

WHITMAN COUNTY
VOLUNTARY STEWARDSHIP PROGRAM MEETING
September 1, 2016
3:00 p.m.

MEMBERS:

Alan Thomson
David Lange
Jeff Pittmann
John Pearson
Jon Jones
Tracy Eriksen
Larry Cochran

Art Swannack
David Swannack
Joan Folwell
John Stuhlmiller (Phone)
Kim Weerts
Nancy Belsby

Contractors: Ben Floyd, Anchor QEA, John Small, Anchor QEA, Vivian Erickson, Anchor QEA (Phone)

Staff: Elinor Huber, Office Assistant, Katrin Kunz, Assistant County Planner

Audience: Brad Johnson, Palouse Conservation District; Dan Harwood, Tom Kammerzell, Mark Storey

3:07 p.m. – Ben Floyd opened the meeting.

Ben Floyd – We have three people on the phone. We have Bill Eller, Conservation Commission, John Stuhlmiller, Farm Bureau, Vivian Erickson, Seattle office.

We have a power point presentation that we have put together to guide this discussion but we will hand out copies before we get started. First of all, we are having a WebEx today; you just don't have to participate in it. That was a joke. We tried that format and we probably won't use it again. We will be here in person working with you and glad to be here.

So, we had a conference call with the subcommittee that went over different conservation measures and discussed Ag viability. We don't have recommendations coming out of that group process, we do have feedback and want to share that with you so you know exactly what was covered. We also emailed out the notes to everybody.

Then we want to have a round table discussion which is basically to give you an opportunity to share feedback, observations, comments, ask questions about where we are and give us any feedback. We will capture that feedback. The reason why we decided to go ahead and put the roundtable discussion up front is because I felt the frustration in some of the last calls and I want to make sure if you have any concerns we want to know about those; we want to be able to work on adjusting those.

Once we have the discussion, then we will go specifically into work plan elements and talk about what we developed, the Ag practices and conservation measures, framework that we discussed with the subcommittee. We will look at a specific example that is somewhat hypothetical but could be possible in Silver Creek. I would like to thank Jon Pearson for the time he spent with us, the information he shared

with us on his property. He will share today a way the VSP can be applied on a piece of property. The program that you will develop as we envision it.

Then we will conclude with next steps as outlined in the topics for the next couple of meetings. Any questions about the agenda?

Okay, here are some of the things we heard. You loved the WebEx format and you want more. Where did I hear that? I heard it from Tracy. He isn't here today.

David Swannack – Tracy is very good at that. It fit him perfectly; it just won't fit me.

Ben Floyd – That is totally fine. It was funny that we had a meeting in Lincoln County right after that one and we thought we were going to get kicked in the shins but actually it worked great. But anyway, so enough on that. We also reviewed baseline conditions for Union Flat Creek. You asked us to see an example case study so we put one together for you today.

You asked to get a list of conservation practices that are being implemented by the Conservation District. You also wanted to see an example of a VSP checklist so we have that information. At the July subcommittee meeting we reviewed some of that information put together by the Conservation Districts. We identified some information that we had organized and we organized it by different types of Ag. I don't know if "ag activities" is the right terminology but conservation measures are common to all Ag lands. Then some that are more specific to dryland irrigated or range land conditions. Also, how conservation practices address Ag liability.

With the subcommittee we talked about the pros and cons of a more comprehensive list of conservation measures versus a list of measures that are only applicable to Whitman County, either to dry land, range land or irrigated ground. So, the more tools we identified and it's not like we are limited but potentially the more options that people have for implementing conservation practices the better. If we try to get too specific we could hit and miss something; we don't want people to feel like they are hemmed in.

One thing that I have heard already is we feel like some ways this VSP thing might be a way to hem us in and push us in a certain direction, into programs and practices that may or may not fit our property. This is not designed to do that. You keep telling us if you feel like that is happening or you see that this is happening. That is certainly not our intention.

This last point at the bottom if we were to miss something we would have to go back and amend the plan, as well. I think the idea there is we want to try and be as broad and inclusive of measures as possible. Some additional ideas that were discussed was when we identify Ag conservation practices, we should label the ones that are included in the RCPP, the Regional Conservation Partnership Program. So, just note where those exist, so if we have a bunch of practices, which ones are included in the RCPP.

Another thing that came up is there are a lot of people doing practices on their property that are not working for the conservation district. They might have a professional like an industry rep or someone that they are working with, or they are just doing things on their own. How do we account for that activity that is ongoing? So that is not an easy thing to capture. So we need to decide how we want to account for that.

We also talked about what actions qualify under VSP. So related to that is, what if David implements a practice that is like filter strip but it doesn't necessarily meet all of the NRCS elements but it largely acts like a filter on his property but he didn't go through the program; he didn't get it funded by NRCS for conservation district but it is still something that holds soil. Does that get captured under VSP? Should it get captured under VSP? I think it should, it is kind of like those other practices that are not being implemented but we do need to find what actions qualify or come in under VSP.

Larry Cochran – That CRP ground is subject to conservation compliance with the Farm Bill so why should that be included in VSP?

Ben Floyd – To get credit for it?

Larry Cochran – As long as you don't limit what you can do with it, you are already required under Farm Bill programs what you can do with the CRP now.

Ben Floyd – Right, one, you may want to take credit for it, and two, you said you used the word "limit." VSP will not limit anybody from doing anything what they want with their property. We are looking at an overall benefit and an aggregate uplift for protection of the critical areas functions, recognizing that individual producers are going to be changing their practices year to year through the implementation of this.

David Swannack – Okay, I'm going to re-write what you just said, Ben. Because I can run into this at the FSA office that they will look at my maps and say that this is what you did last year and the year before and the year before so you are locked into this and you have to argue your way through it. I want to make sure that we are not locked in as farmers, producers, whatever to what has been done in the past even if it was yesterday. I want to make sure that we all have the flexibility or we kill our farms and ranchers as soon as we lose any flexibility.

Ben Floyd – You want to maintain flexibility to do what you need to do on your property in order to stay profitable to farm. Okay, I hear that and John Pearson has drilled that into me in our conversations and so if we come up with something that you think crimps potential flexibility, please let us know. We didn't do it intentionally; we don't do it intentionally.

David Swannack – The rain fall; I don't like that. I don't know if we are there yet, I get distracted very easily. Under the *Conference Call notes, under Dryland rotations, 2-yr rotations for less than 14 inches*. If we are locking down, that one just did.

Ben Floyd – Okay, that is designed to describe and we will be more clear about this, but that is designed to describe that this is typically the way the land is managed in those lower precipitation areas. That doesn't mean that is what you have to do. That was a baseline understanding of how it typically works.

David Swannack – You can argue, Art. My way of looking at Lamont is we might be 50/50 on that decision but up until this year we've been pretty much a 3-year rotation.

Ben Floyd – Okay, so maybe we should say like 9-10 inches or 2 or 3 rotation. Again, this is just more of just trying to characterize the Ag practices that happen across the County. So we can update that, I think what you are telling us is we didn't get that right, we need to add 2 or 3 year rotations in there and then

further qualify and say this doesn't limit any kind of rotation that someone wants to do. This is just general practices as we understand it.

David Swannack – I'm not really saying you are definitely locking things in with this comment, but I would like it to say, 2-3 year rotation instead of just a 2 year.

Art Swannack – I think Dave is right on that. The other part is when you start getting to 18-inch you start getting funky rotations.

David Swannack – You get 16-inch, I know people who have continuous crop for years now. Once you figure out how to survive at 12, if you can go to 14-16 inch you can do continuous crop.

Art Swannack – You already know this, but there is too much variability in Whitman County both north-south and east-west to characterize it in two or three columns. Because of growing season length, precipitation and soil types. So, there has to be a better way to say that and I think Dave has a good point on it.

Larry Cochran – You can almost say this is what used to be normal but there is no such thing as normal in this County. It changes on a yearly basis.

Jon Jones – I would also say we also want to paint with as broad a brush as we can so it doesn't lock farmers into any one thing. If we could capture that, also.

Larry Cochran – Just our technology in the last 20 years has changed so much, who knows what is going to happen in the next 20?

Joan Folwell – Is this actually going to be written down as part of our draft work plans?

Ben Floyd – So, there is just some general description about cropping and crops and rotation, we will put something in there up front as background information. Not much more like a couple of paragraphs. This could help educate those that might be looking in but don't know anything about Whitman County.

