

KING COUNTY AGRICULTURE COMMISSION

MEETING NOTICE

THURSDAY MAY 12, 2022

6:00-8:00 P.M.

ZOOM VIDEO CALL

CALL IN:

One tap mobile: +12532158782,,87117500463#,,,,*080417#

Land line: +1 253 215 8782, Meeting ID: 871 1750 0463, Passcode: 080417

OR

LOG IN FROM A COMPUTER OR SMARTPHONE:

<https://us06web.zoom.us/j/87117500463?pwd=RGJ2dXNwQ3Y2VmI3UnpzdXYrd0ZlZz09>

MEETING AGENDA

6:00	Call to Order <ul style="list-style-type: none">For the public record, please sign in via the chat feature or announce yourself by name and whether you are a commissioner, staff or member of the publicApproval of AgendaApproval of Meeting Minutes: <i>April and May</i>	Darron Marzolf, Vice Chair
6:05	Public Comment related to a specific agenda item <i>3 minutes/person</i>	Darron Marzolf
6:10	Old Business - Updates (approx. 3 min each) <ul style="list-style-type: none">Commission Details, Policy, Ag Education & Events<ul style="list-style-type: none">WBD legislationKing County Ag ProgramKing Conservation DistrictLocal Food InitiativeWashington State University CSANRKing-Pierce Farm BureauFarm Fish Flood	<ul style="list-style-type: none">Patrice BarrentineRichard MartinCarrie KingMike LufkinJordan JobeLeann KrainickRichard Martin
6:30	New Business <i>Briefing: Which plan does what and when? Flood Plan, Comp Plan, NEKC Plan, SVAPD Agriculture Strategic Plan</i> <ul style="list-style-type: none">Q&A	Richard and Patrice
6:35	Snoqualmie Valley/NE King County Plan <ul style="list-style-type: none">OverviewTask Force Representation from CommissionQ&A	Jesse Reynolds, Planner, King County Dept of Local Services
6:45	Griffin Creek: Farm, Fish, Flood Project <ul style="list-style-type: none">PresentationQ&ACommission feedback and input	Eric Beach, KC Ag Program, Andrea Mojzack, KC Snoqualmie Basin Steward, and Lou Beck, KC ADAP Program
7:25	Noxious weeds on farm <ul style="list-style-type: none">Bindweed from horse manure (video)What are noxious weed problems that are the most problematic; what kind of technical (conventional and certified organic), financial support do you need?	Nayab Khan, Commissioner, Henna's Blueberry Farm Carrie King, King Conservation District Steven Burke, Program Manager, KC Noxious Weed Program
7:45	Old Business Planning for 2022 <ul style="list-style-type: none">Committees – Field TripCommittee Mtg Schedule	Darron Marzolf
7:50	General Public Comment <i>3 minutes/person</i>	Darron Marzolf

7:55	Concerns of Commissioners	Darron Marzolf
8:00	Adjourn	Darron Marzolf
Next Meeting: September 8, 2022		



King County
Water and Land Resources Division
 Department of Natural Resources and Parks
 King Street Center
 201 South Jackson Street, Suite 5600
 Seattle, WA 98104-3855
206-477-4800 Fax 206-296-0192
 TTY Relay: 711

King County Agriculture Commission
DRAFT Meeting Minutes
Thursday, April 14, 2022 – 6:00 pm to 8:00 pm
Zoom Video Conference Call

Commissioners Present (Y/N)					
Kevin Scott-Vandenberg, Chair	Y	Andrew Ely	Y	Shelley Pasco	N
Darron Marzolf, Vice-Chair	Y	Lily Gottlieb-McHale	N	Henry Wong	Y
Jessi Bloom	Y	Janet Keller	Y		
Roger Calhoun	N	Nayab Khan	N		
Ex Officio Members Present (Y/N)					
Fereshteh Dehkordi, DLS	N	Jordan Jobe, WSU	N	Carrie King, KCD	N
County Staff/Representatives Present					
Erin Auzins, KCC (Balducci)	Libby Hollingshead, KCC (Perry)		Katherine Taylor, DNRP		
Patrice Barrentine, DNRP	Richard Martin, DNRP				
Jim Chan, DLS	Ty Peterson, DLS				
Guests Present					
Janet Bryan	Leann Krainick		Joe Ridley		
Deloa Dalby	Cliff Otis		Dominique Torgerson		

Meeting Summary

- **Actions: Approvals of Agenda and March 2022 Meeting Minutes**
- **Old Business: Commission, Policy, County, & Agriculture Organization Updates; text**
- **Presentations: text**

Meeting called to order by Chair Kevin Scott-Vandenberg at 6:05 pm

Roll Call/Announcement of Staff & Public (Kevin Scott-Vandenberg)

Roll call of Commissioners and announcement of staff and public guests was done via Zoom’s chat function.

ACTION: Approval of Meeting Agenda (Kevin Scott-Vandenberg)

Chair Scott-Vandenberg invoked executive privilege to change the agenda, inserting an item for King County Council-member Sarah Perry’s chief of staff Libby Hollingshead to begin “New Business” at 6:30 pm to provide insight on the proposed winery, brewery, and distillery (WBD) legislation.

ACTION: Approval of March 2022 Meeting Minutes (Kevin Scott-Vandenberg)

Henry Wong motioned to accept the minutes as written. Darron Marzolf seconded; the motion carried unanimously.

Public Comment – Related to Specific Agenda Item (Kevin Scott-Vandenberg)

There were several public comments:

- **Deloa Dalby:** The Snoqualmie Valley has a nonprofit called Savor Snoqualmie Valley (SSV) that promotes the diversity of the Valley – farmers, wineries, and jurisdictions are all included. The Commission and County share these values; therefore, SSV requests the equity given to other farmers and small businesses be given to wineries and tasting rooms in the Sammamish Valley and King County. SSV is concerned with the current proposal as it relates to production. King County doesn’t direct production methods of other agriculture producers in the Sammamish Valley, and they shouldn’t be directing winemakers how to produce wine. This concerns me greatly because requiring increased production at a winery or tasting room will bring increased vehicle traffic and exhaust

from production equipment. It will also increase carbon footprint of the property and the winery. This makes no sense in a time of climate crisis. King County has appealed the decision by the Growth Management Hearing Board (GMHB) in Superior Court, so let's allow the courts to rule on that before we rush a new ordinance that will generate additional litigation on top of already pending litigation. I hope we can all live in harmony in the Valley.

