to be addressed. His main concern on the LCI is that the priorities of each stakeholder group may not have been sorted according to how they affect each other. Several Commissioners voiced a desire for more detailed information and discussion. Ms. Krainick said she would keep the Commission informed on this, as the LCI is a work in progress and can still be revised by the Executive or KCC. Mr. Murphy will be invited to present to the Commission again.

Richard Martin voiced a concern that if it seems the Commission opposes the LCI, its pro-agriculture provisions may be removed. Mr. Calhoon said the Commission voted not to send a letter, not to oppose the LCI. Leigh Newman-Bell said the Commission should address this next meeting instead of between meetings; Ms. Barrentine agreed to add it to the February agenda.

Agriculture Code Amendments Enacted – Patrice Barrentine, DNRP

Ms. Barrentine reported that KCC approved the long-crafted amendments to County agriculture code, and the Executive signed them into law, in December. This update is the first such for County agriculture code in 25 years. Highlights include: several major definitions (agriculture, agricultural products, agricultural activities, agricultural support services); updates to zoning requirements; a new agricultural technical review committee to streamline and lower the cost of the permitting process for farmers where “conditional use permits” were once required; and classifying all allowed agricultural activities in their own table instead of combined with other categories.

Introduction of Josh Baldi – Josh Baldi, DNRP

Mr. Baldi, Director of DNRP’s Water and Land Resources Division, introduced himself to the Commission and spoke of his long personal history with farming and natural resource management. He will be part of FFF 2.0’s kickoff process and voiced an intent to be more involved with agriculture efforts. He thanked the Commission for their work.

Land Committee Update – Amy Holmes

Ms. Holmes said the Land Committee met today just before the Commission meeting, and future meetings will likely be held monthly. She said these meetings would be a venue for DNRP staff to bring potential properties of County interest to Commission attention. Today three properties were reviewed, and two possible APD expansions. The next meeting will be a half-hour just prior to next month’s Commission meeting.

New Business: Ron Mariotti Remembrance – Leann Krainick

Ms. Krainick took a few moments to remember Ron Mariotti, former auctioneer and owner of the Enumclaw sales pavilion, and longtime advocate for local agriculture. Mr. Mariotti passed away last November. Bruce Elliott also noted Mr. Mariotti was instrumental in forming Citizens’ Alliance for Property Rights (CAPR).

General Public Comment Period

There was no public comment during this period.

Concerns of Commissioners – Leann Krainick

Ms. Krainick said she would continue to bring LCI updates to the Commission. Eldon Murray voiced his concern that people can easily construe an action such as a letter of support or non-support for the LCI as a Commission vote that the LCI is good or not good for agriculture.

Councilmember Lambert reported 22% of bridges in King County did not pass a recent federal re-evaluation of posted weight-bearing capacity, and stressed a need to be aware of local bridge limits. She said it would be years before this is resolved, as there is no County money for it and she believes it unlikely the state or federal government will help.

Amy Holmes said the Vashon farmers’ market needs a new full-time manager; interested parties should contact her.

Meeting Adjourned at 3:57 pm

Next Meeting

February 8th, 2018, 4:00 – 7:00 pm, 21 Acres Center, Woodinville

KING COUNTY AGRICULTURE COMMISSION

ATTACHMENT C

DATE: January 2018

TOTAL NUMBER OF MEMBERS: 15

LENGTH OF TERM: 3-Years

* *King County seeks to create an inclusive and accessible process for individuals who wish to serve on a King County board or commission. We strive to ensure that King County boards and commissions are representative of the communities we serve.*

BOARD MEMBERS APPOINTED

Pos.	Name	KC Dist	Background and/or Representing	Date of 1 st Appointment	Term Expires	Number of Appointed Terms
1	VACANT				2/28/21	
2	Paul Pink	9	Enumclaw APD, farmer and tractor sales	1/5/18	2/28/21	1 Full
3	Amy Holmes	8	Vashon, new farm, business/finance, policy, regulatory, fruit CSA	9/18/15	2/28/20	1 Partial / 1 Full
4	Lora Liegel	1	Market manager for the Mercer Island Farmers Market	1/5/18	2/28/19	1 Partial
5	Year Eng	2	Farmers Market/CSA/ Farm Stand Management, Hmong farmer, bilingual	1/5/18	2/28/20	1 Full
6	Leigh Newman-Bell	4	Pike Place Market, Farmers Markets, bilingual, supports Hmong farmers	9/18/15	2/28/20	1 Partial / 1 Full
7	Bruce Elliott	5	Lower Green APD, policy/regulatory, Farm Bureau Beef Cattle	2/26/16	2/28/19	1 Full
8	VACANT				2/28/20	
9	Leann Krainick	9	Enumclaw APD, dairy, large farm, business/finance, processing, policy/regulatory, fluid milk, compost	9/18/15	2/28/21	2 Full
10	Rosella Mosby	7	Upper Green APD, Mosby Farms in Auburn	1/5/18	2/28/20	1 Full
11	Darron Marzolf	3	Marzolf Meats in Redmond, Northwest Agriculture Business Center	1/5/18	2/28/20	1 Full
12	Nayab Khan	3	Henna Blueberry Farm and Eulora, LLC (software)	1/5/18	2/28/19	1 Partial
13	Meredith Molli	2	Snoqualmie APD, new farm, business/finance, restaurant, Farmers Market, vegetables	9/18/15	2/28/21	2 Full
14	Sarah Collier	4	Director for the Farm & Market Department at Tilth Alliance in Seattle	1/5/18	2/28/19	1 Partial
15	Roger Calhoon	3	Sammamish APD, New Farm, Business/Finance, Processing, Policy/Regulatory, Agritourism	9/18/15	2/28/20	1 Partial / 1 Full

King County Agriculture Commission

2018 *Proposed* Meeting Schedule

Date	Time	Area	Location	Who's Reserving	Confirmed
January 11	1-4pm	Seattle	King Street Center	Patrice	<input checked="" type="checkbox"/>
February 8	4-7pm	Sammamish	21 ACRES	Patrice	<input checked="" type="checkbox"/>
March 8	11-4 new commissioner orientation	Seattle	King Street Center	Patrice	<input checked="" type="checkbox"/>
	4-7pm				<input checked="" type="checkbox"/>
April 12	4-7pm	Renton	WSU King County Extension	Megan	<input checked="" type="checkbox"/> 1/30/18
May 10	4-7pm	Vashon	Library 4-7 or Land Trust 2:30-5:30	Patrice/Amy	
June	off				
July 12	4-7pm	Enumclaw	Enumclaw Sales Pavilion Cafe	Patrice	<input checked="" type="checkbox"/> 1/27/18
August	off				
September 13	4-7pm	Carnation	Carnation Farms	Megan	<input checked="" type="checkbox"/> 2/2/18
October 11	4-7pm	Green APDs	Auburn TBD	Megan	
November 8	4-7pm	Seattle	Pike Place Market Commons	Leigh	<input checked="" type="checkbox"/> 1/15/18
December	off				

Possible other locations: King Street Center (but some challenges with afterhours mtgs), King Conservation District, Vashon Land Trust, Duvall



King County

Department of
Natural Resources and Parks
Director's Office
King Street Center
201 S Jackson St, Suite 700
Seattle, WA 98104-3855

January 22, 2018

King County Agriculture Commission
201 South Jackson Street
Seattle, WA 98104

Dear King County Agriculture Commissioners:

I understand there was significant discussion about whether the Agriculture Commission should provide a letter of support for the Executive's Land Conservation Initiative ("LCI" or "Initiative") during the recent Agriculture Commission meeting. Thank you for your interest in this important work. In an effort to help the Agricultural Commission's discussion I'd like to take this opportunity to briefly describe the vision, goals and proposals for the Initiative.