Joan Folwell – It will be a frame of reference but it's not going to be anything written in concrete, just a general description.

Ben Floyd – If you do a 2-year rotation then you have to do these things. It's not going to be that at all.

Kim Weerts – To piggy-back what Joan was asking, if you look at the Thurston and Chelan check lists, are those in their complete plan or do they have something like you are proposing?

Ben Floyd – Yes, those are out of a part of their plan but they have background information, context, goals, and performance measures they are trying to accomplish. They are working on those things. The checklist is more of an outreach tool for landowners as they look at how VSP might apply on their property. The checklist gives them ideas of measures and applications that they can use on their property.

David Lange – I ran across this problem yesterday. The insurance sometimes messes up our rotations. So, I seeded some Fall Canola and just by accident the shut off date for insurance for Fall Canola was yesterday. So you can seed it up until the 20th of September but what in the world is the insurance

company doing regulating or dictating how we are farming? It is very frustrating. I don't know if the group can address that but it shouldn't be that way.

David Swannack – That is one way I look at what it brought up and I want it as vague as possible, because the insurance is dictating seeding dates for different crops.

Ben Floyd – Okay, that is one of the concerns, if someone may get ahold of this and say this plan says we are supposed to be doing this in this time frame so we are going to write an insurance policy around that.

David Swannack – We wouldn't have Ag in Whitman County if we had today's dates written back 100 years ago. They would have said they couldn't survive doing this.

Ben Floyd – We can't address insurance directly, but we can identify potential Ag viability issues and also make sure to build in as much flexibility as possible in this plan and the language around it and how we characterize things and qualify it. Don't make it too definitive is what I am hearing from you as we write the plan.

Jon Pearson – At the last meeting, this came up at the end and it was the BMP and we can make it as vague as possible. We can paint it with a broad brush but if we paint with a broad brush then we have to give everything. With the BMP, once you start putting (inaudible) and there will be new ones coming up next year and the year after. (Inaudible) Once we decide this is recognized practice, then we are also saying that it isn't recognized as common practice (inaudible).

For instance, I'd like to see in here that grazing riparian areas is a good way to grow red tansy, which we know now. I can prove it, but we're not going to get that in to be recognized by the BMP, but maybe in five years' time that will be (inaudible). So, this came up at the last meeting.

Ben Floyd – Okay, I'll argue a little bit we'll have, these are measures that we are aware of this time. There are other measures, we can define those. We can say we know that this list of measures will change and evolve through time and should be reviewed and updated to reflect that. Even though these measures were identified, this is not where we stop. I'll show you the handout, when we get to the handout of the measure we have, here are the NRCS measures we think are applicable for range land, for example, and we list others. And we leave blanks which means those could be populated in the future. You might not like that approach but that was our attempt to address that concern of yours.

One thing that also came up was show us how VSP would apply to someone taking CRP ground out of CRP and back into production. We've got a start on that, we're not complete, haven't got a complete example; we have to start on that.

There were also some questions on how is this program really going work? Skepticisms that you call it voluntary but it is voluntary now but at some point someone is going to tell us we have to do this, we can't keep farming or etc. Will it require producers to work with government programs to participate? Are we trying to take all the farms that we can and push it into an NRCS program and practices? We are not trying to do that but I do understand the concern and I didn't appreciate it as much as I do after the discussion.

Kim Weerts – This may be premature but when we were looking at the practices that's why I'm against putting, RCPP, because it to me appears we are pushing a particular program. I think there are a lot of

programs that exist and I think that that should be part of the technical advisors; should a producer go and see them as to what program they want to work under. Or if they don't, there are a lot of producers who don't want to take money and that also makes it appear like we are pushing programs.

Ben Floyd – Okay, even though we tried to soften it and categorize it differently your feeling is it still shows those kind of front and center and gives the impression.

Kim Weerts – RCCP has its own column.

Ben Floyd – Yes, and there are lots of other programs that we could have put on top of that.

David Swannack – Okay, so what we are doing is we are finding technical advisors on this whether it be the Whitman County office here, the WSU Extension, Conservation Districts, NRCS, even FSA. Any of these people will be the technical help for the farmers.

Ben Floyd – The only other thing I would add is the industry. You've got field reps that work in particular product, processes that are also technical advisors.

David Swannack – So, actually laboring a program like RCPP, Equip, it doesn't make any difference if we say we're not. There is no reason to, because we are really going to our technical advisor for help. If the technical advisor isn't worth anything, it is going to come back to bite everybody and we will find out when it gets there.

Ben Floyd – So, we can take out RCPP. Do you want to take out the field office, technical guide, and number for conservation measure? Does that hurt anything? The reason why I like the number is that you can look up that number and see the measure and what that means.

Kim Weerts – I think, if we are going to put the number there we should also put the name of it. I think that helps clarify. If you just have the NRCS number it doesn't really tell you anything and then you have to look them all up. If you are looking for a specific thing and you have the number and the name of that practice then you can just skip to those.

Ben Floyd – I think we have the names in the table with the number but then we did the RCPP checkmark.

Larry Cochran – You can mention FOTG, (Field Office Technical Guide) but there are a lot of us producers that have left the NRCS FOTG behind. We are above what they require so you could put them in there, but ...

David Swannack – I see no reason to put them in there, but going to the technical advisors for help. Aren't they going to bring this stuff up?

Kim Weerts – Even the folks on the West side so people can explore it at home on their own.

Ben Floyd – So, Larry, when you say you are above that so there was a practice that achieved a certain set of desired results you are actually doing that plus.

Larry Cochran – Yes, some of them are mulch direct seed standards, erosion standards, we are exceeding what they are requiring, what they say we are doing.

Ben Floyd – So why wouldn't we put those standards in and just acknowledge that there are NRCS standards. There are other industry standards that are improved upon those, they have a whole like they are a continuum, just to show, again, this is not just for the producer, but you also have environmental groups, tribes and other people that are going to be looking this program over and you can help educate them. A lot of people orient about these FOTG and the measures and thinking that that is all there is.

Larry Cochran – The thing we are fighting statewide is the court says that the FOTG are not the Best Available Science. So, where do we put that piece in here?

Ben Floyd – Okay, so we would like to have more detail about that specific so that we can include that.

Larry Cochran – That is really pointing towards the dairy legumes but it could be other things too. But the biggest thing is the court says it is not the best available science but there is nothing out there that says what is better. So what is the Best Available Science?

Ben Floyd – So, let's talk about this in terms of a checklist. So, the checklist examples that we gave you showed the field office technical guide number on them. Would you just want to have these or would you add more measures in there beyond what is included already? I'm not sure we should go there just yet but you are already started. I am trying to figure out how to apply this guidance. The thing about the field office technical guide is that at least it gives us some description of measures. So we will need other descriptions for other measures that are going to be included. We know there is not a limitation on the measures, technology advances, and practice advance. We are not trying to limit that. How would you suggest we characterize practices in your work plan?

David Lange – From the farmer's side, I would say that they are going to go down the checklist and they are going to look at it from the dollar value. They are going to pass \$10 and \$20 and go past and take a look at \$100 and be really interested at \$200. Between the last meeting in July and the meeting right now the Ag community got very upset. We put out a beautiful crop and really feel like it got stolen from us and the falling numbers. When that happens it is a life and death situation. So, conservation goes out the back. Unless you show up with money, then it is probably not going to be very attractive.

Ben Floyd – For this year.

David Lange – Probably not a very short term down trend.

Ben Floyd – Maybe for the next several years.

Joan Folwell – I just have a comment and I'm glad Bill Eller is on board with us today because I started looking at the VSP technical panel notes and I found them very insightful although there were a lot of acronyms that threw me for a loop. But when you read what is being discussed at the state level it is really informative for what we need to concentrate on at our local level.

In one of the past minutes from one of their meetings they talked about how to incentivize the VSP program in general and the conservations measures. So, I'm hoping that more people will take the time to look at those notes and they really do give you an insight. We are trying to re-invent the wheel from scratch here, and there are other committees and administrative units that are talking about things. Like they are still trying to define viability which we are not going to settle here at the local level very easily

but this technical panel is in the process of trying to come up with a definition for that term that we can use to bounce our ideas off of.