- **Janet Bryan:** I live and work in unincorporated King County and have a winery. We are an agricultural business, with grapes estate-grown in a property contiguous to our eastern WA winery location. Our unincorporated King County tasting room allows us to bring our product to market in a location where the greater Seattle population can experience it in an environment surrounded by farms and large parks. It's surrounded by other wineries and other tasting rooms where guests can taste wines by different producers. We do not want to produce in unincorporated King County because it doesn't make sense for us. Our product, our family-grown grapes, are in eastern WA. We have a full production facility there and our professional winemaking team is there. Not only is it not feasible for us to produce in King County, it would increase our carbon footprint unnecessarily as we truck raw resources to King County and move our winemakers back and forth. A small-scale production in the Sammamish Valley would have a higher carbon impact per barrel compared to our winery in Quincy. Our Sammamish Valley location is not an area for trucks and heavy production, on the main throughfare of Hwy. 202, and will soon be across the road from a large hotel and retail space. Zoning in the area is inconsistent. As a tasting room, we're not a bar, we are family-friendly and only serve products of our own production. We close by 6 pm daily. We're a good neighbor, a small business which brings jobs and tax revenue and supports economic needs of King County. The 1,000-foot separation requirement for WBDs being contemplated is also pointless, and only serves the opposing party and demands set forth to shut us all down. We offer the best space use for our location and request you accept us as the agriculture business that we are, and allow us to continue to operate our small quiet tasting room as is.
- **Cliff Otis:** I own Matthews Winery, a 7.71 acre parcel in rural King County. Both a winery and a farm, we actively farm our property and make our produce and flowers available to wine memberships as well as the public. We're a small producer and have been on the property since 2000. I want to make some points about the upcoming ordinance. First, is that tasting rooms are direct producer-to-consumer retail just as a roadside fruit stand is for a farmer. Tasting rooms only sell wines they produce, us included. King County does not direct production methods of other agriculture producers in the Sammamish Valley and should not direct winemakers in how to produce wine. We know how. Finally, King County has appealed this ruling by the GMHB, and we feel we need to let the courts rule on that before creating a new ordinance that will generate additional litigation. I think that's a key component in King County's brief, that needs to be adjudicated at the Superior Court level so they can get clarity with any ordinance in the future that is pointed at the rural county in general.
- **Leann Krainick:** I'm a former Commissioner and was the chair when the first recommendation was submitted to King County Council (KCC) on this issue. The ordinance revolves around our King County farm economy and making our farms profitable, and protecting farmland and green space. While I understand those for or against different portions of this proposal, I have my own to submit – that King County needs protect our farm economy better. We are a commercial dairy farm on the Enumclaw plateau. We applied for a 2,200 foot by 75 foot barn on one of our properties, still awaiting King County Permitting approval. Our application was submitted in December, we paid \$10K of our \$18K in permit fees, and nothing has been done since March. As a result of not having our permit and not being able to start our building process, we have had supply chain issues, and we are losing \$190K per month in revenue. For dairy farms especially, 50% of our gross revenue goes back into our local economy. I want everyone to consider it's not just WBDs – it's protecting our farmland and farm economy and the financial stability of our local farmers that keep the integrity of what King County has asked to preserve for decades.

Old Business – Updates

- **Commission Details/Agriculture Policy & Events (Patrice Barrentine):**
 - Barrentine reviewed background on tonight's topic for Commissioners. This meeting is for Commissioners to ask questions of County experts. This is all tied directly to the land, protecting farmland in King County, and the Commission's role in trying to advise and balance economic opportunity for farms and rural areas with this WBD legislation proposal. Commissioners' high-level goals here are protecting farmland for farming and economic opportunity for farms so they can be profitable. The Commission may not get to a decision this evening. The timeline has been tight for this legislation, in part because King County aims to comply before July 1 as the GMHB has said, but KCC will not vote on this until end of June.
 - Review of what's happened as of this week: last week, the Commission executive committee met with Councilmember Sarah Perry and Perry's chief of staff Libby Hollingshead. The meeting focused on their vision, and how the Commission has thought about the legislation passed in 2019. The Commission has been involved in this from the beginning from the KCC and Executive sides. Roger Calhoon was on the initial task

force that informed the Sammamish Wine Study report published in 2017. Items the Commission previously supported included WBD 2s and 3s in an APD as an accessory, and requiring 60% of ingredients to be grown on site. Also last week, the Commission’s policy and land committees met and drafted a letter, to discuss or act on if the Commission is ready. The deadline is the end of June.

- **King County Agriculture Program (Richard Martin):**
 - The program is trying to get farms up and ready for production this year. Focus has been on infrastructure improvements, soil improvements, wildlife fencing to prevent deer/elk depredation, installing extensive irrigation systems on several farms, and launching design/permitting phases for several farm buildings.
 - All staff make progress in their respective areas. More land has been encumbered with Farmland Preservation Program (FPP) easements. Eric Beach continues work for farmland owners with regulatory permitting issues.
- **King Conservation District:** There was no update on this item.
- **Local Food Initiative:** There was no update on this item.
- **WSU CSANR:** There was no update on this item.
- **King-Pierce Farm Bureau (Leann Krainick):**
 - Zippy Duvall, American Farm Bureau Federation president, is in town today and tomorrow. Duvall has been instrumental in developing farm bill policies, and KPFB is hosting an informal meet and greet at Sterino Farms before he heads to the airport. Everyone who farms in King/Pierce Counties is invited.
 - Scholarship applications are due April 30; applicants must be FB members pursuing a Bachelor’s degree.
- **Farm Fish Flood 2.0 (Richard Martin):**
 - The Implementation Oversight Committee (IOC) has created a comp plan committee led by Angela Donaldson from Fall City. Their main question is defining completion of a watershed plan. The comp plan began to outline a process for watershed planning with the Snoqualmie Valley as the initial focal area, but was not specific on what constituted plan completion. This committee is drafting language for this update to allow us to understand what the “finish line” looks like. They’re also talking on what should be done to develop/ensure a clear process going forward to review all projects with potential farmland impacts. DNRP instituted major revisions in the way it approaches land acquisition and land use planning as a result of FFF, and people want that memorialized in the comp plan. Lastly, the committee wants to ensure commitment to implementation and follow-up on the initial 42 action recommendations from FFF 1.0.
 - To ensure adequate public and stakeholder input and out of respect for the busy farming season, the completion date for the Agriculture Strategic Plan has been pushed to 2nd quarter of 2023.
 - Lauren Silver, new director of SVPA, is the newest IOC member representing the agriculture community.
 - Looking on accomplishments of FFF, it’s good to recognize the successes, a few directly benefiting farming:
 - The revision to project reviews within DNRP, starting at acquisitions all the way through plan development and implementation. DNRP is looking to expand on that process to ensure adequate stakeholder engagement, and part of that is through the land committee of the Commission.
 - Eric Beach leads development of *Farm Practices Illustrated*, a document series addressing regulatory and permitting issues relevant to farmers and farmland owners. They’ve finished issues related to: farmworker housing, agriculture buildings and drainage – all on FarmKingCounty.org. New issues every quarter or so.
 - Progress on both Cherry Creek and Griffin Creek pilot projects, developed to try to find pathways for drainage-related work that has significant habitat improvement value, and flood reduction benefits on waterways that are outside the normal ADAP landscape. There’re a couple of pathways to implementing projects; Eric Beach is working with DNRP, DLS, and local partners to find a path to implement these multi-benefit projects within the current regulatory landscape.
 - Received major funding for a 2D hydrological model for the Snoqualmie Valley, which will directly connect with modeling in Snohomish County and allow a more accurate look at flood impacts and infrastructure development in the Valley.
 - DNRP has implemented an Integrated Drainage Program that brings all drainage work under one umbrella.
 - Established clear measures of success to demonstrate progress made on the 42 action recommendations from FFF 1.0. It gives real benchmarks on which to measure progress being made.

New Business: Remarks from Councilmember Sarah Perry’s Office (Libby Hollingshead, KCC Staff)
Sarah Perry is the newly elected Councilmember representing District 3 on the King County Council (KCC). Libby Hollingshead, Perry’s chief of staff, gave a few remarks from the Councilmember’s office regarding the proposed WBD legislation, otherwise known as WBD 19030.

