

An Overview of the Voluntary Stewardship Program

Thurston County VSP Work Group
May 28, 2014

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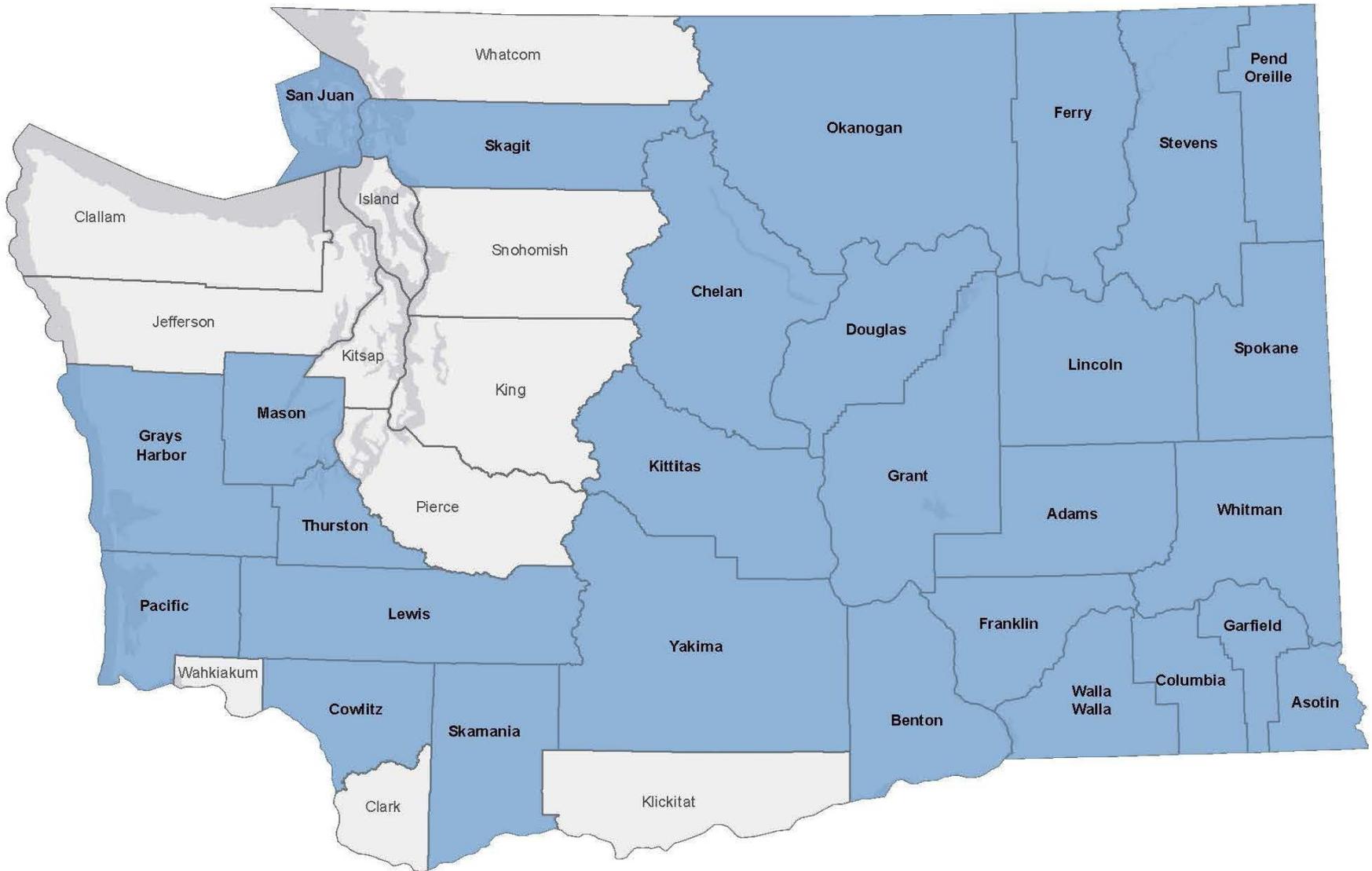
VSP - Background

- 2006 – Initiative 933 addressing taking of agricultural lands due to regulations. Fails by 60%.
- 2007 - Legislature charged the Ruckelshaus Center to examine the conflict between protecting agricultural land and protecting critical areas in local ordinances adopted under the GMA.
- Ruckelshaus Center - VSP was the result of the facilitated stakeholder discussions.
- Result of negotiations is the VSP.
- 2011 – Legislature passes and Governor signs. No funding

What the Statute Does

- The voluntary stewardship program is created at the Conservation Commission.
- The program is an alternative approach for counties to protect critical areas on agricultural lands.
- Counties are given two options:
 - Opt-in to the voluntary stewardship program, or
 - Continue under existing law in GMA to protect critical areas on agricultural lands.
- 28 of 39 counties opted-in.