Although King County has a strong record of farmland, forestland and open space protection, our region is changing rapidly – this change brings benefits but also puts at risk our natural resources and quality of life. In 2016, King County Executive Dow Constantine proposed a countywide initiative to “finish the job of protecting our great places forever.” The Land Conservation Initiative sets forth the goal of conserving approximately 62,700 acres of the County's highest value conservation lands within a generation – that is, within the next 30 years.

The LCI is the outcome of a collaborative stakeholder process with representatives from a broad array of interests and industries. The strength of the LCI is that it preserves a range of resource lands, and benefits rural and urban residents, businesses, environmentalists and farmers, and it builds advocates for farmland preservation among environmentalists, tribes, industry and urban dwellers. Specifically, it identifies high conservation value lands in five categories that will contribute to a healthy, sustainable environment and support the rural economy in King County and the Puget Sound:

- Natural Lands and Rivers; 20,600 acres acquired in fee and easement for wildlife, salmon, flood safety, clean air, clean water and recreation.
- Farmland; 13,500 acres protected almost entirely through easement purchases, which will nearly double the acreage of permanently protected farmland – additionally, the LCI report is clear that all acquisitions of easement or fee-title properties will be examined through the balanced “Fish, Farm, Flood” filter to ensure that the loss of valuable agricultural soils are avoided to the greatest extent possible.
- Forestland; 26,500 acres protected mostly by easements for wildlife, recreation, clean water and a sustainable timber industry.
- Trail corridors; 125 miles acquired mostly in fee to complete a world-class regional trail network to connect communities, increase mobility and reduce pollution.

- Urban Green Space; 2,100 acres acquired mostly in fee to provide enhanced access to parks, natural areas, trails, and other open space lands within cities.

We have long recognized that land ownership brings with it significant management obligations. Although our goal has always been to manage our portfolio of farmlands, natural areas, parks and trails to the highest standards, we have not always had sufficient funding to do so. One of the key features of the LCI has been to recognize this obligation and to ensure that adequate funding for long-term land operations and maintenance is included in the Initiative budget.

Currently, approximately 61 percent of the land base in King County is in public ownership (federal, state, county and local). We are aware that there are concerns about the implications to future property tax collections with expanding public ownership of land and the potential 62,700 acres of protected land represents approximately 4 percent of the land area of King County. However, because more than three-quarters of the lands are targeted for easement acquisitions and approximately two-thirds of the targeted acreage is already enrolled in Current Use Taxation, future property tax implications are relatively small, and will likely be imperceptible to tax payers as the initiative will be implemented over a thirty year period. Additionally, the direct impact of the proposed tax increase would be \$10 dollars annually for the median home value assessed in King County.

All land conservation funding will be offered to landowners on a voluntary basis and offers for farmland will almost entirely be for easement purchase, which reduces development pressure, lowers property tax burdens and keeps land in private ownership. Income from an easement sale can support reinvestment in farm businesses and easements are an important option to help keep farmland affordable. We hope to discuss this further with the Ag Commission.

In summary, we are blessed with a strong community ethic in this region. We understand the need to come together across many jurisdictions, in all our diversity, to protect this very special place where we live. We can protect the livability, health, and ecological integrity of our region—for everyone—if we act now.

Sincerely,



Christie True
Director

Attachment: LCI Report

cc: King County Agriculture Commission Members
Josh Baldi, Division Director, Water and Land Resources Division (WLRD), Department of Natural Resources and Parks (DNRP)
John Taylor, Assistant Division Director, WLRD, DNRP
Richard Martin, Environmental Programs Managing Supervisor, Agriculture, Forestry and Incentives Unit, WLRD, DNRP
Patrice Barrentine, Ag Policy Project/Program Manager, King Co Agriculture Program

Land Committee

Meeting Minutes

1.11.18, 12:15-12:45pm

Commissioners	P	A	Commissioners	P	A
Amy Holmes	X		Bruce Elliott	X	
Larry Pickering	X		Leigh Newman-Bell	X	
Bob Vos	X		Eldon Murray	X	
Meredith Molli	X				

P=Present; A=Absent

Staff Present	
Richard Martin	Ted Sullivan
Patrice Barrentine	

Summary

Ted Sullivan presented four land related items to the committee that has come onto the ag program's plate since the last committee meeting.

I. Green APD property

- Coming into compliance
- Related to Food Initiative Goal of getting new farmers on the land
- Working with Tilth Alliance who has two farmers interested in leasing the property
- May do boundary line adjustment to add ag land in to APD
- Working on possible FPP

Commissioners did not see this as size appropriate acreage for FPP; do not see the long-term value of such a small parcel

II. Snoqualmie APD property

- Working on FPP easement and
- Habitat restoration easement
- Owner would like to sell the property, rather than sell easements
- Is being appraised for possible fee acquisition

Commissioners had concerns around habitat impacts to the farm field productivity. Asked if county can broker a deal with a private buyer, rather than buying the property in fee. The Working Farmland Partnership has been created to do just that. It is funded by a KCD Regional Food Program grant and is just getting started. However, in this case, the habitat benefits come with funding that could go toward the purchase of the property, TDR funding could buy off development rights, and FPP easement purchase could round out the purchase price and then the county would surplus the property to a private buyer. Commissioners thought the county would pay above market price, but that is not so. The county can only pay the appraised value of a property (from a third party appraiser). Sometimes real

estate moves so fast that the best thing you can do is grab it and hold it and then put it back in the marketplace. With the easements on it, it should reduce the market value significantly. Commissioners again expressed concern that habitat restoration could affect this highly productive farm ground and recommended research regarding habitat impacts before moving forward. Other concerns are that habitat restoration could purchase the whole property and farm ground would be completely lost. How does this work in light of Farm, Fish, Flood? WLRD now approaches properties for multi-benefit projects. Because this property is in the APD, the primary use should be agriculture.