Councilmember Perry is aware of the Commission’s work on recommendations for WBD 19030 and is grateful to engage and provide feedback again. Perry recognizes WBDs as economically important small businesses but also that agricultural/rural lands must remain protected, and has been working on charting a solution for this since before being sworn in in January 2022. The Councilmember’s work stresses four main principles:

- Protecting and preserving rural areas and farmland in King County;
- Strengthening environmental and conservation practices of natural resources;
- Upholding the Growth Management Act (GMA); and
- Providing clear and consistent regulations for businesses.

Perry has met with business owners, stakeholders, and community members who wish to engage on this issue, for a solution that culminates varying community interests. Perry has been working with the Prosecuting Attorney’s Office to ensure concerns the GMHB have with WBD 19030 are addressed. Perry’s office is working with Permitting, code enforcement, and the hearing examiner to ensure clear, enforceable regulations.

Councilmember Perry met with a few Commissioners and County agriculture staff last week and welcomes the opportunity to meet with each Commissioner in coming weeks to introduce herself, hear about their work, find areas of partnership, and hear thoughts on how to protect farmland and resources through this and other ordinances.

New Business: Briefing on WBD Legislation before KCC (Erin Auzins, Analyst at KCC)

The last ordinance KCC adopted on this issue was in 2019: WBD 19030. It was found invalid by the GMHB, who has set a compliance date of July 1, 2022. King County has appealed this decision to the Court of Appeals, but the timeline of that litigation is unknown at this time. Councilmember Perry is looking to make some policy changes to WBD 19030. The goal is two-pronged – to set the policy the KCC wants to adopt, and to meet the July 1 deadline.

There are two ordinances from Councilmember Perry and one from Councilmember Dembowski. They have been referred to KCC’s Local Services and Land Use (LSLU) committee, briefed on March 22. The goal now is to make recommendation to full KCC at April 26’s LSLU committee meeting. Then comes the Public Hearing notice, which takes about 50 days, with a public hearing June 14, and potential adoption of the first ordinance June 21 or June 28.

The first ordinance from Perry (2022-0146, known as Ordinance 1) is most substantive, modifying 19030. The second (2022-0147, known as Ordinance 2) makes a few more changes. These are separate ordinances due to timing of the GMHB’s compliance date, and need for more SEPA analysis. The third, 2022-0148 (Ordinance 3), from Dembowski, is to rescind and repeal WBD 19030, and revert language to what it was before. Auzins reviewed in more depth some changes outlined in the three proposed ordinances. KCC staff are working on amendments to the proposals, with a striking amendment for them coming likely next week.

Commissioner Q & A:

- **Q:** Could you go to the rescind and repeal ordinance and give a high level of what the pros/cons would be?
Jim Chan: Most challenging is we’re in limbo. The old code is not in effect, current code is in appeal. We don’t know what will pass. It depends on outcome of hearings board appeal, and if there is a replacement ordinance. The old code was not specific; we lacked the tools and ability to challenge. That’s why the County tried to amend it.
- **Q:** What are the benefits of repealing?
Erin Auzins: I can’t speak to the Councilmember’s intent, but if adopted, I think our attorneys would try to argue the GMHB doesn’t have jurisdiction to review it, and this would get us out of litigation.
- **Q:** Could you define “grandfathering”? How many would be grandfathering, and when would that go away?
Ty Peterson: The term is “legal non-conforming use.” If you have a permit to establish a use, you were legally established. But some uses don’t require permits. The test becomes, when can you demonstrate you started a business that didn’t require a permit; if you can demonstrate this, and now the code is different, you’re still considered a legal non-conforming use. There are pages of code related to non-conforming uses, buildings, sites.
- **Q:** How many businesses meet these criteria?
Ty Peterson: Somewhere between 6-10 for sure, but there’re a number that are not legal non-conforming; we’re waiting to see which codes we’ll need to apply. Each case is very specific.

Briefing on Enforcement of WBD Legislation before KCC (Jim Chan, Ty Peterson, KC DLS)

Jim Chan is King County Department of Local Services’ (DLS) Permitting Division Director. Chan said their overall intent has always been to have an enforceable code. For this, they need tools and code language that will allow their officers to easily identify violations. The previous code was so vague that officers couldn’t tell, even if they were on-site. The intent of 19030 is to identify clear boundaries to visually determine a violation. When involving production, a

percentage of things produced on site, this gets into things like ingredients, or how a process works, and is a more difficult realm. This means DLS needs SMEs with skills and tools to identify criteria to cite enforcement cases.

Chan further explained DLS has a new tool they hope will be of benefit, a County-imposed business license. This is different from a WA state liquor license. DLS hopes this license will enable business operators to identify what they're doing on-site, and this can be used on an annual basis to review, rate, determine if they are in compliance. If they aren't, DLS would remove that license and their permission to operate.

Ty Peterson is a product line manager for DLS' Permitting Division. Peterson said DLS prioritizes enforcement based on clear and present public health and safety issues, and irreparable environmental damage. Due process is also a consideration. Enforcement can be frustrating because there are appeal rights, even administrative appeal rights, that someone who is cited can go through.

Commissioner Q & A:

- **Q:** Could you compile a list of conditions that are easy to enforce? This would help those of us who aren't SMEs.
JC: Sure, we could put a list together.
TP: Examples of easy-to-enforce situations are objective criteria. What's key to the current and proposed code is prohibition of this as a home occupation; this is the difficulty in enforcement currently.
- **Q:** We're all interested in saving farmland – is this code for all agricultural lands in King County?
EA: This code would prohibit misuse in all agricultural zones.
- **Q:** Would any areas be treated differently?
EA: There are some exceptions, such as Vashon-Maury Island (since some water uses in the ordinance wouldn't apply there), and properties that have historic resources.
- **Q:** About the water on Vashon – they can use wells?
EA: Smaller WBDs can. Ordinance 1 would prohibit distilleries in enclosed basins, based on DOE water withdrawal requirements and instream flow rules. This would also require midsize WBD 2s to be connected to Group A or Group B water, but this wouldn't apply on Vashon.
- **Q:** I remember talk of funding for enforcement of WBDs, or was it specific to the Sammamish Valley? Funding-wise, are there additional things you need that the Commission might want to look at for enforcement?
JC: 19030 allowed two County positions to be hired – an attorney to work through litigation, and a dedicated code enforcement officer for the Sammamish Valley. These were hired in anticipation of the ordinance passing, but are in limbo due to the appeal. There's also an annual consultant budget to educate businesses on the new codes.
- **Q:** Is there any site planning along with the consulting – to help small businesspeople comply?
JC: Before we passed the ordinance, there was someone who toured all Sammamish Valley wineries and provided information on the upcoming ordinance – how it would affect them, what it would mean for permitting, assisting in any changes they'd need to go through. This person gave us detailed feedback on each establishment. Our hope was when the ordinance passed and applications began coming in, and interested business owners wanted to come into compliance, this consultant would help along with our permitting team. But we've been in limbo ever since.

Proposed KCC Letter on Ordinances 2022-0146, 2022-0147, & 2022-0148 (Kevin Scott-Vandenberg)

Patrice Barrentine reminded Commissioners that this draft letter to Councilmember Perry in today's packet is a chance to delve into and comment on these issues. Barrentine laid out options for the Commission: adopt the letter as written, make changes, or designate a committee to finish it. Councilmember Perry chairs KCC's LSLU committee. If the Commission agrees on a letter by the LSLU committee's April 26 meeting, this is what would be sent. Barrentine reviewed what the Commission supported in 2019 in regulating WBD establishments, and high-level points of concern in each of the three proposed ordinances.