COUNTIES OPTING-IN TO THE VOLUNTARY STEWARDSHIP PROGRAM



Opting-in to the Program

- Counties were required to adopt an ordinance or resolution opting-in to the program.
- Before adopting the resolution, the county must:
 - Confer with tribes, environmental and agricultural interests; and
 - Provide notice to property owners and other affected and interested individuals, tribes, government agencies, businesses, school districts, and organizations.
- The ordinance or resolution must:
 - Elect to have the county participate in the program;
 - Identify the watersheds that will participate in the program; and
 - Nominate watersheds for consideration by the Commission as state priority watersheds.

Opting-in to the Program

- In identifying priority watersheds, a county must consider:
 - The role of farming within the watershed including the number and acreage, economic value, and risk of conversion of farmland;
 - Importance of salmonid resources in the watershed;
 - An evaluation of the biological diversity of wildlife species and habitats;
 - Presence of leadership within the watershed that is representative and inclusive of the interests in the watershed;
 - Integration of regional watershed strategies, including the availability of a data and scientific review structure related to all types of critical areas;
 - Presence of a local watershed group willing and capable of overseeing a successful program; and
 - Overall likelihood of completing a successful program.

Opting-in to the Program

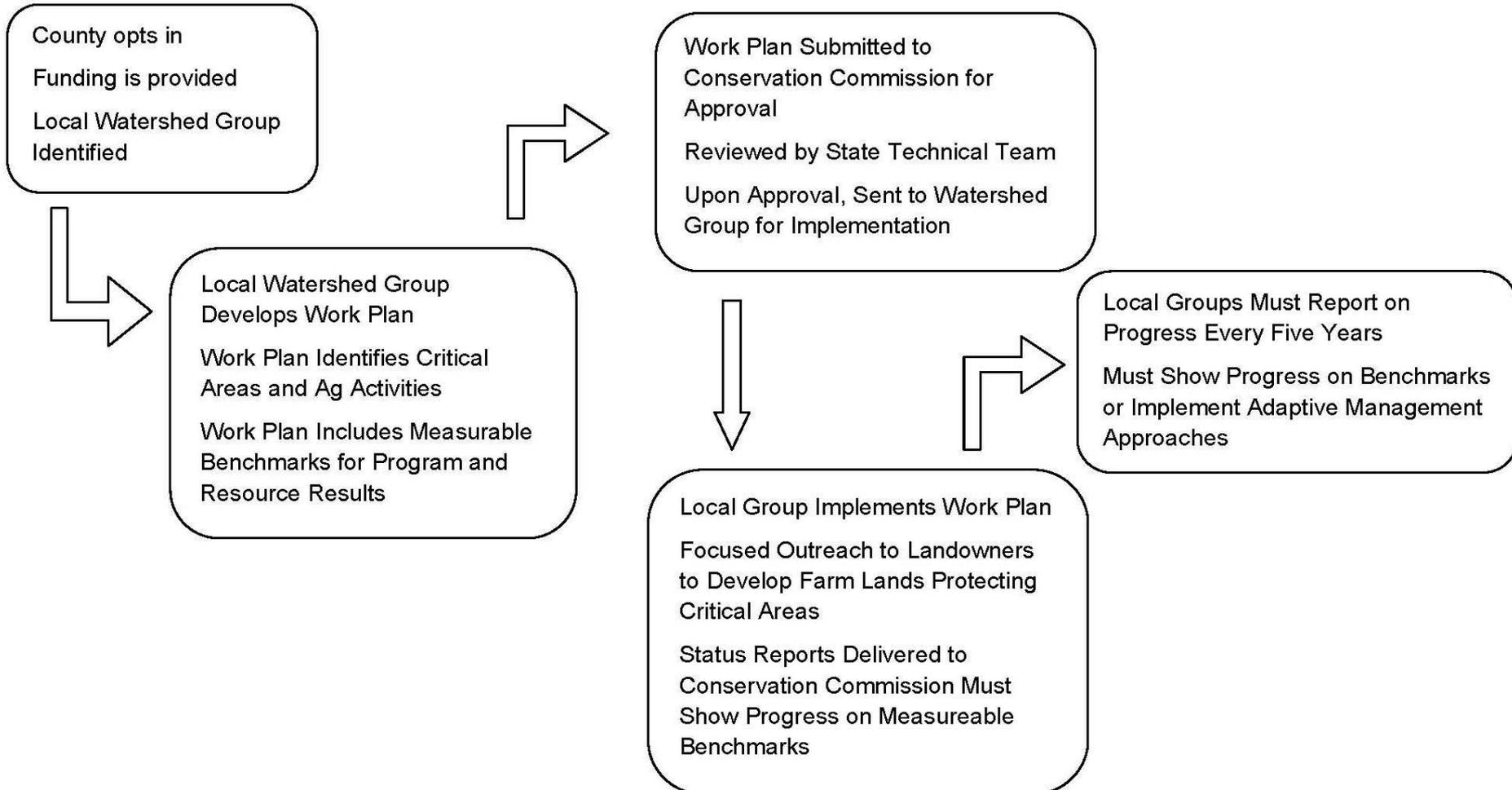
- The program applies to all unincorporated property upon which agricultural activities occur within a participating watershed.
- For those areas of a county NOT included in the designated priority watershed, the county must implement existing GMA critical areas requirements.
- “Watershed” means a WRIA, salmon recovery planning area, or sub-basin as determined by a county.
- Within 60 days of funds being available to a county to implement the program, the county must designate a watershed group and entity to administer funds for each watershed.
- The county must confer with tribes and stakeholders before designating the watershed group.