III. Enumclaw property

- Working on solving drainage problem on FPP property

Commissioner shared context of challenge of cleaning out the creek. ADAP program has studied this problem extensively. The main channel is the problem. Sediment build up in the channel is flooding adjacent land. What is the challenge here for fish habitat folks? The problem is disturbing any major salmon spawning areas. Installing sediment traps upstream can stop it from getting worse. There has been extensive resistance to dredging the channel. Commissioners asked for the ag program to push more for dredging so that neighboring properties upstream are not also affected. This property is not being appraised. Commissioner asked if any quid pro quo could be exchanged with WDFW for better farmland and let a property like this be wetland. Could, for instance, some of the stream be meandered? Still looking for best drainage solution that is also cost effective. While the landowner is looking for solutions on their property, ag program is additionally looking at how we can maximize solutions for the watershed that will protect and benefit many farmers in the area.

IV. APD Expansion

- Farmer request for farm pad
- Possible expansion of APD that abuts current APD
- Beginning outreach to landowners through FPP easement interest
- Process would require going through Comp Plan process in 4 years at earliest

Commissioners asked about possible flooding, if the sites have building potential, if municipality wants to annex it. There is building potential. One property has public parking potential. A community group would like some of the area for recreation, but zoning won't allow it.

Commissioner asked: Is the purpose of the committee meeting to inform the committee of land acquisition or is it to have conversation and feedback? The purpose is to have conversation and feedback, and we knew we needed to share with you some things that have been happening since our last meeting that we need to get out to you all and let you know about them. We will use your comments from today in our ongoing discussions with salmon and rivers staff. We want your comments and feedback on these items and while today was quick with these four items to share, we needed to do some catch up. Going forward, we probably should only have one project if we only have ½ an hour.

The meeting ended at 12:55pm.

Selection Committee Meeting Minutes 1.11.18, 4:15-4:45pm

Commissioners	P	A	Commissioners	P	A
Leann Krainick	X		Bruce Elliott		X
Amy Holmes	X		Leigh Newman-Bell	X	

P=Present; A=Absent

Staff Present	
Patrice Barrentine	

Summary

Patrice Barrentine asked for a process recommendation from the committee on filling the final two seats on the commission. After discussion, the committee recommended that filling the two seats follow the seasonal flow of recruitment similar to last year. Thus, they set the dates of:

- April 30 Clarify with current commissioners regarding their continued service
- June 30 Receive new applications
- Patrice will let current applicants know that their applications will be held for review in July.

The committee also helped plan items to include in the new commissioner orientation in March:

- Solicit key terms from full commission
- Possible field trip
- Materials to include: charter, etc.

The meeting ended at 4:50pm.



King County
Agriculture Commission
Water and Land Resources Division
Department of Natural Resources and Parks

King Street Center
201 South Jackson Street, Suite 600
Seattle, WA 98104-3855
206.477-4800

October 27, 2017

Ms. Christie True, Director
King County Department of Natural Resources and Parks
King Street Center
201 South Jackson Street, Suite 700
Seattle, WA 98104-3855

Re: Pearson Eddy and DNRP

Dear Director True:

At the 14 Sept 2017 Ag Commission meeting, public comments were made by Duane and Steve Van Ess on impacts to their farms caused by nearby NRCS projects in the Snoqualmie Valley. These issues have been longstanding and deal with farmer livelihood, future success of agriculture, and flooding concerns by the residents of Snoqualmie Valley. This letter is a result of the motion made and passed by the Commission to send a letter to DNRP requesting both DNRP and NRCS actions. Commissioner Bob Vos was to serve as a focal point for the letter, coordinating with both farmers and Commission staff personnel. The Commission very much appreciates past actions DNRP has taken to address some of these issues. However, we also realize that DNRP has many things on its plate, that many items have not yet been done, and so there are critical actions yet to be undertaken.

We know that in addition to supporting agriculture, DNRP has specific interests in 1) protecting their investment in FPP, and 2) preserving the zero-rise flood policy to maintain "flood safety" (for both people and property). These are key concerns of the Ag Commission also. We request that DNRP directly undertake the following actions.

1. We understand that NRCS is willing to consider removing much of their large tree plantings (these plantings are raising increasing negative concerns by farmers and other valley residents, as well as by DNRP to protect their specific interests) and replace them with more historical and natural foliage. But they are looking to DNRP for guidance. We believe that such replacement could be a win-win for all parties involved (see rationale given below under NRCS requests), and we ask that DNRP encourage NRCS in that action.
2. A critical issue is replacement of the pump at Pearson Eddy, which according to NRCS staff (in an 11 February 2016 Snohomish Valley Drainage Report) was removed by Walt De Jong sometime after 2009 when several NRCS easements and projects had occurred. Obviously the pump had been effective because it was operated and maintained for many years under a joint agreement among several landowners (an initial pump in the 1940s and the more recent

pump beginning in 1984). Apparently there was no discussion about pump removal among the landowners, and the disappearance was not reported to authorities as a theft. We understand that now, although DNRP is willing to request NRCS to replace the pump, some at DNRP may believe a replacement pump would have limited effectiveness. We need immediate discussion to determine pump effectiveness for drainage and flood/backflow storage, including possible effects of the upstream MB (Mitigation Bank) and its 27' elevation weir, so that appropriate actions can be undertaken. One possibility is for DNRP to install a pump, evaluate its effectiveness, and work with NRCS to make any necessary changes.

3. In a community meeting on 15 July 2015 at the Steve Van Ess farm (involving valley residents, NRCS, King County representatives, Ag interests, an aide for U.S. Representative Del Bene, and others), a number of issues were addressed and questions were posed to NRCS. One question by a staff member of DNRP was whether NRCS needed to determine the capacity of the pump in order to replace it. He noted that getting the pump put in before the rainy season was time critical. NRCS responded they did need that information, and so he agreed to do some research to help them determine the size. Please inform us as to whether that research has been done and passed on to NRCS, whether there has been follow-up, and whether there were difficulties encountered in determining the size, so that appropriate actions can be taken.
4. We ask that DNRP work with NRCS and FSA to establish a dollar value on crop losses due to related government actions, and that the Vaness' and owners of other affected land that is actively farmed be compensated appropriately.

We also ask DNRP to write a letter and do appropriate follow-up with NRCS, requesting that NRCS take the following actions. We note that DNRP, in a 30 August 2017 letter to NRCS commenting on a FONSI (Finding of Non Significance) related to the now ongoing construction at Pearson Eddy, did not address many of these issues.