Commissioner Q & A:

- **Q:** How do WBDs differ from tasting rooms/retail sales by these ordinances; what impacts do these have on both?
EA: "Remote tasting room" is an endorsement on a state liquor license, adding to a production license. It's not a production license on its own. None are retail establishments like bars or restaurants. Remote tasting rooms would only be allowed in community business and regional business zones, and would not be allowed separately from production in rural area zones. WBDs are facilities with on-site production.
- **Q:** The overlays on Vashon and Fall City – those are community business zones?
EA: Those aren't overlays, we changed that – the use in those rural towns is like other types of either liquor sales or eating/drinking places; we've taken them out of the tasting room demonstration projects and changed zoning.
- **Q:** The current code would not allow for new solely-remote tasting room operations to occur in the rural areas? On-site production would be required for that establishment to exist?

EA: Correct.

- **Q:** And there's no grandfathering in, as previously questioned?

EA: Probably not. If they could prove at one time they were producing, and potentially a home occupation, they might make an argument. But if they were only a tasting room and never had production, they were never legal.

- **Q:** Will SEPA and EIS processes be more outlined in the new ordinance? A lack of these on the overlay projects was part of why the old code was invalidated.

EA: We did a new SEPA checklist in November 2020, and a new threshold determination was issued in January 2021. This hasn't been completed yet. The first proposed ordinance is within the scope of that updated 2020 checklist and the associated threshold; the second ordinance would require a separate SEPA process.

- **Q:** Those happen prior to the passing of the ordinance?

EA: Yes.

The Commission opted to review the full draft letter point-by-point to remedy any potential concerns. The Commission made it through several points before Chair Scott-Vandenberg noted the remaining time in tonight's meeting was not sufficient to complete this process, and asked for guidance on how to proceed. Patrice Barrentine said a Commissioner could motion for action such as appointing a subcommittee to complete the letter, or holding a special Commission meeting. Richard Martin pointed out any letter drafted by a subcommittee needs to be voted on by a quorum of the full Commission, which makes meeting the April 26 LSLU committee deadline difficult.

Chair Scott-Vandenberg proposed a special full Commission meeting to achieve quorum and speed processing this letter to meet the April 26 deadline. Darron Marzolf made a motion to this effect. Andrew Ely seconded the motion, which passed unanimously. Chair Scott-Vandenberg will work with Barrentine to send out an invitation, noting the Commission should push the letter for a vote at the special meeting. Barrentine asked if anything in the letter was enough to halt sending the letter if further timing issues arose. No one voiced objections.

Public Comment – General (Kevin Scott-Vandenberg)

There were several public comments:

- **Dominique Torgerson:** I don't think it's reasonable to specify production gauges for these businesses. There's no other business where the County specifies how much product you can make. Why are we the only type otherwise now limited? If there are going to be specific requirements, they're not going to make sense for WBDs, and thus make it where we're not allowed to be successful. Another thing is that if the County wants a general business license for unincorporated areas, that's one thing. But if it's alcohol-specific, that violates RCW 66.08.120.
- **Joe Ridley:** I'm supportive of protecting farmlands, land environment, water quality, and want to make sure it's fair across the board. When families have farms also doing production, and if they want to do wine/beer etc., I think they should have the ability to do that. Why do this for wine but not other agricultural processes that are supporting agriculture across the whole state? I think WBDs should have the same consideration. It's important that when we look at regulations, they're fair across the board and not singling anyone out.
- **Deloa Dalby:** The Sammamish APD is 1,082 acres, all zoned agricultural. The seven businesses targeted in this issue total 22 acres and have never been zoned agricultural. They're bifurcated by a major arterial. That represents two percent when you compare it to the total APD. This is a drop in the bucket and for this to be such a subject of focus for just two percent, it really seems there's been a spotlight placed on these businesses.

Concerns of Commissioners (Kevin Scott-Vandenberg)

Patrice Barrentine told Commissioners to tentatively hold next Thursday evening for a special Commission meeting.

Meeting adjourned at 8:03 pm

Next Meeting(s)

May 12, 2022, 6:00 pm to 8:00 pm (Zoom Video Conference Call)



King County
Water and Land Resources Division
 Department of Natural Resources and Parks
 King Street Center
 201 South Jackson Street, Suite 5600
 Seattle, WA 98104-3855
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King County Agriculture Commission
DRAFT Meeting Minutes
Thursday, May 12, 2022 – 6:00 pm to 8:00 pm
Zoom Video Conference Call

Commissioners Present (Y/N)					
Kevin Scott-Vandenberg, Chair	Y	Andrew Ely	Y	Shelley Pasco	Y
Darron Marzolf, Vice-Chair	Y	Lily Gottlieb-McHale	N	Henry Wong	Y
Jessi Bloom	Y	Janet Keller	Y		
Roger Calhoun	N	Nayab Khan	Y		
Ex Officio Members Present (Y/N)					
Jordan Jobe, WSU	N	Carrie King, KCD	N		
County Staff/Representatives Present					
Patrice Barrentine, DNRP	Richard Martin, DNRP		Megan Moore, DNRP		
Guests Present					
Henna Khan	Dane Scarimbolo		Dominique Torgerson		
Leann Krainick	Stacey Smith				

Meeting Summary

- **Actions: Approvals of Agenda, Advisory Letter to KCC on WBD Legislation**
- **Old Business: Commission, Policy, County, & Agriculture Organization Updates**
- **Discussions: WBD Legislation Before KCC**

Meeting called to order by Chair Kevin Scott-Vandenberg at 6:03 pm

Roll Call/Announcement of Staff & Public (Kevin Scott-Vandenberg)

Roll call of Commissioners and announcement of staff and public guests was done via Zoom’s chat function.

ACTION: Approval of Meeting Agenda (Kevin Scott-Vandenberg)

Darron Marzolf motioned to approve the agenda as-is. Janet Keller seconded the motion, which carried unanimously.

Approval of April 2022 Meeting Minutes (Kevin Scott-Vandenberg)

Review and approval of these minutes has been postponed until July’s meeting.

Public Comment – General

Chair Scott-Vandenberg moved general public comment to the front of the agenda for tonight’s meeting. There was one general public comment:

- **Leann Krainick** reported that the pending DLS permit on their property spoken about in April’s meeting had been issued and construction would begin on the new structure in the next month. Krainick advised that DLS Permitting be included in the planned summer Commission tour; Krainick is working with DNRP and DLS to improve the County’s permitting process.

Public Comment – Related to Specific Agenda Item (Kevin Scott-Vandenberg)

There was one public comment during this period:

- **Dominique Torgerson:** We appreciate you’re looking into the licensing part of it, as there’s a big conflict there. One thing about the 20% retail space requirement: I don’t think anyone has right to limit the space in our buildings, it’s our business that’s limited, our sales area. Are we limiting farm stands? If we have square

footage, we should be able to operate it all, not be dictated percentages of what to use. Having been part of this from the beginning and before – we can't stress how unfair the ordinance is to our business. We talked to Councilmember Dunn's office to stress this to them – the way this ordinance is worded does not lead to success for business. We might as well not start anything. There is no understanding of what our businesses are, in that WBDs got all looped together when it was just wineries to start with. Our ingredients make us different. Our processes and timing are different from wine, but we're all looped together because of alcohol.