Ben Floyd – I'm glad you brought that up. We were actually, John and I and Vivian and John Stuhlmiller, and Bill Eller were all at that technical advisory meeting yesterday. John has attended a couple of them in the past and we can make those available to you. In fact, there is a link on the conservation commission website on the county website that can get you to that information. Read those minutes and notes. Yes, there is a lot of different counties going through this process, very different perspective in some cases about how they are approaching it and so we are trying to rely on that and trying to actually bring in some of that information as we are ready for it.

Joan Folwell – What I think the notes gave me was an overall perspective. We are spending time at this point discussing how many rotations there are versus the rain zone you are in and they are looking at much larger questions. These smaller details can be filled in at a later time once we get our main decision points made.

Larry Cochran – The frustrating thing is this is supposed to be our plan, not theirs.

Joan Folwell – That is true, but there are certain elements of this work plan that we have to do and I think by looking at these technical panel notes, these are people that are going over the same points that we need to know about and I must say, they probably have better resources. I'm not talking about you, Ben. They are not a bunch of people taken off the street like we are; this is their career. So, we don't have to follow what they propose but they are talking about major issues that we are going to engage with, too.

Larry Cochran – But they need to know that some of the data that we have been looking at, we are saying that is isn't right.

Ben Floyd- They have their own struggles too. There is lots of discussion. Everybody has to figure out what VSP means for them and for their county. That is why you maybe feel like the pace of this is not going along fast enough. We could actually write a work plan for you and just give it to you but we are trying to make sure we understand your frame of reference, your perspective, before we put a lot of pen to paper so that we have something that is close to what you are comfortable with.

Jon Pearson – This has come up a few times in the last months that we have to write this in such a way that it will be accepted by the technical committee, so I don't want to write it to be accepted by them for the simple fact that they might as well write it. We need to have our perspectives on this. If we are writing it just to have it accepted by their model it would be pretty simple. We have to put out this statement. I'm not too worried about what they think.

Art Swannack – The perspective I take on this discussion is, you've got essentially four people at the state level on the technical committee that are looking at VSP plans from a statewide perspective. They are not looking at it from a local on the ground perspective because they don't have the ability to do that. So they look at from a broad brush; science says this, depending on who their administrative director tells them what science supposedly says. It will be much more difficult to put a plan like that on the ground and make it work locally than creating a local plan and then getting them to approve it. A local plan created here and approved at the state level is much more likely to succeed.

Joan Folwell – I don't disagree on any of those points about putting our plan in reference to what is actually occurring in Whitman County. What I am saying these notes so far have shown me, for instance, this last meeting was supposed to talk about the definition of agricultural viability. That is something that is going to have to be generally agreed upon regardless of what county you come from. We are struggling with understanding exactly what that means. I just think that to have some kind of information in front of us that we can bounce our perspective off of is beneficial.

We talked about why are people going to want to join in on the VSP program? In one of those meetings there were some suggestions, and I think it came from Thurston County, actually, as to how do incentivize the programs? Are you going to declare where VSP practices occur, are they going to get a different tax break, just little things like that. We haven't come to that point to even consider options like that, but the question just came up, why should people take advantage of VSP? Another suggestion was that it was going to be value added to whatever your product is. Just like being part of Farm Smart. What I'm saying, it helps give you more information to make the decisions at the local level. That's all I'm saying.

Ben Floyd – That is a good point.

Art Swannack – I have no disagreement with looking at the information they come up with. With the limited experience as a county commissioner and other stuff is when you have state agency directed individuals then you affectively have regulatory information. It is focused at that state and government level and not at the needs of the community level.

Joan Folwell – I understand that.

Ben Floyd –The last point here was a reminder at the end of the call that sometimes as the consultant team we are maybe listening to some technical advisors a little bit more than the worker members and that we want to make sure that the plan is developed by the workers and the work group. Kim pointed that out in a follow-up email to me after that conference call so I heard that and we are going to make sure that this is your work plan and if we have suggestions from others we are going to run those by you and make sure that you are comfortable with those suggestions. If you see it differently we will follow your directions. Anything else you want to say on that?

We've been doing the round table discussion as I went through the re-cap. Is there anything else you want to tell us as your consultant team? Alan manages us as contract manager so is there anything else related to this work plan process that you want to share with us as far as guidance, feedback, what you like and what you don't like so far?

Larry Cochran – It comes back to what I've always thought of as my District Supervisor role is. I don't care how anybody protects their resource as long as they protect it. That is up to them and all we have to do for this group is protect our critical areas and Ag viability. Is that correct? So to me, if the Ag producers are doing their best to protect their property and the critical areas are protected, what more do we need to do?

Ben Floyd – I think that is job done. It is about how you described it, how you frame it, how you manage and monitor it and verify it, that is some details that we also have to include in the work plan.

John Small – I'm struggling a little bit about how we are articulating the types of conservation measures that people are already undertaking in the County and maybe undertaking in the future without defining

narrowly, without those opportunities turning into obligations, or worse yet, regulations. But we do have a need under this work plan to identify the things that might be done, and my job is to look at the site and think about how that might happen over the entire landscape, over several decades and what that impact over time might be.

Then balance that with other changes; the intensity of some agriculture may increase just because of technological availability. There could be a big disturbance, floods, or fire, those things that have those consequences. That will have to be thrown into a giant equation and be balanced out and then we look over ten-year trends and see that that protection is adequate. I think we do need to give examples just to help those on the technical panel to understand that, yes, the producers in Whitman County do have a plan, and they are working it.

I'm hearing what you are saying about not defining narrowly, and about codifying it in NRCS grower certain programs. Maybe it is more of the goals of what those conservation measures are: soil conservation, cover crop, and habitat; just different functions that you are trying to protect or promote that impact critical areas or Ag viability. Really, to look at both of those things and not to create too bright a line between one and the other. There is a lot of opportunity to do both with the same measures.

Larry Cochran – To me, it is all right to put examples. This is some of the things, but then the language I've got is: we have these examples, that can be these examples but not limit it to these practices. They are just examples, not set in stone; just some of the things that are going on.

Art Swannack – Listening to the conversation about not putting the NRCS number after a name on a practice in that list, if you write this properly you could put the NRCS number and practice in there but with exactly what Larry is saying. This is an example of what could be done under this, but it is not the only and the exact way it has to be done. Then you have examples, I am assuming the State is going to want to see a list of examples under certain practices in order to approve this through the technical panel.

Larry Cochran – We've already got to go through DOE coming out and determining our Best Management Practices. We've still got that process to go through. How that fits into this piece, I'm not sure, either.

Art Swannack – I'm not sure that it does, because the DOE is not supposed to be regulating critical areas. It is supposed to be done under VSP for Ag. There is a big argument politically on DOE's water quality and not liking VSP, versus VSP and what the law says. That is going to keep going on for a while. I don't think we worry about that. I think we worry about writing something that we believe that is reasonable for WC with descriptions that protect critical areas and maintains and enhances the viability of agriculture, and we go on. If DOE and the courts and the State get into a law suit among themselves, then we will worry about that later if we have to reconvene. But we can't control the bureaucracy at that level. Let's just do our thing.

Ben Floyd – We will also acknowledge the Clean Water Act compliance. There are other regulations out there that are not the focus of VSP but are part of the legal framework that we all live in and that there may be things that come through those processes outside of our control; we just acknowledge that. We don't try and predict where it is going to go.

Art Swannack – We write this program with broad description that say this is kind of what this means but you can do something similar that gets the job done and we are good with it. We go through the whole plan doing that. Then we have a description to satisfy someone who has a checkbox with descriptions, yet

our descriptions don't lock you into BMP or whatever. We just write something that defines what we are talking about in a general sense.

Ben Floyd – So, we are going to include example conservation measures and definitions but we will not be limited to these examples. Does that seem like something you can live with? Okay.

Alan Thomson – To underline this whole exercise, is our critical areas being negatively impacted? That is the baseline. If they are not and we have listed a bunch of practices, vaguely, then there should be no issue. But if there is an impact and it is noted then what are we not doing to protect the critical areas? We've got to identify what is causing the negative impacts. Water quality or whatever it is.

John Small - That is a great point and the reason why I argue for having some acknowledgment of what the conservation measures are, is that we can tie those to specific critical area values. So, if nutrient loaded water, pick one at random, is the one that we see over the long period of time just isn't getting better, we are still getting high nitrogen levels in the water, then we would say you need to do more conservation measures.

