

Skagit County Agricultural Advisory Board (AAB)
Minutes – March 16th, 2005

Members in attendance:

Oscar Lagerlund (Chair)
Dave Boon (Vice-Chair)
Kim Mower
Murray Benjamin
Rose Merritt
Randy Good
Ron Wesen (for Lyle Wesen)
Roger Knutzen
Annie Lohman

Members not in attendance:

Mike Hulbert
Bob Hughes
Lyle Wesen

Others in attendance

Don Munks
Jon Johnson
Carolyn Henri
Don Stuart
Bob Rose
Dyvon Havens
Kendra Smith
Allison Deets

1. Call to order & introductions:

Chairman Oscar Lagerlund called the meeting to order at 6.10 pm, and welcomed board members and guests Commissioner Don Munks, Jon Johnson (WSU), Carolyn Henri (Resource Consulting), Don Stuart (American Farmland Trust), and Bob Rose to the March meeting.

2. Minutes:

Oscar Lagerlund requested corrections or additions to the February minutes. Annie Lohman offered a correction to the minutes, noting that she has accepted the chairmanship of the Critical Areas committee. Murray Benjamin moved to accept the minutes as amended. Rose Merritt seconded the motion. Motion carried.

3. Tribal Ag Alliance – Don Munks

Commissioner Don Munks, current Chairman of the Board of County Commissioners, attended the Ag Advisory Board meeting to provide some perspective on the Tribal-Ag Alliance and document from the Commissioners point of view.

Commissioner Munks reported that Steve Sakuma, one of the farmer representatives in the Tribal-Ag Alliance process, set up meetings with each of the three Commissioners. The primary purpose of those meetings was for Steve Sakuma to get some feedback from the Commissioners on the Tribal-Ag process and how they felt it was proceeding.

Commissioner Munks noted that the only tribal nation participating in the Tribal-Ag Alliance at this time is the Swinomish Nation, and also noted that at earlier times (prior to this “Tribal-Ag Alliance”) he had set up meetings between Tribal Chairman Brian Cladoosby and different ag groups – with little result. Commissioner Munks stated that he was perplexed by a perceived shift in the ag community, given that when the Commissioners were attending the quarterly “Ag Leaders” breakfasts, they were told by farmers, including Steve, that “we want you [Board of County Commissioners] to draw a line in the sand.” Commissioner Munks feels

that the County Commissioners have made a measurable commitment to agriculture; the AAB members agreed.

Commissioner Munks told the AAB that his comments to Steve Sakuma were that he cannot direct Steve as to what he can or cannot do, nor can he tell him what he should or should not do. The Commissioner said that if Steve and others involved in the process are creating a better relationship with the Swinomish, wonderful. However, his feeling is that the Swinomish are using the document and Alliance as a stall tactic. He noted that while he and Brian Cladoosby have had many discussions about how to resolve the challenges, most of those conversations centered around getting the County to back off; they never quite get around to the tribe backing off on its 19 lawsuits.

The Commissioners will not endorse the Tribal-Ag Alliance, nor are they going to come out strongly against it. The Board of County Commissioners will continue to go forward with what it has committed to do for agriculture.

AAB member Murray Benjamin extended his thanks, and thanks on behalf of the rest of the members, to the Board of County Commissioners and encouraged them to continue their strong stand for agriculture. Vice-Chair Dave Boon said he felt very strongly that the AAB would need to take its time in even considering any support of the Tribal-Ag Alliance. Ron Wesen, who was serving as a substitute for his father, Lyle, reported that while he is involved in the Tribal-Ag Alliance and believes in the process, he still supports the Board of County Commissioners' actions.

AAB member Annie Lohman said that as someone who's read every brief filed by the tribe, she's struck by how disrespectful the tribal attorneys are regarding agriculture, and that there may be a split – the way tribal members interact with other members of the community may not be the way the Tribe interacts with the community.

Randy Good thanked the Commissioners for their continued support and reported his concern about the reference in the Alliance document that cites a letter that refers specifically to salmon recovery goals, dated March 22, 2002. Roger Knutzen added that this document is self-serving, and it's impossible to work with someone who's only serving himself.