Old Business – Updates

- **Commission Details/Agriculture Policy & Events (Patrice Barrentine):**
 - Claire Dyckman, Barrentine's predecessor as Commission staff liaison at King County, passed away recently. Dyckman was praised for great work and advocacy for King County agriculture and for helping bridge a gap between fish and farm interests, part of what created the FFF process.
 - Fereshteh Dehkordi, DLS' ex officio representative on the Commission, retired in April. Barrentine is working with DLS to select a new representative.
 - King County Council (KCC)'s Local Services and Land Use (LSLU) committee is scheduled to vote on the WBD ordinance on May 24, with a full KCC hearing June 14.
 - WSU Food Systems Program has a new director, Dr. Marcia Ostrom, who has done extensive work with immigrant and POC farmers in WA state.
 - WSU is sponsoring a webinar on soil conservation research on May 20.
 - Avian influenza outbreaks have been documented in the region, as close as Pierce County. Anyone who sees sick or dead birds is advised to contact WSDA or WDFW.
 - Next issue of the Local Food Initiative (LFI) newsletter will feature the Commission, including an interview with Chair Scott-Vandenberge and Barrentine.
 - A survey of the Commission indicates Zoom is working well for meetings, however, the Commission may want to reconsider future meeting times.
- **King County Agriculture Program (Richard Martin):**
 - Martin spoke briefly on Claire Dyckman's passing, noting Dyckman was influential to his thinking of how King County needs to support its farming community, and someone to aspire to.
 - The unusually damp May weather has delayed getting the new tractor out onto King County owned farms, though it is believed the farms should be ready to go now.
 - There has been focus on a couple of projects for soil health improvement and climate friendly farming practices. King County is looking to broaden its support for sustainable agriculture practices on small farms in the County that've been somewhat challenged to adopt more climate friendly tools and methods. DNRP livestock coordinator Rick Reinlasoder manages a cost-share program to help farmers implement best stormwater practices. This is in partnership with KCD to reduce costs by up to 80%, and the high-tunnel program was recently upgraded as well. Martin suggested Reinlasoder, along with NRCS and KCD, speak to the Commission and get input on direction and possible improvements to the program.
- **King Conservation District:** There was no update on this item.
- **Local Food Initiative:** There was no update on this item.
- **WSU CSANR:** There was no update on this item.
- **King-Pierce Farm Bureau (Leann Krainick):**
 - Water is expected to be a major issue next legislative session, due to lack of rain in some areas.
 - KPFB has begun a "How to grow zucchini" program for kindergarten to third-grade students.
 - An "Agriculture in the Ballpark" is being held September 23 at Cheney Stadium in Tacoma. This will include fireworks and several agricultural activities. Information on tickets will be available on social media.
 - NW Farm Credit Services Board has a grant program for capital improvements for anyone in need, including agriculture projects.
- **Farm Fish Flood 2.0 (Richard Martin):** There is much discussion in caucuses on what should be in the coming revision to the County's comp plan. One critical issue is watershed planning, which in the current plan has only vague language. Key areas of focus include: clarity on when a plan is considered finished; what is the process to ensure all recommendations in those plans are implemented; what are targets for farmland protection (acreage vs. productivity)? There is a lot of attention to get a high level of clarity to set benchmarks and a finish line.

Discussion: WBD Legislation Before KCC (Kevin Scott-Vandenberge, Patrice Barrentine)

April’s planned special Commission meeting on this topic, due to lack of quorum, served as a committee meeting instead. The Commission will go through the draft letter tonight line by line. In the end, the Commission should be clear on what the letter should say and if it should be sent to advise on the WBD legislation.

New dates were noted for KCC action: May 11 (LSLU committee), May 24 (LSLU vote), and June 14 (full KCC hearing). Ordinance 2022-0149 (known in the prior meeting minutes as “Ordinance 3”), which would have repealed the WBD 19030 language, will die in committee and not go forward, but the other two ordinances put forth by Councilmember Perry modifying 19030 will go forward. Barrentine said May 11’s LSLU briefing had several components the Commission should focus on now: parcel analysis, liquor license conflict preemption, steps in production for alcohol making, and the new draft striker amendments.

Commission and public discussion covered several of these points, particularly concern over proposed 1,000-foot setbacks between WBD establishments and a 20% space limit per establishment for WBD retail sales in rural areas – and a trickiness in striking a balance between the Commission’s goal of protecting farmland and concern that such proposed rules may delve into overregulation.

Discussion: Draft Updated Letter on WBD Legislation (Kevin Scott-Vandenberg, Patrice Barrentine)

As the Commission reviewed the points in the draft letter, there was continued contention on the subject of 1,000-foot setbacks between rural area WBDs. While it was generally understood that the intent behind this proposal is to protect the rural character of rural area (RA) zones, several disagreed with the action itself or wanted more concrete data behind the reasoning. It was noted that not a unanimous vote, but a majority, is what is required for the Commission to send these advisory letters. However, if there is no majority, the Commission always has the option to not weigh in.

Patrice Barrentine reminded the Commission that its main goals are to protect farmland and economic development opportunities for King County farms, and framing the letter discussion this way had helped the committee focus at the April special meeting. Several Commissioners expressed desire for a strong stance on protections for rural areas, to discourage development of land that might otherwise be used for agriculture. Barrentine presented a simplified draft of the letter for review, and its points were each reviewed and voted on by the Commission for possible inclusion. Further discussion favored strengthening protections against WBD impacts in rural areas to match those in the APDs.

A motion was made, seconded, and approved by a majority of the Commission to send this letter to Councilmember Perry with the changes discussed here. Richard Martin asked to clarify if these discussed protections should apply to the entire RA or just areas zoned for agriculture. Martin added that as the Commission is charged to protect agriculture, they are justified in expanding into the RA to protect agriculture; the question is if all RA should be affected.

ACTION: Advisory Letter to KCC (Kevin Scott-Vandenberg)

In response to the discussion, Patrice Barrentine suggested repealing the prior motion, and adding a new sentence to the letter stating: “The Commission fully supports the protection of the rural areas from WBDs; from both the competing use on prime agricultural soils and the real estate speculation that costs farmers from being able to plan long-term and purchase zoned agricultural properties.”

Darron Marzolf made a motion in concurrence with this suggestion, seconded by Shelley Pasco. The Commission approved the motion with a vote of six in favor and one against. With this vote, it was noted that the letter is now ready for transmittal to Councilmember Perry’s office.

Concerns of Commissioners (Kevin Scott-Vandenberg)

There were two public comments given in response to the Commission’s vote:

- **Dominique Torgerson:** I find this very disappointing. No one here understands our industry. This is destroying us and I don’t understand how now one sees it. If this is not going to be allowed, it should be voted on by the entire county, as a petition on a ballot voted on by the public. The County also would not receive any funding from the state in regards to sales. I feel like all our input has gone in one ear and out the other. (Chair Scott-Vandenberg acknowledged that this issue is a “slippery slope” with many complications and said the Commission’s concern is that there’s no way to control retail sales in the APD and the RA.)
- **Dane Scarimbolo:** So many times, we’ve gone to all these jurisdictions and advisory bodies and no one gets it, this preemption of field by state issue. After five years, everyone’s thinking is still backwards in how to read these regulations. These are 100% agriculture-based businesses, and to not allow them here is disgusting. It feels like we’ve wasted several years convincing people to value us. (Chair Scott-Vandenberg replied that he understands Scarimbolo’s points and frustration, but that without some form of “micromanagement” of this industry, the whole landscape will change. He thanked Scarimbolo and Torgerson for their comments and invited them to return.)