We would go back to the conservation measures and specifically address nutrients getting into downstream water systems from working through the watershed and target those, and target the specific watershed. There is a specific area where we can move the needle but that's saying everybody's got to stop doing something; that is not going to affect that at all. I think we can be a lot smarter about it and it will play out over time. We can look broadly over the County and we can see that the trend will be very slow, if at all, and from what I've heard here the existing level of conservation measures that are being implemented are enough to hold the baseline. We'll talk more about that later in the presentation and why I think that. There are some opportunities to do even better but we will always have the 2011 number that we will have to compare back to. (inaudible)

Joan Folwell – Is it your responsibility to come up with maps of the critical areas?

Ben Floyd – We are using the County's designated critical areas. However, there is not great mapping that goes with those designations.

Alan Thomson – It is pretty spotty. We've got the NWI, National Wetland Inventory maps, we've got the floodplain maps, the FEMA floodplain maps. For critical areas, such as critical habitats, we rely upon Fish and Wildlife's priority habitat data base. Aquifer recharge areas, I have no idea where they are. Nobody seems to know that.

Ben Floyd – What we have, nobody likes.

Alan Thomson – There is not much data there, and then unsafe geologic areas, there is not much mapping goes on with that one. So it is floodplains and wetlands and the priority habitats.

John Small – When we were talking to the VSP technical committee yesterday, what the disclaimer needs to be on all these maps is that these are just to help write the plan. This isn't something that I'm going to take, okay, John Pearson, you've got a 2-acre wetland on this 8 ½ inch map, that's when you go to build a new house on your property that triggers a natural permit application, and then you have to do the delineation. For the purposes of VSP, I don't see any resource mapping obligation. It is really looking at

the overall broad scale of values which are properly defined through the WAC and RCW and we are pulling that information together to take that reading of WC's overall.

Ben Floyd – We are putting maps together with the information that we have.

Joan Folwell – My question stems from the fact that I've looked at the Chelan plan where they describe their particular county. I know they came up with percentages of Ag activity that impact the five different critical areas. The amount is small; it's like a couple of percent of the total Ag activity in the whole county. They may have a lot of state or national forest land in it. But to me, that might put a different aspect on what we are trying to do or how we are interpreting things if we know what practices, methods we put into the VSP plan because we will know what the ramifications of them are going to be. Frankly, it might save us a lot of argument if some of those fears were quelled. We are not making regulations for all of Ag in all of the County. It is a small percentage.

John Small – There are regulations, but it covers Ag in the County in terms of keeping it out of regulations under current areas, but also because, we watched a presentation from another county that used the buffer approach. One that I think, some of them call them Big Dumb Buffers, but when I think about VSP I think that is the wrong approach, because you are talking about land management practices that are (inaudible) countywide and it doesn't matter where you are. You are potentially impacting down to where the resources exist.

We don't want to put anyone on the hook because they have critical areas on their property. We don't want to let anybody off the hook because they don't. We want to take advantage of all the conservation measures that everyone is implementing and look at how over time that is going to affect the natural resources in the County, and say in another 10 years things are generally better, or they are mostly better. But through adaptive management we are going to implement more habitat and more water quality protection and whatever.

If we go to whoever has critical areas on their property and what are they doing, it is really hard to get away from a more regulatory framework. If it is dry and applied to all conditions in the county, they all get the same coverage from it. So the same benefits if voluntary submitted they are doing it and it meets their bottom line, either because it is the right thing to do or they are getting a subsidy break. I really would caution you; I'll listen and if this is the direction you want to go we can start where the critical areas are but especially in the Palouse and with soil loss, I'm concerned that may not be the right approach.

Alan Thomson – What complicates this even further is that we are talking about critical areas but there could be a drainage that is not a critical area in an upland area that is being farmed. Then a weather event comes along and flushes things downstream. But that is not the genesis of that; the impact zone is not a critical area. It just happens to be in an upland area with a ditch. It is not a wetland, or a floodplain but it goes down and then it does impact a critical area and it is flushing stuff downstream which we are trying to prevent happening.

Joan Folwell – Yes, because I am totally confused now.

Ben Floyd – Don't worry, you are not alone.

Art Swannack – The other part of this when we get on that side of the discussion, what I worry about as much as protecting the critical area, is the viability of agriculture over the next 5-10 years. We are going

into the bottom side of that viability curve rather than the profitable side. We are going to have to do some measuring on both; we have to measure how are we doing for maintaining and protecting those critical areas but how are we doing for maintaining and enhancing viability of Ag. It is going to be an interesting balance to pull off. It is going to have to be measured on both parts, not just the one.

Ben Floyd – The same framework that John is talking about, do you do that farm by farm or do you do it as an aggregate, right generally. That way you aren't pointing fingers at trying to create winners or losers or you have to do this or you don't have to do that. I just think you can work with the approach that John is thinking. It's different because when we work in the regulatory world, we look at a piece of property, we measure the impact, we offset it with mitigation and we get our permits.

We are trying to change our orientation, too, in this process to a more aggregate level because you get benefits from aggregating. If everybody is slowly over time doing their practices, the functions are increasing. Even if you have people who are taking land out of CRP and into cultivation that are raising more here than over there, all of that becomes in a sense, noise, but overall things are improving.

Art Swannack – If you are taking those two measurements at the same time you may not see that straight line improvement that you are talking about, because if you are saying that it is going to be more of a side wave because viability has to tie with this protection. If you are in a very tight time frame where you don't have much dollars available to do anything other than the basics to keep the operation going, then there is not going to be activity there.

But then when you have more dollars, then you'll see more activity or little less tillage or something. It will be more flexible where they can do things that they couldn't do before. It's not going to be a straight line slope, it's going to be a wave along this slope of long term hopeful improvement. I think we need to keep that open when we are looking at this. It is just not going to go up over time.

Larry Cochran – Then you got to stick in there that Mother Nature changes the rules on us.

Art Swannack – And in two years, the US government changes the farm program on us.

Larry Cochran – I think of the storms I've seen in the last 20 years, I don't care what you do, there is going to be damage. You can mitigate it but it's going to happen.

Ben Floyd – So we are an hour and ten minutes in, I want to make sure we get to our case study. I think we have talked about these tables in concept already through discussion. I skipped over some of the other information. In the interest of time, if you would just look at that handout, so it is this, "*Watershed group's duties, Work plan.*" This shows you all the things we have to address. The RCW requirements, just use this; this is what we followed. We have a BMP checklist. This is our VSP checklist to make sure we address everything. We are going to use that. There is also a reminder that people don't have to participate in this program. It is voluntary. That was the main point we wanted to make.

We've got this table of practices, we have the NRCS code, RCCP eligibility, which we are going to drop. That won't be in there anymore. You can see that there are different things that these practices do to affect Ag liability related to physical conditions on the farm, soil help, preventing soil loss, moisture management, etc. So, we just tried to characterize as John mentioned, what those benefits are from those measures.

We do have down at the bottom, “others,” and we will further define these. But if you have measures that are not on this list for all Ag in the County or specific to dry land or specific to irrigated, or specific to range land. Larry, if you have things that have improved over some of these NRCS measures we want to know about those and include those as examples in the plan. That is a homework assignment. Between now and our October meeting you could review these measures. We have the NRCS code, we can give you the web link, you can go right to the technical guide and you can actually do a search of number and it will show you exactly what is included in this measure.

Maybe on **September 23rd**, would you review this list and if you think there is some that don't apply, we want to know. If there are some missing we would like to know what they are and if you can point us to a definition or a description all the better. This about this as our example tool box and let's try to make the example tool box as complete as we know it exists today. So, can you do that? Will you do that by September 23rd? Just review it and send all the comments to Alan.

Alan Thomson – I will be out of town from September 22-October 1st. I will be checking my emails. So send them to Vivian.

Ben Floyd – I am on vacation from the 20th to the 27th right through that time frame as well.

Vivian Erickson – This is all sounding very convenient for you guys.

Ben Floyd – So everyone clear on the assignment? If you think we missed something, give us that feedback as well. This is going to be example tables that will go into the work plan.

David Lange – Can you go back a page or two? Where was endangered species? Don't need to worry about that.

David Swannack – They are all yours, aren't they?