1. Explain why in the current Pearson Eddy project, the new 60" MTR (Muted Tide Regulatory) pipe/gate, is lower than the old 48" pump outflow pipe which it replaces. The bottom of the MTR pipe is at elevation 23', and the bottom of the three gated pipes is at 20'. Please also inform us of the exact elevation of the old pump outflow pipe. We do not necessarily have an objection to the elevation change, but having the old elevation defined would help communication and understanding. Also, NRCS has said the new MTR will "mirror the current operation" of Pearson Eddy. This does not seem to us to be the case, and we would like an explanation/justification for that assertion.
2. Between Pearson Eddy and the Snoqualmie River, the bottom of the channel rises 3' (from elevation 20 to 23) due to accumulated sediment. In a 15 December 2016 meeting at Qualco Meeting Hall, NRCS said it was "working that problem." What has been done as a result? It seems appropriate to us to clean out that sediment to restore the channel flow to its original condition.
3. In a 9 Nov 2010 joint letter to NRCS from the King and Snohomish County Ag Boards, a number of serious concerns were expressed about future impacts of the recently completed 170-acre tree plantings on the FPE (Flood Plain Easement) just north of the county line and the Steve Van Ess farm. A number of NRCS actions were requested, including meetings to further discuss the issues. We call that to your attention because

NRCS has stated several times that it takes landowner concerns seriously, and many of the predicted impacts have now come to pass. Please reaffirm your commitment to addressing these impacts. One issue is to make sure that the reverse flow caused (N to S instead of natural S to N) from the NRCS FPE area onto the Van Ess farm, will be corrected as promised at the 15 July 2015 community meeting. We believe you have committed to monitor and stop this change via several actions: a) consider a re-vegetation plan (replacing the NRCS-planted cottonwoods and other trees with more native and optimal vegetation); b) locate, fix and maintain the drain tiles and other drainage features; and c) implement a beaver management program. The commitment was to start this effort before winter 2015, but none of this has yet been done two years later. When will these actions start?

4. As part of item (3), at the July 2015 meeting NRCS agreed to contact the FPE land owner to help accomplish this, but also to be responsible itself for the work if the owner defaults. Has that contact and follow-up occurred?
5. In the flood study commissioned by NRCS (summer of 2017), it was projected that the NRCS tree plantings would generate a 5" increase in flood level within the valley. In the August 2017 Final Environmental Assessment for the Pearson Eddy project, page 23, there was a commitment to "consider re-vegetation" of 74 + 20 acres of NRCS approved tree plantings, in order to reduce the flood rise impact to the King County "zero rise" standard. It would be helpful to know how these acreage numbers were arrived at. We encourage you to follow through on implementing this option so that very damaging flood level increases (even if further studies show to be less than 5") in the valley can be avoided.
6. In any case, for tree removal in the FPE, we believe it is especially critical that open setbacks of trees be maintained for each "drain" (drainage ditch and tile system). We ask that at least 50' on each side of each system remain open to prevent damage from tree roots and beavers to these drainage ways.
7. NRCS agreed to provide several items of information to the concerned stakeholders, which have not yet been provided: a) Since NRCS stated that it purchases easements on such FPE land to "help farmers in cases where the land is not farmable" we believe it would help future communication and avoid mistakenly taking valuable farmland out of production, to know how NRCS determines that property is not farmable. Simply a statement from the landowner, who has a conflict of interest in gaining an easement payment, is obviously not adequate. In the case of this FPE, local farmers have evidence that they participated in productively farming the land.
8. As discussed in items (5) and (6) above, the NRCS tree plantings are a huge issue. It is now generally agreed, from multiple historical document sources, that in the 1800s this FPE property was overgrown with "scrub shrubs and wild cranberries" rather than anything similar to the cottonwoods which have been planted. At the 15 July 2015 meeting NRCS agreed to explain how the decision to plant cottonwoods was arrived at, and how that would promote floodplain restoration (reduce flooding). That information has not been provided. We believe that several win-win results may be provided for all interested parties by replacing the current cottonwoods by the natural scrub-shrub and cranberry historical growth:

- a. Mature cottonwoods have a large vertical and horizontal profile, and in addition tend to drop many branches to the ground, thus resulting in significant flood level increases.
- b. Total foliage, with resultant shade and insect fish-forage populations, may be equal or more with the historical native growth, because it tends to be dependent on total available sunlight area.
- c. Woody debris, which may be valuable for river and riparian areas, can more effectively be provided by large trees more adjacent to the river; woody debris from these cottonwoods will tend to be deposited instead over a wide swath of downstream agricultural land and other property, leading to significant and repeated cleanup costs.
- d. The more natural growth would result in decreased beaver populations, which block drainage ways and spread to adjacent areas; decreased tree roots would have similar positive effects.

A common understanding and policy on this issue would also give some direction as to how future situations should be handled.

9. NRCS committed to installing a fish barrier in the Pearson Eddy project. It felt this would protect the fish from accessing areas detrimental to them, and it would also avoid farmers having to deal with new fish impact issues. How is this barrier being implemented?
10. We request that you work with us and the affected farmers to come up with a joint operating plan for the Pearson Eddy pump and the MTR. This should be consistent with the longstanding agreement for previous pump operation, considering the needs of all parties and fairly sharing the pump operation and maintenance costs. In light of the long-standing joint operation among the affected landowners, but NRCS and the current landowners having various agricultural/conservation/fish interests, it seems that future operation could best be done by a neutral and impartial party (e.g. the Snoqualmie WID).
11. Please provide us with an explanation of how NRCS defines "floodplain" versus "floodway." These terms are important for communication and for maintaining consistency with regulatory requirements, and that answer was committed to in a 2015 meeting.
12. Finally, a very significant impact of the previously accomplished conservation efforts by NRCS is the waterfowl which have been attracted to the neighboring farmlands. The birds destroy much of the pasture/hay crop through their foraging activities. Waterfowl experts should be consulted to devise ways of mitigating their adverse effects.

The Ag Commission realizes that some of the above requests are based on assertions regarding past history or current conditions. Based on conversations with the involved farmers, we believe these farmers have, and can provide if necessary, the data to verify these assertions.

We request that DNRP work with the Commission, affected farmers and the other appropriate government agencies in implementing the above actions, and that it keeps the Ag Commission informed of progress. Again, we thank you for your past efforts, and look forward to cooperatively participating with you on these things.

Leann Krainick

Christie True, Director DNRP

October 27, 2017

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Leann Kranick, Chair

King County Agriculture Commission

Cc: Councilmember Kathy Lambert

Pearson Eddy Community Meeting

November 8th, 2017

6:30 to 8:30pm

Duvall Fire House

1) Welcome and Meeting Overview

-Facilitator Tamie Kellogg lays out the intent of the meeting, which include establishing a framework to finding a solution, finding ways to work together, forming necessary partnerships, and hearing from the community about things they have a lack of clarity around or think others need more clarity on.

-Councilmember Kathy Lambert provides an introduction and a brief update on work done since the request to hold this meeting was made at the Agriculture Commission request. She notes that progress has been made and having this meeting will lead to getting people on the same page. She lays out a framework for what we want to accomplish and a timeline, including the need to develop a robust vegetation management plan and cross county drainage improvements. It will take working as a community. Snohomish County is represented and they will be great partners moving forward.