Meeting adjourned at 8:18 pm

Next Meeting(s)

July 14, 2022, 6:00 pm to 8:00 pm (Zoom Video Conference Call)

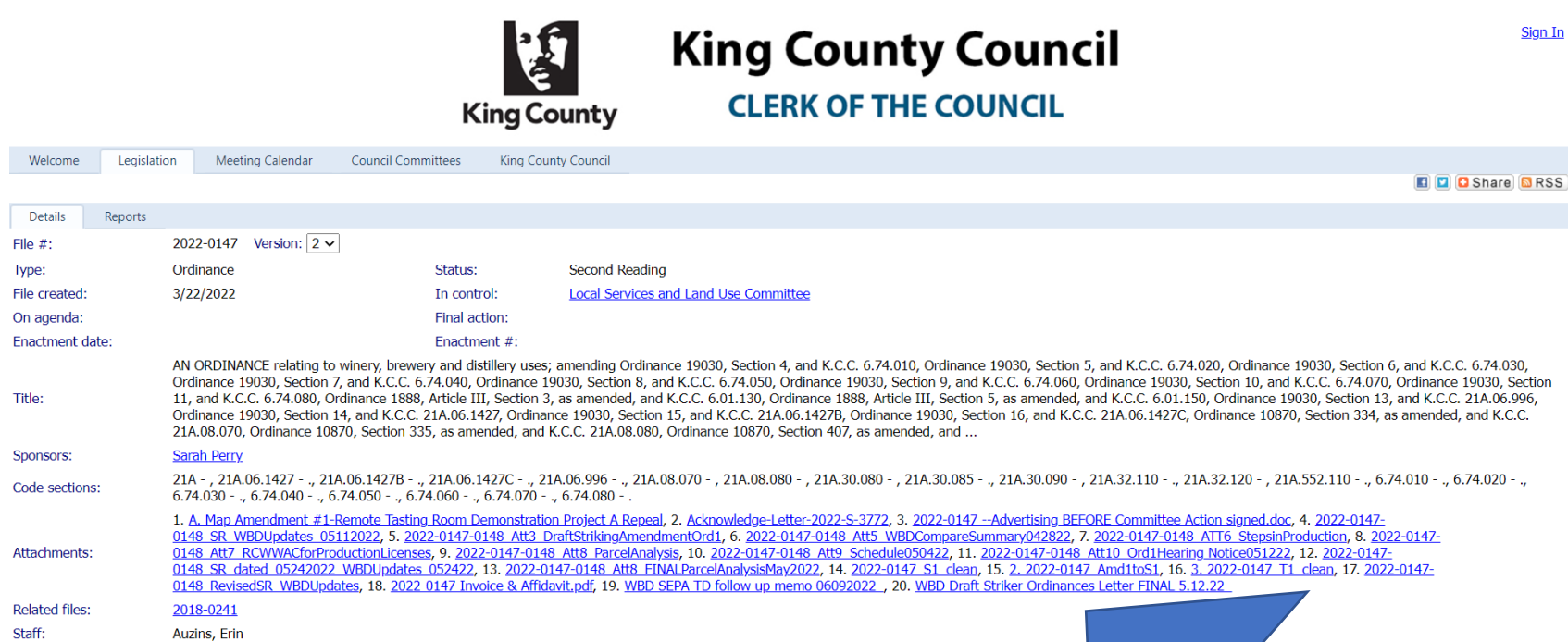


Legislation, Conferences, Events and Key Dates

REGARDING KING COUNTY *AGRICULTURE*

JULY 2022

WBD before Council June 14



King County Council
CLERK OF THE COUNCIL

Welcome | Legislation | Meeting Calendar | Council Committees | King County Council

Details | Reports

File #: 2022-0147 Version: 2

Type: Ordinance Status: Second Reading

File created: 3/22/2022 In control: [Local Services and Land Use Committee](#)

On agenda: Final action:

Enactment date: Enactment #:

Title: AN ORDINANCE relating to winery, brewery and distillery uses; amending Ordinance 19030, Section 4, and K.C.C. 6.74.010, Ordinance 19030, Section 5, and K.C.C. 6.74.020, Ordinance 19030, Section 6, and K.C.C. 6.74.030, Ordinance 19030, Section 7, and K.C.C. 6.74.040, Ordinance 19030, Section 8, and K.C.C. 6.74.050, Ordinance 19030, Section 9, and K.C.C. 6.74.060, Ordinance 19030, Section 10, and K.C.C. 6.74.070, Ordinance 19030, Section 11, and K.C.C. 6.74.080, Ordinance 1888, Article III, Section 3, as amended, and K.C.C. 6.01.130, Ordinance 1888, Article III, Section 5, as amended, and K.C.C. 6.01.150, Ordinance 19030, Section 13, and K.C.C. 21A.06.996, Ordinance 19030, Section 14, and K.C.C. 21A.06.1427, Ordinance 19030, Section 15, and K.C.C. 21A.06.1427B, Ordinance 19030, Section 16, and K.C.C. 21A.06.1427C, Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070, Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080, Ordinance 10870, Section 407, as amended, and ...

Sponsors: [Sarah Perry](#)

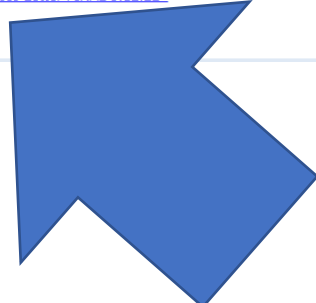
Code sections: 21A - , 21A.06.1427 - , 21A.06.1427B - , 21A.06.1427C - , 21A.06.996 - , 21A.08.070 - , 21A.08.080 - , 21A.30.080 - , 21A.30.085 - , 21A.30.090 - , 21A.32.110 - , 21A.32.120 - , 21A.552.110 - , 6.74.010 - , 6.74.020 - , 6.74.030 - , 6.74.040 - , 6.74.050 - , 6.74.060 - , 6.74.070 - , 6.74.080 - .