Larry Cochran – I've got three nice white tailed bucks and one buck out there that would be great for hunting in a couple of weeks.

Ben Floyd – So we had to incorporated existing plans including recovery plans into our process. I don't know if there is something specific, Joan, maybe you can help with this about Palouse Prairie. Is there a regulatory or plan and there may be some efforts to document, there is not a specific management plan that has been written with measures for protecting Palouse Prairie?

Joan Folwell – No, other than what is stated in the priority habitat and species plan and Palouse Prairie is a recognized habitat.

Ben Floyd – So, we will acknowledge that in the plan. The other species listed salmon so along the Snake and some of the drainages that feed into the Snake. You might have spawning from rearing and you might potentially impact those species. We will account for that as well. David, does that clarify that for you?

David Lange – Thank you.

Alan Thomson – On the Palouse Prairie, if it ever gets into my hands, and there is a map, then it will fall under the County's Critical Area Ordinance, but it hasn't gotten there yet.

Joan Folwell – No, it is still a work in progress.

John Small – (inaudible) The designation would apply and we have to incorporate it.

Jon Jones – If we missed a practice that doesn't mean that people have to adopt it. We should make that list as comprehensive as possible to give people the most flexibility and the most options as possible. If we only list what we have so far, we're really limiting people into the VSP program.

John Small – I adapted (inaudible) to allow for those practices (inaudible) because machinery changes in ten years and you might have another way to do it better. We will just write that in as part of the adapted management. Adapted management won't necessarily be triggered because something isn't working and we have to make this more onerous for everybody. It can also be working better than expected because people are doing this, let's acknowledge it and include it.

Jon Jones – It would be good if we had things listed so if the producer wanted to adopt a practice, he could get credit for it without doing anything else.

Art Swannack – There's another alternative to getting carried away with your list and it is what we just did with one of the County plans where you basically just say, "Other similar measures not listed provide benefits are allowed to be used in this plan."

Ben Floyd – Usually just examples and it is not comprehensive and there are other measures that can be used.

Art Swannack – We just had a list on the corridor of businesses that are similar.

Kim Weerts – I would have to disagree because I don't want the list to be overwhelming because I think the goal is to get as many people to participate as possible. Both of the checklists from the other counties that we looked at had lists of examples, and they each had a different way of approaching, doing other things that you want to do. So, if you give examples you can put in there what you want to. In addition to that, most of the people are going to go to some kind of technical advisor whether or not, it is to give you all the rest of the information.

Jon Jones – I think we need to, I'm going back to my working career, we had a guy come into the Conservation District office and said he had a great idea for sediment traps. It sounded great. We went and looked at his idea. The idea was to put sheet metal into the ditches and it kind of worked but I don't think we want to see anything like that written into the VSP. It was a (inaudible) Goldberg approach where something else would have worked a lot better and if he would have had the FOTOG there with the description of well-made sediment dam, it would have worked better for him.

Alan Thomson – That would be impacting the critical area, especially if it were a flood plain.

Jon Jones – You bet it would but he didn't have the FOTOG there with the description of what he was trying to accomplish. He saw the problem, he just didn't fix the problem the best way possible.

David Swannack – So this brings up a problem. I'm just assuming that if there is a problem somewhere the producers in that area will be notified. If these producers are notified they will be told about the Conservation District and the NRCS and whoever else to be their technical advisor. Is this right?

Alan Thomson – That's how it works.

David Swannack – So a lot of what we are asking for, putting down way more and I understand what Jon is saying. But if you are being steered the NRCS or whoever, what Jon just gave an example of would be stopped in the first place. We are going down the list. What I am doing is trying to keep this open and keep it moving. I stopped it, I'm sorry. We're going to go to the Conservation Districts, the NRCS and the technical advisors anyway. They are going to have a very good idea of FOTG's and frogs and keep moving.

Jon Jones – I agree but there is a way to steer them towards that. I didn't know that this committee would go to the landowner and say that you have a problem. Or that Alan or the County would.

Art Swannack – No, the County wouldn't.

Alan Thomson – This is not a County deal here. This is the Conservation Commission, it is not a regulatory so we do not have a part in this one other than we are helping you make a decision.

Jon Jones – So, the Conservation Commission would call up the farmer if they had a problem?

Kim Weerts – Obviously, the first person that is going to recognize the problem, especially if it is water, is the DOE and if you are on their radar then you've got a prioritization score and if they have an issue with you, you'll get a letter. As far as water quality, that is what is going to happen. It happens now.

Art Swannack – I think we are confusing a couple of things as I understand it. This group writes the VSP plan. The next section, after this group writes the plan, is the outreach implementation of the plan which goes to most likely Conservation Districts and other to go out and talk to farmers about issues out there. But there is no regulatory side of this plan that says that you are messing up that ditch and we are coming after you and you have to do these things. That is not in our regulation. Alan's critical area, and hopefully I'm speaking right for you, Alan, critical areas for the County would be areas that are regulated critical areas that are not under VSP.

Alan Thomson – That only applies to agricultural activities if it is a farmed wetland or a prior converted crop land. Those are the two things that are specifically not spoken about in the Critical Area Ordinance. So right now, for ditching in a farmed wetland it is out of my control.

Jon Jones – That makes me feel better. I was just worried that we were going the direction of becoming a regulatory agency.

Larry Cochran – If we have this plan in place and it is approved and then when the County gets sued, you pull the plan out and say that we have a plan and the suit goes away.

Alan Thomson – The idea originally was the County can't get sued. That was the original premise, but since talking to some attorneys recently it seems like anybody can get sued for anything regardless of what you said.

Larry Cochran – But if you have a plan you have a better chance.

Ben Floyd – The Conservation Commission is going to defend the County if they have approved the work plan.

Art Swannack – But there is supposed to be a follow onto this that you get a funding to implement the plans after the plans are created. That is another, “go talk to Olympia moment,” and then that funding is supposed to be streaming to whoever decide, most likely to the Conservation Districts to help implement this plan. But that is page 2 and we just have page 1 to worry about.

Alan Thomson – I think Kim is correct. Ecology doesn’t go away because of this, neither does Fish and Wildlife. Existing regulations and the Army Corps.

Jon Jones – The Clean Water Act is still there.

John Small – (inaudible) and the Clean Water Act are separate from the Growth Management Act. I just wanted to follow up on a comment. We’ve broken the County into (inaudible) water shed analysis units to get our heads around how we are going to do some implementation and measurements. The way VSP is written, and John Stuhlmiller can correct me if I am wrong, the County is either in compliance or out of the compliance and that is based on the overall performance of the program in protecting critical areas, functions and values.

If Silver Creek just goes terribly, if one producer or two are just bad actors, but the rest of the County is doing great and on balance it is a plus existing baseline 2011, then the whole County continues to retain the protection of VSP. The only way you lose that is if the County as a whole can’t show or we can’t show that the County as a whole, (inaudible) it cannot show the portion divide, the critical areas are being protected and if they can’t show they are doing something to correct that through their adaptive management, that is what would trigger getting kicked out of VSP. My understanding is that then you have to go talk to Alan every time you tie your shoes, practically.

John Stuhlmiller – The last comment was very accurate, so the very important thing to keep in mind is no producer can be required by statue, no producer can be required to do anything under VSP. We hope that will be not true that folks will do or at least run through a checklist. A checklist is a tool potentially for an individual stewardship plan that the farmer will keep. This is not disclosable information but the checklist is a helpful thing to get in the mindset of protecting critical areas and here are the five types of critical areas and you have this on your property. It is an assessment tool but it is not a plan and not a regulatory tool.

There is no regulatory activity other than what you as a work group for Whitman County would weave into your plan. There is no regulatory side to this plan unless you choose to put that in the plan. It is very important to remember that; you are the deciders, not the County, the State, nobody. You are the deciders for what goes in your plan. There is no expectation of enforcement. You developed a plan that to get approved it has to protect critical areas, provide for some enhancement through voluntary measures only and maintain and enhance the viability of Ag.

That goes to the commission, the technical panel, approve, not approved, state advisory committee, approved, not approved. If approved it goes into play and then figure up in your check ins and you have

to prove that your benchmarks and goals are being met and if not, adaptive management and you fix it up and you work your way through that.