Funding

- Counties opting-in are eligible for a share of the funding made available to implement the program, subject to funding being available from the state.
- Not required to implement the program in the participating watershed until adequate funding for the program in that watershed is provided to the county.
- Current funding for Thurston County for program development and administration:
 - \$150,000 in year 1
 - \$125,000 in year 2
 - Will seek continuing funding for implementation

Overview of the Process

Voluntary Stewardship Program Process



Designation of Watershed Group

- Within 60 days of the initial receipt of funds, a county must designate a watershed group and an entity to administer funds for each watershed for which funding has been provided.
- A county must confer with tribes and interested stakeholders before designating or establishing a watershed group.

Role of Watershed Group

- The designated watershed group must develop a work plan to protect critical areas while maintaining the viability of agriculture in the watershed.
- The work plan must include goals and benchmarks for the protection and enhancement of critical areas.
- In developing and implementing the work plan, the watershed group must:
 - a) Review and incorporate applicable water quality, watershed management, farmland protection, and species recovery data and plans;
 - b) Seek input from tribes, agencies, and stakeholders;
 - c) Develop goals for participation by agricultural operators necessary to meet the protection and enhancement benchmarks of the work plan;
 - d) Ensure outreach and technical assistance is provided to agricultural operators in the watershed;
 - e) Create measurable benchmarks that, within 10 years after receipt of funding, are designed to result in the protection and enhancement of critical areas functions and values through voluntary, incentive-based measures;
 - f) Designate the entity that will provide technical assistance;

Role of Watershed Group

- [continued] In developing and implementing the work plan, the watershed group must:
 - g) Work with the entity providing technical assistance to ensure individual stewardship plans contribute to the goals and benchmarks of the work plan;
 - h) Incorporate into the work plan existing development regulations relied upon to achieve the goals and benchmarks for protection;
 - i) Establish baseline monitoring for: (i) participation and implementation of the voluntary stewardship plans and projects; (ii) stewardship activities; and (iii) the effects on critical areas and agriculture relevant to the protection and enhancement benchmarks developed for the watershed;
 - j) Conduct periodic evaluations, institute adaptive management, and provide a written report of the status of plans and accomplishments to the county and the Commission within 60 days after the end of each biennium;
 - k) Assist state agencies in their monitoring programs; and
 - l) Satisfy any other reporting requirements of the program.

Approval of Work Plan

- The work plan is submitted to the director of the SCC for approval.
- The director submits the work plan to a technical panel for review. Panel has 45 days to review and assess the plan.
- The technical panel is to review the work plan and assess whether the plan, in conjunction with other plans and regulations, will protect critical areas while maintaining and enhancing the viability of agriculture in the watershed.
- If the technical panel determines the plan will accomplish its goals, the SCC director must approve the plan.
- If the technical panel determines the plan will not accomplish its goals, the SCC director must advise the watershed group the reasons for the disapproval.

Technical Panel

"Technical panel" means the directors or director designees of the following agencies:

- WDFW
- WSDA
- Ecology
- WSCC

Technical Panel

State agencies have been meeting.

Includes the 4 agencies on the technical panel as well as other agencies such as Commerce and DNR.

Developing guidance for counties when developing work plans. Draft will be shared with counties prior to the end of this year.

Panel will be meeting with the Statewide Advisory Panel to coordinate and share information.

Statewide Advisory Panel

SCC is required to appoint the panel consisting of a specified composition:

- Environmental: Kris Knight, Nature Conservancy
- Environmental: Margaret Studer, Futurewise
- Agricultural: John Stuhlmiller, Farm Bureau
- Agricultural: Brandon Roozen, W Wa Ag Assn
- County: Richard Stevens, Grant County
- County: Sandra Romero, Thurston County
- Tribes: David Troutt, Nisqually Tribe
- Tribes: Vacant

Statewide Advisory Panel

- The Advisory Panel will be evaluating the guidance material developed by the Technical Panel.
- The Advisory Panel is also working on a set of criteria for the Commission to consider if we are able to get only a subset of the full program funding.
- The Panel will meet with members of the Technical Panel and representatives of Thurston and Chelan.
- Once a work plan is developed and submitted for approval, if the technical panel can't agree, goes to the Advisory Panel.

Relationship to GMA

Legislation will add new sections to RCW 36.70A, the GMA statute.

If the participating watershed is achieving the benchmarks and goals for the protection of critical areas functions and values, the county is not required to update development regulations as they apply to agricultural activities in the county.

If the participating watershed is NOT achieving the benchmarks and goals for protection, then the county must review and if necessary revise development regulations in the area consistent with the GMA.

Relationship to GMA

Key Issue:

There are still questions and challenges to this approach where CAO protection is dependent on landowner implementation of a stewardship plan.

Some questions for counties:

How to track progress on CAO protection? VSP requires reports on progress every 5 years. Also requires monitoring.

What do you do if a landowner won't participate? Existing enforcement authorities are still in place.

Questions?

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