Attachments: [1. A. Map Amendment #1-Remote Tasting Room Demonstration Project A Repeal](#), [2. Acknowledge-Letter-2022-S-3772](#), [3. 2022-0147 --Advertising BEFORE Committee Action signed.doc](#), [4. 2022-0147-0148 SR_WBDUpdates_05112022](#), [5. 2022-0147-0148 Att3 DraftStrikingAmendmentOrd1](#), [6. 2022-0147-0148 Att5_WBDCompareSummary042822](#), [7. 2022-0147-0148 ATT6_StepsinProduction](#), [8. 2022-0147-0148 Att7_RCWWACforProductionLicenses](#), [9. 2022-0147-0148 Att8_ParcelAnalysis](#), [10. 2022-0147-0148 Att9_Schedule050422](#), [11. 2022-0147-0148 Att10_Ord1Hearing_Notice051222](#), [12. 2022-0147-0148 SR_dated_05242022_WBDUpdates_052422](#), [13. 2022-0147-0148 Att8_FINALParcelAnalysisMay2022](#), [14. 2022-0147_S1_clean](#), [15. 2. 2022-0147_Amd1toS1](#), [16. 3. 2022-0147_T1_clean](#), [17. 2022-0147-0148 RevisedSR_WBDUpdates](#), [18. 2022-0147 Invoice & Affidavit.pdf](#), [19. WBD SEPA TD follow up memo.06092022](#), [20. WBD Draft Striker Ordinances Letter FINAL 5.12.22](#)

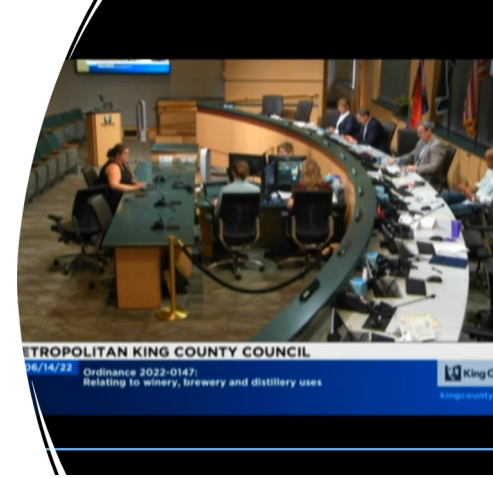
Related files: [2018-0241](#)

Staff: Auzins, Erin

Ag Commission's letter in the meeting record.



WBD before Council



Overview of Legislation & Hearing from June 14 Council Meeting

- Features of legislation (some highlights from Council staff in mtg)
 - Repeals Overlay A
 - No WBDS in A zones
 - Adding significant new requirements for WBDs in the rural area zones including
 - Requiring 3 steps of production onsite, including 2 active stages
 - Lowering the allowance for onsite tasting and retail
 - Limiting the hours of operation and
 - Limiting incidental retail sales by % of retail space and % of gross revenue
 - Prohibiting WBDs in areas that are closed to new groundwater withdrawals by ECY
 - Requiring Group A or Group B water connections
 - Requiring the use of commercial septic systems and prohibiting the hook up to sewer
 - TUP 1 event/month; halves # of guests from previous legislation
 - Technical support and contact with WBDs

WBD before Council June 14

**Josh Baldi, Director of DNRP
Water and Land Division**

Highlighted

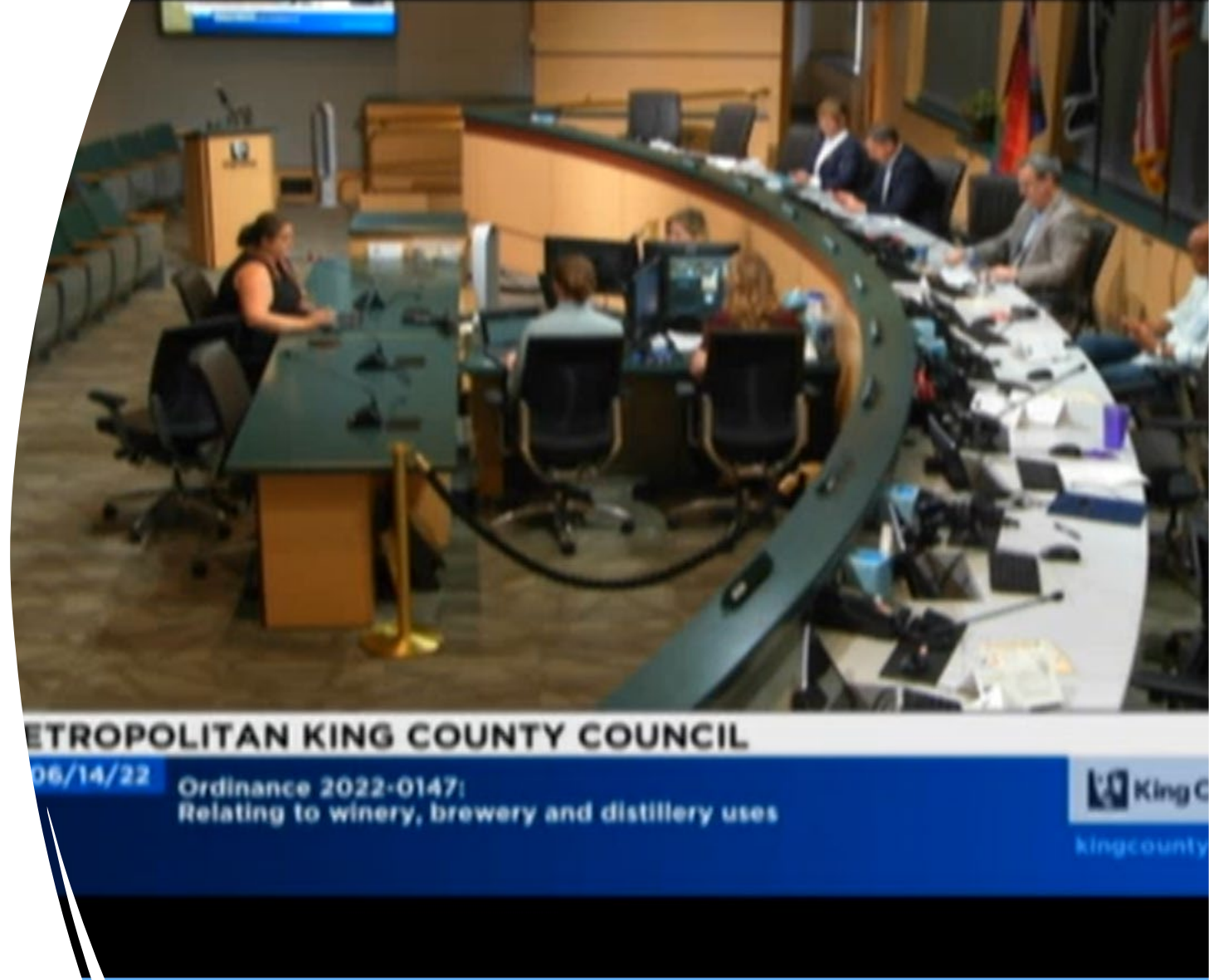
- Fish and
- Agricultural needs
- Ag Commission letter key points
- [1:18:33-1:23:46](#)



WBD before Council June 14

Timeline for next steps

- Striking amendment deadline 6/14 5pm
- Striking amendment shared with council Thursday am (6/16)
- Line amendment due Friday 8am (6/17)
- All amendments made public by 6/20 end of day
- June 21 Council vote
- June 28, Council vote, if courtesy delay



WBD before Council
June 21 and June 28

Agriculture Commission Testifies

- June 21, Chair Kevin Scott read from the Commission's letter
- June 28, Before Council for vote; kicked back to committee



METROPOLITAN KING COUNTY COUNCIL

06/14/22

Ordinance 2022-0147:

Relating to winery, brewery and distillery uses

King C

kingcounty

Next Steps

- [DLS Draft Proposed WBD Moratorium](#) extension was open for public comment; will be finalized and transmitted to Council in **September**
- Court case still pending
- Local Services Committee may take further action



METROPOLITAN KING COUNTY COUNCIL

06/14/22

Ordinance 2022-0147:
Relating to winery, brewery and distillery uses

June 28: Commissioner Andrew Ely, interviewed by King 5 (representing himself, not the commission)

King County Council considering ordinance preventing wineries from expanding onto farmland

The King County Council was supposed to vote on an ordinance that would impact farmers and businesses, but instead of a yes or no, it's going back to committee.