Then you go back to the old command and control model of GMA critical area ordinance protection. Otherwise, you stay in there and you continue to go and it is based on watershed performance or regional performance or whatever pieces you break the county into. It is based on the goals and benchmarks toward that whatever portion or total of that for the County. If you are meeting the goals and benchmarks there is no law suit capability. You are protected; the State has to defend your plan if it is challenged.

Ben Floyd – Thank you, John. Okay, you've seen the checklist and I think you have an idea of how these can work at the individual producer level to help guide decisions about what you may or may not do with your property. That is what the checklist is. So we have the Chelan County example and different elements that were included.

We have a Thurston County example, different ways of describing things, Ag liability, critical areas, protection objectives and then specific actions that can be implemented that improve those and then measures that go along with those objectives. I assume you are going to want a checklist to develop for WC to be used as a communication tool by the technical providers, conservation districts, industries, others. Does anyone not want a checklist?

Jon Jones – I think a checklist would be very helpful and necessary. Would the individual farmer or producer, landowner, could they have their own checklist?

Ben Floyd – They could take this checklist and decide what is applicable to them.

Jon Jones – The idea that it would be made available through the Conservation Districts or through the County?

Ben Floyd – Yes, we provide this to all the technical advisors.

Jon Jones – So we will need some outreach on this.

Ben Floyd – There is an outreach component in the plan.

Vivian Erickson – I just want to also point out that we can include things on the checklist like #14 at the bottom. It is an opportunity for the farmer to provide their ideas. It is like that other category that maybe not falling under the NRCS but other discussions you will have with the technical advisor to meet goals for your farm.

Jon Jones – There should be more than one line on #14.

John Small – We talked about the WC checklist around range land, irrigated farm land and dry land farming because the conservation measures vary quite a bit there.

Ben Floyd – We will include a checklist tailored to the different conditions in the county. How would you apply VSP in the County? We are going to provide you our thoughts in doing that and John Pearson has opened up his property to share with you what he has going on.

So, we are looking at Silver Creek, which is a hydrologic unit within the County that is off of the Palouse River. So it is the Palouse River-Silver Creek drainage. This shows the different crop types that are up there; mostly dry land. There might be a little irrigation down along the river but I don't see where the blue is exactly. There is a little bit of range land as well. This is according to our mapping data, it may not necessarily be accurate. Dry land 78%, twelve acres irrigation somewhere on that map. Then another 18% of range land for a total of 96%. Why not 100%?

Art Swannack – Vertical rock.

Larry Cochran – Houses, bridges, etc.

Ben Floyd – We have some wetlands. A few of them exist mostly around the water courses and there are pockets of mapped wetlands outside of that. This is the mapping that Alan has information on so we have some FEMA special flood hazard areas identified. Drainages and the large areas along the Palouse. Priority Habitat and species. Prairies and mammals. Primarily around Steptoe Butte? I think that is what it is.

This is what is mapped in the State data base for priority habitat and species in this drainage. There is a lot of mule deer and other more common species in this area. When it comes to things more unique and special this is what is mapped. There is water erosion potential. I will note that the entire county is like a moderate erosion potential but there are a few pockets of severe in there in some of the steeper parts of this area and when you get farther downstream. There is wind erosion just a little bit to the west along the tops of the valley. This is how it maps out in terms of percentages.

This is an area that has more streams and that is why it is a good example because it has more streams than many other areas of the county. The discussion of the areas where Larry, your mom has a stream right through the middle of her house. So we've tried to de-emphasize those areas where it is just something that is mapped. This shows you that you have 61 miles of shoreline, 179 miles of potential fish use streams that are part of that and then a lot of other stuff. Riparian areas, a little bit of deciduous, 61 miles of evergreen, 8 miles of shrub. That is the breakdown of riparian areas.

John Pearson – That is just in Silver Creek?

John Small – Yes. (inaudible) We are attempting to think about the different types of critical areas and some of the functions there that are really important in terms of maintaining our ecosystem functions and values in the states. Some of that is (inaudible) water and sediment, continuing the flow of energy and that is typically handled in wetland and floodplains. They have the ability to filter water, especially emergent vegetation and wetlands, or cross flood plains. That is also an opportunity to store some of the water back in the ground.

Spring fed creeks are critical to fish mostly because of the temperature control that the stream provides. In order for those springs to maintain (inaudible) throughout the year you have to keep that water in the ground. Soil conservation is also a big issue for Ag viability that can be enhanced by wetlands, flooded areas. Nutrient cycling is another one we are looking at in terms of these functions that are provided by wetlands and floodplains. Something that we are going to look at in terms of our goals are these functions individually being provided for long term by changes in (inaudible) maintaining conservation measures.

Nancy Belsby – Under habitat what are conditions for life history?

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John Small – That is the way we look at habitat if we are looking at (inaudible). Are we looking at juvenile fish that are coming from eggs and migrating out of the system, are we looking at adult fish coming back into the system. They have very different requirements. Typically the life histories we looked at were (inaudible) the habitat function is looking at rearing refuse, availability of prey or forage. When we talk about habitat like they don't have to have a species associated with it, it is natural area. That is habitat. Habitat by definition refers to a various specific species and often age of that specific because you could modify a habitat with one species and just wipe out another species completely. That is where resource and wildlife managers had all sorts of great experiments. We are involved in a few from the lower Columbia right now. We are trying to nail down when we say habitat, what do we mean? Do we mean habitat or do we mean raptors, habitat for deer, do we mean habitat for fish? We want to be as specific as we can, otherwise we can't measure what habitat is or what looks like or getting better or worse.

Ben Floyd – So, going back to Joan's question, about identifying the critical areas, Ag intersection and that is where we are going to focus. We don't have that information in the plan but the focus of the measures won't necessarily be just on those areas. So, that is why this background information is just getting you familiar with it when you see it in the plan, we have to comply with the functions and the value of it.

Joan Folwell – I have a question about John's response to my comment. Were you just trying to tell me that any suggestions that we make for associating Ag and critical areas as long as the Ag viability is maintained, is going to benefit everything else around it downstream from it, downhill from it? Is that what you are saying?

John Small – I am advocating that this group consider that you take that holistic approach because it is going to keep you out of a more prescriptive approach such as buffers. When now we are talking about John's property on the first 200 feet from the river, he can do this and then he can't. If you talk about agricultural practices and conservation measures, generally for the County you can show this benefit over time, without going to that extreme and having VSP becoming more prescriptive, which is a slippery slope or a regulatory versus voluntary.

Joan Folwell – If I said the word, "regulation," that was a complete mistake on my part.

John Small – I was just trying to steer more towards the greater good, self-interest and it will work out everywhere.

Joan Folwell – In relation to that as far as listing more ways that where conservation can occur, since things like wetlands and habitats, etc., come under the purveyance of Fish and Wildlife, would it behoove us to look at some of their practices and add those to the mix?

John Small – That's what is referred to in those species recovery plans for the WDFW documents. Some of them are in there for specific habitats and some of are (inaudible). We will be incorporating those. When we get around to rangeland management where what is an Ag practice and what is ecosystem restoration or some other nonagricultural activities. I'm not sure that is a very bright line.

My understanding is that when it ceases to become an Ag activity it is (inaudible) problem and not ours. We don't need to necessarily define that line at the moment. If you want to do shrub steppe restoration or something you might need to get a critical area permit from (inaudible) if you are doing it for restoration purposes. Because that wouldn't be an Ag activity under VSP.

Art Swannack – We wouldn't regulate it.

Ben Floyd – Let's not get into that right now. I want to get into this example. So, in the middle of this drainage is John Pearson's property.

John Small – This is primarily pasture with some cultivation. Moving cattle frequently from other grazing. Not a lot of government funding of good conservation measures currently, although some in the past. Got some actions to try to address, use grazing to address the vegetation management with some canary grass, trying to promote sedges by getting the cows in there early in the season and then off the land later in the season. (inaudible) the draws, the waterways, drainages, and the USDA classifies, (inaudible)

John Pearson - No, 120 acres, I think, that I have to certify every year. This came up in the last meeting and I had questions on the fact that this is crop ground at the FSA office.

John Small – No, we'll get into that today in our conversation about potential conversions. This illustrates fencing to protect this drainage here between the two pastures. He has facilities to provide water for his livestock and to keep them out of the drainages. He has pipe from up above.

John Pearson – I changed that. We did plow it once, we ditched it a couple of times and then I (inaudible) no-till grass (inaudible).