-A citizen expresses concern that DNRP is not present, but they have several representatives in attendance. However, NRCS is not in attendance.

-The facilitator then introduces the panel, John Taylor from the Water and Land Resources Division (WLRD), David Andrews from the Watershed Improvement District (WID), and Bob Vos and Meredith Molli from the King County Agriculture Commission (Ag Cmsn).

2) Panel—Updates on progress and considerations

-John Taylor introduces himself as the Assistant Division Director WLRD. He notes that King County bought conservation easements on all of the land adjacent to the property and that King County has a property interest and initially expressed concerns when the project was still in the planning phase. King County has had a number of meetings with NRCS about how to move forward, including a vegetation management plan that fits to the zero rise standard. They have a schedule and a plan to get that done. He wants to hear from the community about what they are missing and what should be considered as they continue to work with those involved.

-David Andrews introduces himself as a member of the WID, formed in 2015, which works to get water on land in the summer and off in the winter. He feels that zero rise standards should be applied equally and we need to set up a framework for future projects to avoid some of these issues before they arise. The WID represents 300 landowners in the valley and they have followed the Pearson Eddy project for a while. He reminds us that there are lots of overlapping jurisdictions at play and that the WID is focusing on agriculture components. He invited those in the room to attend the WID meetings 2nd Wednesday of every month.

-Bob Vos introduces himself as a farmer and engineer. He notes that he is not a valley resident, but a volunteer with the WID on various projects. He thanks Kathy Lambert and John Taylor for helping with some of the bureaucracy. After this planting 8 years ago, he sat on King Conservation District (KCD) and Ag Cmsn, both of whom expressed concerns. Those groups worked with NRCS to rectify the situation,

but the NRCS was not yet sympathetic to those concerns. Lately, they have been much more willing to hear the concerns. A few weeks ago, significant public input was expressed at Ag Cmsn, where Bob requested this meeting. He feels that WLRD has wide range of interests and are not yet set in a conclusion, so Bob wanted this meeting to hear from the expertise of valley residents. A lot of the discussion will be around trees. He has planted over 2,000 tree seedlings, but feels trees should not be in the floodplain due to safety and property issues. He thinks trees in the floodway should be removed and cottonwoods should be classified as noxious weeds. Attendees will hear about revegetation—cutting down the trees to add more native growth.

-*Meredith Moll* introduces herself and states that her interest is to be involved in future conversations around the policy discussions on trees in the floodway and zero rise standards.

-*John Taylor* notes that one outcome of the Fish/Farm/Flood Taskforce may be helpful in this conversation. Farm pads have high zero rise standards and modeling shows the cumulative effect of the Pearson Eddy project creates a rise of 2 to 5 inches in a flood event. In SnoCo, there are no permits required for large scale planting. Whether or not we require permits for large scale planting in King County is a policy issue. John notes that NRCS and WLRD had a meeting this Monday where NRCS committed to meeting those zero rise standards and mitigating impacts. The sense from those on the conference call is that they think there is a path forward for vegetation management/revegetation. We will pull in the various interests to come up with a plan for thinning and planting.

-*Richard Martin* from WLRD provides a brief presentation on the history of the project.

-*John Taylor* responds to a community concern about who will bear the costs by stating that NRCS will likely bear the costs to keep peace with KC and property owners. If this were happening in KC, it would be much easier to remedy, but since it is on the SnoCo line, we have less control.

-*David Andrews* states that we should also look at ongoing maintenance costs/lifetime costs that many jurisdictions don't anticipate when they construct a new project.

3) Community Discussion and Comment

(Note: constituent names have been removed from these comments. When responses were provided from the panel members, there is a summary of the response.)

- a. A member of the hunting club is concerned that there are no SnoCo representatives.
 - **Response:** Kathy Lambert states that Darcy is here from Councilmember Sam Low's office and there was an invite to the public works department.
- b. A county ombudsman states concern over the environmental decision of "finding of no significant impacts" or FNSI. She states that verbal comments weren't addressed, though some written ones were. Her comments on behalf of farmers were not address. Explained hydrogeological/engineering background. King County should find out how concerns in the process were addressed. She states that we should look at how raising the water table impacts the farms. And that there needs to be a technical solution. She states that it isn't a surprise to the valley that those plantings cause a rise and that we don't need another study.
 - **Response:** John Taylor states that WLRDs main concern is the drainage, since King County's property interest is in the conservation easements. Trees are a big part of that, but fixing drainage is a lot more than revegetation—fixing the pump, beaver

management, etc. David Andrews disagrees about not needing more studies. The WID manages modelling and studies the impacts of major plantings.

- c. A former KCD Supervisor stated that KCD discussed the impacts of these plantings and the Snoqualmie Falls project. KCD and Snohomish Conservation District wrote a joint letter to NRCS back then, but no one spoke with us about the project and NRCS never responded to their letter. He has seen changes in valley flooding.
- d. An individual who had a cattle farm in SnoCo stated that the ditches were blocked, at which point the drainage problems started. Trees covered ditches and field tiles.
- e. A long time farmer impacted by the Pearson Eddy Project stated that King County put in a drain tile on his property. He hopes that DNRP looks closely to protect the interests of their investments in the drain tile and conservation easement interests. He thinks the trees need to be removed. He spoke with Larry Johnson from NRCS and he said the conversation focused on the drainage side of things and less on the flood. He does not trust the models. Trees need to go.
- f. A resident stated that she survived 1990 floods when that area was bare. Those trees are going to make it twice as bad. She says tribes have not been consulted.
- g. An individual stated that the trees were planted north of his place. In the 2009 flood, it was the highest Duvall has had, but his location it was the highest his farm has ever had.
- h. A resident expressed concerns that it likely takes a permit to remove the trees, but it permit was not required to plant them.
- i. A resident noted that there is a difference between removing trees and cutting trees. Cutting trees will lead to more trees sprouting. They need to be removed entirely and a long-term maintenance strategy put in place.
- f. A resident states that flooding needs to trump other factors.
- g. A resident points out that even if we get to zero rise, they are dropping the temperature on the first germination. He states that jurisdictions need farmer input early on in these projects.
- h. A resident asks why SnoCo isn't held to zero-rise standards if FEMA is the zero rise regulator.
 - **Response:** David Andrews notes that King County gets favorable, lower flood insurance rates by holding to a higher regulatory standard.
- j. A Duvall employee states that the City wants to make sure they support valley farms. The City only has 3 roads that shuttle residents in and out and they have a great interest in protecting and minimizing impacts to those roadways.
- k. A farmer south of the project notes that SnoValley has some of the best soil you can find. This valley is turning into the Kent Valley, not from concrete but from restoration projects and lack of farmers. He asks for clarification on the purpose of the MTR gate and who is pushing for it.
 - **Response:** Richard Martin states that there are 4 culverts and they are replacing all of those. 3 are replaced with the same diameter culvers and the 4th is one foot larger and has fish passage. The advantage is that it is easily modified. NRCS spoke about adaptive management. There is a debate on when it will be closed. It is projected to close at a height low enough that it won't greatly effect farmers upstream, but they are willing to adjust the closing height if it impacts farmers. Cynthia Krass notes that they put in writing that it will be modified if it impacts farmers).