In Honor of Service: Commissioners Roger Calhoon, Lily Gottlieb- McHale

Roger
Calhoon



Lily
Gottlieb-
McHale



Roger has served twice on the Agriculture Commission, from 2002-2009 and from 2015 to 2022, a total of 14 years!



Lily has served on the Agriculture Commission, from November 2018-May 2022, and hosted the commission's field trip at her farm in August 2018.

[Watch the video.](#)

How a beaver boom is reshaping floods and fire

Jen Vanderhoof, a senior ecologist with the Water and Land Resources Division of the Department of Natural Resources and Parks, was recently interviewed for a story on beavers. The video was produced by [Grist](#), a non-profit, independent media organization focused on covering climate solutions.



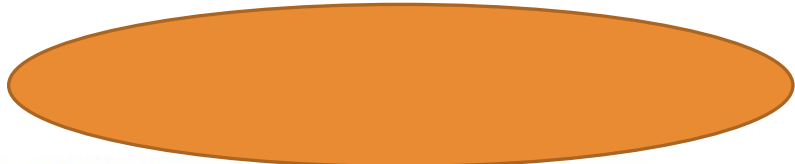
The piece highlights how [beavers](#) may offer real protection against climate impacts like flooding and wildfires, if people can learn to live with them. [Watch the video.](#)

Also featuring David
Haakenson, Jubilee Farms



JULY 14 - 17, 2022

2 days Until the King County Fair!



ABOUT US EVENTS KING COUNTY FAIR VENUE RENTALS EXPO CAMPGROUND GET INVOLVE!



4-H YOUTH EXHIBITS

A LIVESTOCK BARN - PIGS, LLAMAS, ALPACAS, GOATS, BEEF, POULTRY, AND CATS

B OPEN CLASS, DEMOS, GRANGE EXHIBITS & 4-H STILL LIFE

C CONCESSIONS

D SMALL ANIMALS - RABBITS AND CAVIES

E SHEEP

F HORSE BARN

G RAINIER ARENA



FRIDAY 6 PM

ROUGH STOCK RODEO & RODEO CLOWN BULLFIGHTING COMPETITION



SATURDAY 11 AM

BARREL RACING EVENT



SUNDAY 12 NOON

KING COUNTY JUNIOR LIVESTOCK SHOW



FOOTHILLS FIBER FEST



ANTIQUE TRACTORS



JURIED ART SHOW



LONGHORN STEERS

MAINSTAGE



THURSDAY

ANDY BURNETT | 11AM
KEVIN JONES | 2PM
THE OLSON BROS | 5:30PM

FRIDAY

RANGER & THE REARRANGERS | 11AM
KEVIN JONES | 2PM
JOEL GIBSON | 4PM
BRYCE KING & AARON SALIBA | 6PM
THE BEATNIKS | 7PM

SATURDAY

SAMMY STEELE BAND | 11AM
BOONDOCK BOYS | 2PM
SOUTHBOUND | 5PM
BOOT BOOGIE BABES | 6:15PM
AARON CRAWFORD | 7PM

SUNDAY

COWBOY CHURCH | 9AM
SOUTHBOUND | 10:30AM
THREE TRICK PONY | 12:30PM
KAITIE WADE | 3PM

~ ATTRACTIONS - MULTIPLE SHOW TIMES DAILY ~

01 BMX PRO STUNT TEAM

02 JETCITY FMX STUNT RIDER

03 MUTTON BUSTIN'

06 PIRATES OF THE PLATEAU

07 THE PIRATE PARROT SHOW

08 PROFESSOR BAMBOOZLE

LOCAL FOOD

Initiative News



KING COUNTY Department of Natural Resources and Parks

**May/June issue featured the
Ag Commission; interview
with Chair, Kevin Scott and
staff liaison, Patrice
Barrentine**

<https://kingcountygreen.com/2022/06/03/king-county-agriculture-commission-offers-opportunities-to-take-an-active-advisory-role-in-the-development-and-evaluation-of-policies-affecting-agriculture/>

King County Agriculture
Commission offers
opportunities to take an active,
advisory role in the
development and evaluation of
policies affecting agriculture

June 3, 2022

Sign up
for our
newsletter

LOCAL FOOD

Initiative News



KING COUNTY Department of Natural Resources and Parks

*July issue features
King County's 39 Farmers
Markets*



2022

FARMERS MARKET LIST

EAST KING COUNTY	NORTH KING COUNTY
Bellevue Farmers Market May 21 – Oct. 6	Kenmore Farmers Market June 1 – Aug. 31
Carnation Farmers Market June 7 – Aug. 30	Lake Forest Park Farmers Market May 8 – Oct. 1
Crossroads Farmers Market June 7 – Sep. 27	Shoreline Farmers Market June 4 – Oct. 1
Duvall Farmers Market May 5 – Oct. 13	Woodinville Farmers Market May 7 – Sept. 24
Issaquah Farmers Market May 7 – Sep. 24	
Juanita Friday Market June 17 – Sep. 30	
Kirkland Wednesday Market June 1 – Sept. 28	
Mercer Island Farmers Market June 5 – Sept. 25	
North Bend Farmers Market June 9 – Sept. 8	
Redmond Saturday Market May 7 – Oct. 29	
Sammamish Farmers Market May 4 – Sept. 14	
SOUTH KING COUNTY	SEATTLE AREA
Auburn Farmers Market June 5 – Sept. 18	Ballard Farmers Market Jan. 2 – Dec. 18
Burien Farmers Market Jan. 13 – Dec. 22	Capitol Hill Farmers Market Jan. 2 – Dec. 18
Des Moines Waterfront Farmers Market June 4 – Sept. 24	Columbia City Farmers Market May 4 – Oct. 13
Enumclaw Plateau Farmers Market ... June 2 – Sept. 29	Lake City Farmers Market June 16 – Oct. 6
Federal Way Farmers Market May 7 – Oct. 29	Madrona Farmers Market May 13 – Oct. 21
Kent East Hill Farmers Market June 4 – Aug. 27	Magnolia Farmers Market June 4 – Oct. 15
Maple Valley Farmers Market May 7 – Sept. 24	Phinney Farmers Market June 3 – Sept. 30
Renton Farmers Market June 7 – Sept. 27	Pike Place Market, First Hill June 3 – Sept. 27
Tukwila Village Farmers Market June 22 – Oct. 12	Pike Place Market, South Lake Union June 9 – Sept. 29
Vashon Island Farmers Market April 16 – Oct. 29	Queen Anne Farmers Market June 4 – Oct. 15
	Delridge Farmers Market May 13 – Oct. 22
	University District Farmers Market ... Jan. 1 – Dec. 31
	Wallingford Farmers Market May 25 – Sept. 28
	West Seattle Farmers Market Jan. 2 – Dec. 18



Bindweed and other weeds on farm

- Commissioner Nayab Khan's [video](#) showing the problem
- King Conservation District, Farm Program Manager, ex officio commissioner, Carrie King
- **Steven Burke, King County Noxious Weed Program Manager**

Here's more info on bindweed and eradication from the WA State Noxious Weed Control Board:
<https://www.nwcb.wa.gov/weeds/fieldd-bindweed>



<https://your.kingcounty.gov/dnrp/library/water-and-land/weeds/WeedLists/2021-King-County-Noxious-Weed-List.pdf>