Alan Thomson – John, do you have a water right for that property? Yes, okay.

John Small – The vegetation on the right channel which is the steeper cut bank, which is great. That is also going to hold soil to provide cover. This is looking at it, some of those different conservation measures across the top and how those might fit into some of these parcels that I had on that earlier slide. You think of something like access control and fencing would help with flood control. But the thought process here is by having vegetation along the stream banks you are protecting those soils that can be ripped out during high flows. The watering facilities are keeping livestock off those banks and will protect that bank later when the high flow comes through. It's not ripping through bare soils. It is nicely vegetated.

That same vegetation in the rest of the year is going to provide that level of filtration and water purification to keep the water quality as high as possible. It is also going to slow the water down which is going to get it into the soil as much as possible to hold the soil together with the vegetation that provides habitat and it keeps the nutrients on site instead of moving them down through the water shed. That is an example of just access control fencing can really affect a number of different functions and provide better (inaudible). This is a little higher on the property, it is put in this access control. This is the property that USDA classified as crop land.

Ben Floyd – So, John, do you want to explain, it is like this now, what did you want to till that to put it back to the ground? He has some questions that would resonate with others and one of the reasons why we wanted to use this as an example.

John Pearson – This is farm ground that is certified every year. We bought that in '97 and I grew wheat on it one year, and grew hay and then we decided to put it to grass. So, my concern was that on July 22, 2011, it was in grass, it wasn't in a government program except it is in grass. If you look around the County

you'll probably find quite a few acres in hay or in grass, which is not in a government program. So that was my concern that we are going to take ground and be penalized under VSP guidelines because of that.

Ben Floyd – So, we took that question plus it was an opportunity to show his land and it is not being intensively used. We may increase the intensity of the cultivation under it so what would happen in this situation under VSP?

John Small – So what are the risks of that kind of change, both in terms of risks to critical area functional value but also in terms of Ag viability if those are our two mandates? It is going to change the upland habitat. We talked about putting some crops that might benefit some of our habitat grazing for deer. Is that necessarily a bad thing for change? Even a change from pasture to crop land is not necessarily all, it also has a lot to do with the rest of the landscape if there is cover for those deer during the day time right next to this field.

So putting it into production might not be a bad thing for habitat species. It is probably less beneficial for the raptors because you won't have the rodents that you might have. So, that is why with habitat we always try to key into different species but a change like that is going to have benefits and impacts. In terms of soil erosion and loss of top soil tillage and Ag production over the long term to productivity, the land has had some conservation measures potentially but that is just the reality of turning the soil that much.

These are all potential. It is going to modify the hydrology, when the fence comes out and eco goes right through that drainage or the potential (inaudible) that could also impact how he waters his cattle downstream. So these are all potential risks. Water quality is primarily tied to the soil erosion and for the input in the crop if it requires a high level of fertilizer or pest control. As I mentioned earlier, what other conservation measures this producer chooses to implement that might help mitigate potential impacts or even eliminate them.

So, how would VSP potentially play into this? Why not maintain the fenced area? That is a voluntary option but it is an opportunity to enhance vegetation and further opportunity to make it even better. The conservation measures that are used in his crop production, conservation direct seeding, whatever fertilizer applied, all that could really affect how much impact on the function (inaudible). Then looking at the larger landscape water coming off that field into what is it going to.

If it has an opportunity to be captured, infiltrated and you are storing those nutrients or sediments that run off of that field, back into the ground on the same property downstream, that is going to help mitigate some of the impacts into the river. Avoid cultivating and grazing there are opportunities to enhance vegetation elsewhere on the property and the work they do, the most benefit might be in the riparian areas close to the larger rivers.

Art Swannack – The one thing I believe you have overlooked is the potential benefits to him working this field. The reason I bring that up is because what is the condition of the field that the farmer desires he needs to change it? I am assuming that this field productivity has gone down and a lot of the normal background benefits are not present that you would have had in that field otherwise. So this could actually be an enhancement or at least a maintenance of high productivity and high production of food for other animals besides his livestock. I think that needs to be incorporated too when you are looking at that.

John Small – In the overall effect of weed management if it gets weedier and the weeds start on other areas of the property the fact of the cultivation will help with herbicides. I agree, the Ag liability if you've got to turn a profit on that land and you can, that is something under VSP we've got an understanding knowledge of the goals.

Ben Floyd – So this was an example and we showed some potential risks, explain more of the rationale but what does this mean for VSP? There are some different options here. He could just leave it as is and would have the opportunity, no one is telling him. This is a range of choices for John. He could make some changes on his own without really any technical assistance; fund it himself and move forward. He could seek some assistance, then implement and fund it or he could as part of the technical assistance look at a program and participate in that.

So, I did this to illustrate this that we are not trying to push any producer into any particular option. These are all available and we are looking at the overall aggregate at what happens over time, over this ten-year period that we are going to be monitoring for this program to see what happens. John, do you have a plan for this property?

John Pearson – No.

Larry Cochran – As long as he doesn't affect the critical areas, he can do what he wants.

Ben Floyd – Even if he affects a critical area he can do what he wants to. Seriously, this is a voluntary program. So if he goes back and takes out that area where you got the riparian cover and that waterway he puts in a tile, drains it and farms it, he can do that. I don't know if there is any requirement that would keep him from doing that separate from this process. Under VSP he could do that.

It is kind of hard to tell but the old railroad grade is about halfway through the middle of his property. That grade essentially holds anything coming off that upland from getting into the river, except where he has a culvert where it runs through. So, he can do anything on this and that is my point; there are lots of options. There are some practices that he could do. He would use the checklist type approach. He might seek some technical support, whatever he wants to do he can do. That is basically the bottom line of this exercise. There are some things we would encourage him to do.

Alan Thomson – So, John, is this area in the floodplain? Is that the concern?

John Pearson – No, the concern is that because it was in grass, that it is farm ground and if I give it to my kids and they go down and because of something we have written, it isn't farm ground any more.

Alan Thomson – But is there a floodplain there? Is there fencing there?

John Pearson – There is fencing.

Alan Thomson – So that little channel there where the dot is, is that a floodplain?

Ben Floyd – It is a water trough.

Alan Thomson – So that would be the only concern I have for you is that if it is a floodplain, farming doesn't impact flood elevations. Ag activities does not escape the Critical Area Ordinances as far as flood plains

are concerned if there is going to be a negative impact to flood elevations. I don't see how it would affect flood elevations.

Ben Floyd – It would back up, it would slow down, is there a culvert there?

John Pearson – Yes, the railroad put in a culvert.

Alan Thomson – The only concern would be water quality. If you are tilling up a flood plain, do farmers farm flood plains?

John Pearson – The flood plain would be (inaudible) on the left side, it is all flood plain.

Ben Floyd - It is in pasture now, but you seeded it and in a few years you are going to do it again, cultivate, reseed it to pasture grass. But he will do it in a way, he doesn't want to lose his top soil. He will do it in a way that either the timing of it by the time a flood comes in, there is grass back in and the soil is held.

Alan Thomson – It doesn't seem to me there will be any impacts on the VSP and this land.

John Pearson – There isn't now; that is my concern if we make sure we test against,

David Lange – Every spring when you certify it at the FSA office you say that is pasture, its grass.

John Pearson – I tell them it is pasture. Some years we have put in different crops and we tell them it is a different crop.

David Lange – If it has been in grass for 5 years it goes to immediate habitat.

Jeff Pittmann – As long as FSA is considered crop ground, he can do whatever he wants. Unless it actually says it is a waterway and you can't (inaudible). That's the way it has always been.

Ben Floyd – His concern was because it shows grass in 2011.

Brad Johnson – I think that was a great exercise. Conservations Districts would like to have farmers come in and talk to them about that because then when you go and get funding you know what type of funding to go after, if they want it, or they can do it on their own. But that really gets back to the fundamental question of, do we have the numbers for the FOTG and some without numbers, because there has to be a benchmark.

We have to know how much we have out there which you did on this watershed. You did some of it within John's property, but those FOTG numbers are going to help you guys identify the practices with broad brush, what you want to do. But when someone comes to a district you have to go after the funding and that's where the strings are attached. Hopefully, the VSP funding doesn't have similar strings attached to it like DOE funding or some of these other funding sources.