- l. A resident notes that cutting is not the same as removing the trees and that the replantings should use native species.
- m. A resident expresses concern that it seems like WLRD has already decided that thinning is the outcome. WLRD should be receptive to downing trees.
- n. A former NRCS board member states that, although her jurisdiction did not involve that project, NRCS stated that funding in the district included beaver dam removal and drainage fixes. NRCS went through 20% funding reduction, then 12%, then 10%, making their ability to address issues minimal.
- o. Panelist Bob Vos noted that he spoke with several people involved. NRCS said they think this planting was a mistake and they wouldn't do one like that again. NRCS SnoCo rep at the time was ill and the Skagit County rep filled in (and she was less familiar with the terrain). It was a perfect storm. He believes we need to start on the source of flooding—the trees—then work on drainage. He believes we need a 50 ft. riparian buffer along the river after the cuttings. He hopes we can find a win/win for farm, fish, and flood. NRCS and WLRD need to work together to solve both the drainage and flooding problem, but the first step is removing most of the trees.
- p. Panelist David Andrews states that there should be a full environmental impact statement on projects like this. They have now committed to zero rise and we need to hold them to that. He prefers zero-rise on the subsurface water, not just surface water. SnoCo/King County collaboration is critical. He later stated that if work is going to begin this summer, the plan has to be right.

4) Timeline and Next Steps

Below is the timeline laid out at the meeting, including the requested update at a WID meeting:

TIMELINE

DATE	PURPOSE
NOVEMBER 29TH	The first in a series of meetings between now and January with NRCS, WLRD, and the WID representing landowners
DECEMBER 13TH	A WID meeting with WLRD providing an update on progress. This meeting will take place above Carnation City Hall at 6pm
MID-JANUARY	The goal is to have a vegetation management plan by this date
LATE JANUARY	Circulate draft plan for public review with comments requested by early February
LATE FEBRUARY	Include vegetation management plan in any required permit requests
LATE SPRING	Receive all necessary local, state and federal permits for proposed activities
EARLY SUMMER	Begin tree removal and water control structure placement

Below are questions needed answers/next steps laid out:

NEXT STEPS

ENTITY	QUESTION/NEXT STEP
WLRD/NRCS/ SNOCO/WID	Develop a vegetation management plan that will guide tree removal and reduce flood elevations, with a goal of achieving zero rise. Begin on the ground work by summer of 2018.
WLRD	Contact NRCS to obtain answers to questions raised by the Agriculture Commission in their October 27 th letter to DNRP, as well as the additional

	<p>questions and issues brought forward during the Duvall meeting. The Duvall questions and issues included concerns about the following:</p> <ol style="list-style-type: none"> 1) Purpose and management of the MTR gate; 2) NRCS plans to install fish screens on the water control structure; 3) How public comments on the EA and FONSI were addressed 4) Whether it is possible to reopen the public comment period on the FONSI
WLRD	Make an introduction between NRCS and Mike McCray from SnoCo to begin work on permitting
WLRD/WID	Present a status report within 30 days. This will occur at the next WID meeting.
LAMBERT'S OFFICE	Send notes from the meeting to the list of attendees.



King County

Department of Natural Resources and Parks

Director's Office

King Street Center
201 South Jackson Street, Suite 700
Seattle, WA 98104-3855

December 1, 2017

Roylene Rides at the Door, State Conservationist
Natural Resources Conservation Service
Washington State Office
316 W. Boone Ave., Suite 450
Spokane, WA 99201

RE: Pearson Eddy WRP Restoration Project

Dear Ms. Rides at the Door:

I am writing regarding the restoration work that Natural Resources Conservation Service (NRCS) has been engaged in at Pearson Eddy in Snohomish County. King County staff from the Water and Land Resources Division have been working well with NRCS staff to address a number of questions and concerns that farmers in King County have raised about past and proposed riparian plantings and restoration work.

I want to thank you for the work you and your staff have undertaken to address the concerns of King County farmers. Yesterday, our Agriculture and Forestry Program manager participated in the first meeting of a stakeholder group intended to develop a revegetation plan to address flood-rise and drainage impacts from plantings in neighboring Snohomish County. I understand the meeting went well and there is a uniform commitment from stakeholders and tribes to address the impacts associated with the plantings.

Additionally, I want to share a letter sent to me by the King County Agriculture Commission (copy attached) as well as additional comments we received during a public meeting held in Duvall on November 8, 2017. While many questions and issues were raised at the public meeting, the majority are addressed in the Agriculture Commission's letter, with the exception of the following:

1. Can NRCS reopen the FONSI public comment period?
2. How did NRCS address public comments received for both the EA and FONSI?

I am confident that many of the questions raised in the letter will be addressed through the newly established collaborative process. However, if NRCS can provide brief responses to the questions raised by the commission's letter and the public at the November meeting, we will transmit those back to the Agriculture Commission at their January meeting.

Roylene Rides at the Door, State Conservationist

December 1, 2017

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If you think it would be helpful for program staff to work through the issues together, please have your designee contact Richard Martin with our Water and Land Resources Division at 206-477-3876 or via email at richard.martin@kingcounty.gov.

I want to again thank you and your staff for your commitment to working collaboratively to address the concerns of King County farmers.

Sincerely,



Christie True
Director

Enclosure

cc: Josh Baldi, Division Director, Water and Land Resources Division (WLRD),
Department of Natural Resources and Parks (DNRP)
John Taylor, Assistant Division Director, WLRD, DNRP
Richard Martin, Agriculture, Forestry and Incentives Program Manager, WLRD, DNRP
Patrice Barrentine, King County Agriculture Commission Liaison



January 9, 2018

Christie True, Director
King County, Department of Natural Resources and Parks
201 South Jackson Street, Suite 700
Seattle, WA 98104-3855

RE: King County – Department of Natural Resources and Parks Letter Dated 12/1/2017

Dear Ms. True:

The Natural Resources Conservation Service (NRCS) has received your letter dated December 1, 2017. As you are aware, NRCS is collaborating with local stakeholders to discuss vegetation removal and revegetation alternatives on our Wetland Reserve Program (WRP) and the Floodplain easements immediately north of the Snohomish-King County line. As outlined in the Final Environmental Assessment (EA), the vegetation workgroup will help to provide vital information to NRCS as we look at possible vegetation removal and revegetation alternatives on our easements. We will be soliciting the public for comments upon completion of the draft plan. There will be official notification and posting of the plan on the NRCS webpage for easy retrieval.