This exercise here to me to figure out what I would want, programs to offer up for you to help do things, for you to make decisions, voluntary actions. It is a great option, and here are opportunities and this is the type of funding we could get if you are interested. It fits right in to what Art pointed out that the

districts are going to go get the funding for you. It is where we can identify what type of funding you guys would want to be eligible within the VSP implementation.

Ben Floyd – That is for those who want to take advantage of that technical producer offer incentive program.

Larry Cochran – If we want to put in the plan that grass and pasture rotations is considered generally accepted Ag practices that should take care of that issue whether or not that is what it is.

David Lange – Ben, could you go back to the beginning of that with shoreline miles and, John, wouldn't the shoreline miles always be bigger than then,

Ben Floyd – It is miles of stream; it's not the riparian.

David Lange – So, what is a shoreline?

Ben Floyd – Basically the river. It is the Palouse, that is the Palouse River, 61 miles of drainage but for this drainage area the Silver Creek, the 61 miles is the shoreline of the state which the Palouse River has flow greater than mean annual of 20 CFS, cubic feet per second, the 179 is probably that 61 plus.

John Small – It is separate.

Ben Floyd – It is separate, it is drainages that flow at least a week or two a year that come into the Palouse that have potential for fish use as WFW has identified it. This is their data. DNR data.

David Lange – So a shoreline both sides of the river at the lineal?

John Small – It is just the length of the river at the watershed.

Alan Thomson – The Shoreline of the State jurisdiction is 200 feet, the ordinary high water mark on both sides of the river. But that is not what is illustrated here.

Nancy Belsby – Why aren't lakes a Shoreline of the State?

Ben Floyd – It is, yes, there are lakes also that are included. We are just trying to characterize this drainage area that John's property is in. It is for context.

John Pearson – Is that the same as water table?

Ben Floyd – No, this is a drainage within WRIA 34. So it is part of the Palouse. So, we have one mind bender for you to leave with. I know this has been a long meeting.

John Small – Down this first column we have summarized some of these critical area functions and values. Flood control, filtration and cleansing of the water, getting that water back into the ground, keeping the hydrologic system working, retaining soil, maintaining habitat, maintaining nutrient within the eco system so they are not getting blown out downstream and lost. Those are the types of functions that ecologists want to talk about.

On July 22, 2011, we have an idea what the level of function was. We have a pretty good idea. One thing that I have learned through this process, is the practices the producers are already implementing, increase in drill seeding, reduction in tillage, reduction in imports in the crops is all having a benefit over time. Even today in 2016, there may be some folks out there aren't implementing any real conservation measures. Their property may have seen some impacts over time but on the whole the County is doing a little better. If we continue that trend we have a certain amount of increase that is happening. So that is good news.

So, things happen, fires, floods, the price of crops go sky rocket, etc. There can be some changes where there is sudden increase of the intensity of Ag loss of soil, from fire and rain and snow, erosion. Those are the kind of things we have to prepare for. The other thing as we move through this we are measuring this across the whole County. Silver Creek has a huge rain and snow event, that is one watershed and it may not have the same impact all over the County so we are looking across a broad area.

Ben Floyd – We aren't responsible for that; we can't control that, so that is really just to note in the baseline a shift in the baseline for a few years; it will take some time to recover, then we are back. That is just something to acknowledge.

John Small – Wherever we end up with those pluses and minuses is where we end up. Then assuming that VSP compels folks to implement more conservation measures, talk to the technical advisors, get better sense of what they are doing and they step up their game a little bit. We get that amount of lift as well and it becomes easier to see that we are at or above this 2011 level.

We may not hit it on every one of these functions and that is where we can use adaptive measure and come back and potentially target conservation measures that address nutrient cycling or address habitat in Silver Creek subunit. It will throw the County out of VSP unless it fails the county-wide basis. That resolution, this kind of granular approach will allow the program to identify what is working and what is not and try to get towards a place where everything continues to improve over time and stay above that 2011 model.

You don't have to keep going forever and ever and always up your conservation game. The reality is you always have to up your Ag efficiency game in the industry that you have chosen. Everybody else is doing it and if you don't do it you aren't going to make money. There is always going to be a tradeoff and what this illustrates is that as long as the general conservation practices are maintained and enhanced over time you can focus on the Ag profit abilities and we can have Ag viability be the focus over the longer term.

David Swannack – I see what you are talking about. Over the last 20 years, our conservation has improved year by year. A part of this everybody seems to acknowledge is the CRP. Of the bids made this last time of ground that came out of CRP and they wanted to put it back in, very few acres were accepted back in and it is going to have a big impact, isn't it, or is this considered just natural?

John Small – I think the way the statutes is written the amount of land in production can increase, the intensity of Ag activity can increase. What the plan needs to do is come up with some goals and objectives for these critical areas functions and values and measure whether or not those are being protected or enhanced or whether they are being impacted by land coming out of CRP.

The obvious one is some of these shrub steppe habitats, rangeland management might be adversely affected but on balance for the County our critical area functions and values still being protected. I don't

have an answer to say, you're fine, don't worry about it, but I think what will help you is that I know how much practices have changed in my life time and I'm convinced of the benefits you are still getting interest on those investments.

That's what is going to help push this program to success, not necessarily the individual actions. It is the fact that the Ag community as a whole has embraced this approach and that those benefits of reduced soil loss, reduced fertilization, more target use of pesticides, etc. All of those beneficial impacts are still being felt.

Ben Floyd – David, that is an area where we need to do more analysis. It would be nice to know where those areas are. What are the waterways, so that we can get more site specific and still demonstrate over all with the practices that are in place, in those areas we are still fine. It is a homework area that we need to focus on.

Tom Kammerzell – You said after so many years that there would be gains or losses, who is going to be doing the monitoring and giving their opinion if there is a (inaudible).

Ben Floyd – We will figure that out as part of this process. We have to identify someone who is monitoring and managing this. Overall it is the work group that has this under their prevue and then they will work with conservation districts, or NRCS or others to be determined. It may be that it is monitoring, not a big network of gaging stations and collecting a lot of physical data. It may be more just the counting of practices and the practices result in this, therefore we should see this, etc.

Kim Weerts – I think Art addressed this in the previous meetings. There won't be enough money to do those kinds of monitoring.

Joan Folwell – Should we be looking at some of these functions in reference to benchmarks? Because we are going to have to come up with benchmarks, too, aren't we?

John Small – I would advise you to head in that direction. Also, to think about what is measurable you can put a yard stick on and track over time. Maybe not in the most quantified super-analytical way. It may be something that behooves us to think a little more qualitatively but with some real science behind it. We had a conversation with John Stuhlmiller about not getting into a super detailed reporting because it will slow everything down. We need to be able to show the increase in the function and value of wetlands, etc.

Ben Floyd – That is a good Segway into upcoming meeting topics. In October, we are going to talk about protection and enhancement benchmarks, participation goals, in addition to confirming the measurers that we are going to include in the work plan, verifying plans we want to reference. We will have a list and you will tell us if we are missing anything that you want included.

We will talk about the protection and enhancement and benchmarks, grow participation goals, and begin to discuss outreach even though we don't have a lot of product to take out, we certainly have a lot of ideas. So, who else do we need to get involved? When do we get them involved? That is what we will be talking about in October.

In November we will continue discussing the benchmarks participation goals, we'll have a draft checklist for you to look at that point, also have options on monitoring and how we will handle that piece.

Then what we are proposing is we don't meet in December, but to allow us that time to finish drafting the plan, have it to you by the first of January and then January-March we will be refining the plan and getting your comments and dealing with other details.

Kim Weerts – Will you send out that slide, please?

Ben Floyd – Yes, in fact this whole power point presentation will be available after the meeting. We are not doing a good enough job of giving you the road map and we tried to define that road map. This is our current thinking of where we are going.

Brad Johnson – Next week is the Fair and we will have a booth and if you have any pamphlets or anything you want to get to us to get the word out on VSP.

John Stuhlmiller – I'm trying to think if there are any pieces,

Bill Eller – All the things you mentioned to be done for October and they may not be done for October, guidance kind of things, resources, but it maybe something you have to push over to November.

Ben Floyd – Thanks for the suggestions. Thank you so much. Give John Pearson a round of applause. Kim, we could put your property up here. A couple different conference calls, John put a lot of extra time to help the process and we appreciate that. You have been great and we look forward to seeing you in October.

5:33 p.m. – Adjourned.