The NRCS can supplement the Final EA based on new information. To date, we have not received, nor do we have new information that would compel us to supplement and re-open the EA. Public comments received on Draft EA were addressed, and can be located in Appendix H of the Final EA. The Final EA includes a new alternative (#2) for the management of existing vegetation to address critical concerns that were raised during the public comment process. Please note that comments received on the Finding of No Significant Impact (FONSI) were not addressed. We are not required to address comments received during the comment period for the FONSI unless new information has been provided that was not available in earlier draft EAs, which it was not.

The NRCS is confident that the proposed tide gate can be set to emulate the existing tide gate function. The Nehalem Muted Tide Regulator (MTR) tide gate can be set to operate for a wide range of conditions. We will be able to set the MTR so that it functions just as a standard top hinged flap gate would function. You are encouraged to visit the manufacturer's webpage (<http://www.nehalemmarine.com/muted-tidal-regulator>) and to contact the company for additional information.

The NRCS has completed numerous hydraulic modeling scenarios of the project area. As far as we are aware, the rise in the channel bottom surface at the outlet of the Pearson Eddy Channel as it flows into the Snoqualmie River has been there since the time NRCS procured the WRP easement. The modeling that we have completed has not identified channel obstructions at the outlet that are causing upstream flooding impacts. NRCS has no plans to dredge or remove any stream bed material from the outlet of the Pearson Eddy Channel. Channel dredging would certainly create significant permitting as well as federal agency consultation hurdles.

The NRCS is committed to help address issues within our programmatic and statutory authorities and with agreement of the current landowner that are of concern to the local landowners/stakeholders which includes the following: vegetation removal/revegetation alternatives, drain ditch/pipeline maintenance, and beaver management planning. With agreement of current landowners, the NRCS may be able to provide direct financial assistance with some or all of the vegetation management alternatives. We can facilitate communications with the current landowner regarding drain ditch/pipe maintenance and beaver management planning needs.

We wholeheartedly support and would grant compatible use authorizations (CUAs) to conduct ditch rehabilitation and maintenance on the existing drainage network within the easements, as long as current landowner agrees. The issuance and conditions of the CUAs will still need to fall under the appropriate easement program policies, regulations and statutes. There are extenuating issues that King County should be made aware of that are out of NRCS control. There are water control structures that outlet water from the Floodplain Easement to the Snoqualmie River that fall outside of our easement boundary. We have no ability to grant or prevent access to these failing structures. The easement landowner or another interested party would need to work with neighboring property owners to complete repairs to these outlet structures. The expense of any maintenance and/or rehabilitation to the drainage system would likely be the landowner(s) responsibility.

The NRCS has contacted and met with the Emergency Watershed Protection Program Floodplain Easement (EWPP-FPE) landowner and was in contact with the official agent for the landowner to try and work out some actions on the EWPP-FPE area. The intent was to help remove excess vegetation to allow for closer inspection of the drainage system. For the past six months we have had no response from that agent and our efforts to reconnect with the landowner have had no response to date. The EWPP-FPE landowner must be involved. The drainage infrastructure concerns (ditches, drainage lines, and pipeline inlets and outlets) are a landowner-to-landowner issue. The NRCS did commit to assisting and allowing for actions where program policies, rules and statute allowed, i.e. grazing, etc. The NRCS has no legal responsibility to maintain the drainage infrastructure that was in place at the time the EWPP-FPE closed and has never made commitments or references that we would assume this responsibility if the landowner does not.

The NRCS has established a vegetation workgroup that will help to develop vegetation management alternatives for both easements. All of the alternatives considered have been and will continue to be based on the output results of our HEC-RAS modeling. King County's zero rise regulations apply only to earthfill being placed into the floodplain, it is not applicable to vegetation planting within the floodplain. Nonetheless, we are developing alternatives that achieve our restoration objectives as well as minimizing upstream flood impacts as close to the zero-rise regulation as possible. Many factors are in play, including critical area regulatory framework and a diverse set of interests at the site that range from salmon recovery to preservation of adjacent agriculture. The vegetation workgroup will also be discussing the offset planting along the ditches and water courses. We will be counting on this group to discuss the appropriate offset distances as they develop vegetation removal and revegetation alternatives as working with current landowners of easements.

The NRCS has provided a great deal of information to concerned stakeholders and adjacent landowners over the past several years and has responded appropriately to all Freedom of Information Act (FOIA) requests. In many cases the FOIA requestors have not agreed with NRCS decisions to withhold individual landowner case file information due to federal law and policy on protecting privacy and proprietary information. These are the federal FOIA, the federal Privacy Act and current provisions of USDA Farm Bill rules. The EWPP-FPE option is available to all eligible landowners with eligible land. None of our eligibility or ranking criteria rest solely on a landowner's assertions. Factual data is gathered and evaluated in an unbiased manner. Attached is a copy of the EWPP-FPE FAQ sheet and ranking criteria that were used during the 2009 EWPP-FPE announcement of availability.

The NRCS explained the rationale behind planting a wooded plant community in the EA. The site likely did exhibit much wetter hydrology before the valley was drained to facilitate agriculture. These drainage impacts and the current presence of reed canarygrass make establishment of emergent wetland (non-woody) plant communities across the majority of the floodplain prohibitive. NRCS is working with the vegetation management group to develop options that may incorporate more shrubs into future plantings and potentially replacing some of the existing areas dominated by trees.

From the EA page 28 & 29:

"An aerial photo from 1948, Figure 4-1, show a diverse wooded plant community on the floodplain adjacent to the project site prior to complete clearing and drainage for agriculture. Several different plant communities would likely have been present, such as floodplain forestland dominated by a

mixture of deciduous tree species with conifer on the highest elevations. Areas with longer periods of inundation supported a shrub wetland community. Emergent wetland species such as sedge, rush, and bulrush would have been expected in swale channels and along edges of open water areas at the lowest elevations and those resulting from beaver dams. The project area cleared for agriculture in the early 1900's is now dominated by invasive reed canarygrass and non-native blackberry. (Talasaea 2004). The target plant community does not replicate the conditions describe in the Government Land Office (GLO) survey conducted in the 1880's due to changes in watershed hydrology and in presence of invasive species."



Figure 4-1. Snoqualmie River Floodplain, 1948

The NRCS has not inferred or made statements that a fish barrier would be placed at the Pearson Eddy outlet structure location. In fact, the easement was very attractive to us given the tremendous opportunities for improving fish passage through the outlet structure. We have no plans of constructing a fish barrier nor would we allow a compatible use permit to do so.

The NRCS will develop an operation plan that is consistent with meeting our restoration goals and objectives. We will also consider additional operational recommendations from the public as we fine tune our plan. We do not believe that the plan will need to be complicated since the only feature we have the ability to adjust will be the water surface level that triggers the MTR gate to close. The landowner (Forterra) will be assuming full responsibility for operation of the Pearson Eddy water control structure.

The pre-WRP easement pump station continues to be a desired feature at the Pearson Eddy outlet structure. It is important to note that NRCS has never committed to provide a pump at the outlet control structure. This has been discussed at a number of meetings with local landowners and we have repeatedly stated that we do not have the authority to provide funding to install a pump. We have always made our position clear regarding this matter, it is unfortunate that it has been interpreted differently.

The NRCS is a non-regulatory agency and sometimes uses the terms floodplain and floodway interchangeably. If there are King County regulations defining these terms, please let us know where they can be located. We will make every effort to use them appropriately when communicating with the stakeholders.

The NRCS has no plans to consult waterfowl experts at this time, however this is an option for Forterra if they so choose. Forterra has been actively engaged in improving short grass habitat preferred by waterfowl on ~60 acres within the WRP easement. They began implementation of a CUA in fall 2017. As described in the EA, project alternative #2 contains actions that will improve waterfowl forage on the WRP easements compared to the existing baseline condition which is tall reed canarygrass. The current CUA expires December 31, 2018 to allow for any readjustments in short grass management area that follow construction of wetland and swale channel on the floodplain. NRCS is willing to renew the waterfowl forage CUA at that time.

From EA page 43:

"The CUA would allow the landowner to replace poor quality reed canarygrass with higher quality and preferred herbaceous forage mix (primarily non-native pasture grasses and legumes) across areas that would not be actively planted with trees/shrubs or disked. Long-term management of areas currently dominated by reed canarygrass with shallow de-leveling and periodic disking would improve the plant diversity and resulting vegetative resources (stems, seeds, detritus) for macroinvertebrates, wading birds, waterfowl and other wildlife. NRCS would continue to work with the landowner to conduct long term management actions to improve early successional grass and emergent wetland habitat using future NRCS financial assistance and/or additional CUAs.

It is the intention of NRCS to allow management of short grass habitat and moist soil areas in order to increase quantity and quality of waterfowl forage on the WRP easement to attract migratory waterfowl to use the project area instead of agricultural lands located on the Snoqualmie River floodplain. Should damage to cropland occur off the easement, Federal programs are in place to provide financial relief. A USFWS Federal Migratory Bird Depredation Permit authorizes landowners "to capture or kill birds to reduce damage caused by birds or to protect other interests such as human health and safety or personal property. A depredation permit is intended to provide short-term relief for bird damage until long-term, non-lethal measures can be implemented to eliminate or significantly reduce the problem." See the fact sheet titled "What you should know about a Federal Migratory Bird Depredation Permit": <https://www.fws.gov/forms/3-200-13.pdf>

We hope that our responses provide clarity to ongoing involvement with our easements. Please contact Larry Johnson, State Conservation Engineer, if you have any questions. He can be reached at (509) 323-2955 or larry.a.johnson@wa.usda.gov.

Sincerely,



ROYLENE RIDES AT THE DOOR
State Conservationist

cc: Lawrence Johnson, State Conservation Engineer, NRCS, Spokane, WA
Doug Allen, Acting West Area Conservationist, NRCS, Spokane, WA
Jeff Harlow, Assistant State Conservationist-Programs, NRCS, Spokane, WA
David Kreft, Easement Programs Coordinator, NRCS, Spokane, WA
Rachel Maggi, West Area Biologist, NRCS, Brush Prairie, WA
Josh Baldi, King County
John Taylor, King County



S N O Q U A L M I E V A L L E Y Watershed Improvement District

January 25, 2018

Ms. Roylene Rides-at-the-Door
State Conservationist
USDA - Natural Resources Conservation Service
316 W. Boone Ave., Suite 450
Spokane, WA 99201-2348

RE: Pearson Eddy FONSI and Zero Rise

Dear Roylene Rides-at-the-Door,

This letter is regarding the issuance of a FONSI for the Pearson Eddy Wetland Restoration Project, and the related status of the collaborative planning efforts led by NRCS staff with affected agencies, Tribes, and landowners.

The Snoqualmie Valley Watershed Improvement District (SVWID) wishes to acknowledge the efforts of NRCS staff, particularly West Area Biologist, Rachel Maggi, to drive to consensus in good faith, and facilitate the vegetation planning meetings. The SVWID understands the difficult task of collaboration amongst the diverging interests of farm, fish, and flood groups related to impacts from large-scale restoration projects.

The SVWID also understands for NRCS to issue a FONSI, NRCS needed to commit to meeting the King County zero-rise standard, as described in the Environmental Assessment (EA) and the Preferred Alternative.

The Environmental Assessment describes the Preferred Alternative (Alternative 2: Floodplain Vegetation Modification) as development of a plan to reduce effects at the floodplain scale by lowering the flood water elevations as close as reasonable to meet the King County zero-rise standard of one one-hundredth of one foot without having major adverse effects to critical salmon habitat and culturally important resources for local Tribal Nations.

The SVWID is committed to being a willing and active participant in this process, but has serious concerns with the progress of the group toward finding a vegetation management solution consistent with the Preferred Alternative, and more specifically, meeting King County's zero-rise standard. During the last planning meeting, NRCS and Forterra outlined the intent to proceed with permitting the major components of the WRP project for installation in 2018, without the components of a vegetation management plan if necessary. The SVWID is strongly opposed to any proposed plan based on

Ms. Rides-at-the-Door
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proceeding with further permits or work on the WRP property that do not include a finalized vegetation management plan meeting the requirements of the FONSI and the Preferred Alternative.

This letter is being sent in response to a unanimous vote of the SVWID Board in the January meeting to notify you of our concerns about the process, and to reiterate our expectation that NRCS stay committed to achieving the King County zero-rise standard. The SVWID staff was encouraged by NRCS' convening of a multi-stakeholder process to determine the most effective way to achieve zero rise without adverse impacts to local Tribal interests and salmon recovery efforts. However, SVWID staff members have observed a drift in NRCS' commitment to achieving King County's zero-rise standard. We would like to go on record to express our desire for NRCS to stay committed to zero rise, and to adopt a zero-rise vegetation management plan alongside, or prior to, permitting and installation of the other components of the WRP project.

Again, we acknowledge that this is no easy task, and applaud the efforts of the NRCS staff; we believe that they are operating in good faith. We remain ready and willing to continue this process to protect King County farms, lives and livelihoods.

Respectfully,



Cynthia Krass
Executive Director
Snoqualmie Valley Watershed Improvement District

cc: Board of Commissioners, Snoqualmie Valley Watershed Improvement District
Rachael Maggi, NRCS
John Taylor, King County WLRD
Richard Martin, King County WLRD