Commissioner Munks stated that we have exceptional relations with the Upper Skagit Tribe, good relations with the Samish Nation, and we're developing a relationship with the Sauk-Suiattle, in part as a result of the change in power in the last tribal election. The Commissioner said that Brian Cladoosby believes he was given the right by the State and Federal governments to control the land and water for fish in Skagit County. The question, said Commissioner Munks, is who is going to control land use in the County?

4. Update on WSU Riparian Buffer Research in Skagit County – Jon Johnson & Carolyn Henri

Dr. Jon Johnson and Dr. Carolyn Henri gave a presentation on an ongoing WSU Riparian Buffer Research Project. Dr. Johnson is studying the environmental feasibility of the project, while Dr. Henri studies the economic impacts to farmers in Skagit County of riparian buffers. Together, they are looking at the most cost-effective and positive economic impact possible for buffers on Skagit County watercourses. The session was very informative, and several questions were raised that Drs. Johnson and Henri will research and get back to the AAB on at a later date. The presentation, also available at <http://www.puyallup.wsu.edu/agbuffers>, is attached.

5. Farm Bill Reform – Don Stuart

Don Stuart, Regional Director for American Farmland Trust (AFT), gave a presentation on Farm Bill Reform. AFT is working with other partners in Washington, DC, to help move the Farm Bill from a “commodity” structure to a “conservation” structure. He provided the AAB with a white paper on “The Case for US Farm Policy Reform” as well as a “Farm Policy Reform Q&A with Ralph Grossi, President of American Farmland Trust.” Part of the argument AFT is making for Farm Bill reform, says Don Stuart, is the disappearance of family farms, in spite of significant government subsidies. He noted that the US and European ag subsidies undermine economic opportunities for those in developing nations, and jeopardize free trade, and that it is clear that the current farm support payment structure is pushing this country and the global food system to the breaking point.

Don Stuart also stated that there is some question about the long-term sustainability of the current ag system. The paving over of farmland and squeezing out of farmers in high-end real estate markets, as well as the increasing costs and lessening options for consumers when it comes to their food choices are helping to push this issue to the forefront. AFT is working on new federal legislation to shift farm policy through an alternative conservation title – a previous effort in the 2002 Farm Bill failed narrowly in the House. With new participants and partners, AFT can get broader support for its vision for the Farm Bill and conservation title.

6. Committee report

Annie Lohman gave the committee report for the Ag Advisory Board Land Use Committee. Mike Hulbert, Chair of the Committee, was unable to attend the meeting. Other Committee members are Annie Lohman, Kim Mower, and Rose Merritt. AAB Chair Oscar Lagerlund also attended the meeting.

The Committee convened to discuss a proposal for a property just outside of Edison. The property is approximately 96 acres in size, in one large lot, and is zoned Ag-NRL on 95 acres, with one acre in the Rural Village zoning designation. One house has been built on the property; there should be one development right still associated with the Ag-zoned land as well as a potential development right associated with the Rural Village designated acre.

The proposal made to Planning and Development Services would cluster an existing unexercised lot next to the existing house, and transfer a development right from the Rural Village zone to the Ag-NRL zone. The lots created would be: a lot for the existing home; a lot for the development right from the remainder ag; a lot for the development right transferred from the Rural Village; a lot for the remainder ag parcel, which would be placed under easement; and a lot in the Rural Village, without an associated development right.

The Committee reported that it was quite concerned about the precedent set by a “backwards” transfer of development rights, from an urban zoning designation to a resource land. The Committee felt this was in opposition to a no net increase in density policy. Additionally, the Committee reported that, in order for the landowners to cluster even the two houses allowed in the ag zone and “seg” them from the rest of the property, the landowner would have to place an easement on the remainder of the property. In other words, the two allowable homesites could only be separated legally from the remainder ag ground by placing an easement on that remainder. No incentive or reason exists to accept the terms of the proposal pushed by the landowners.

The Committee recommended, therefore, that the AAB adopt the following policy position:

The Skagit County Agricultural Advisory Board is opposed to a transfer of development rights from an Urban Growth Area, Rural Village, or other higher-density designation, to a Natural Resource zone, such as the Agricultural-NRL zone, which would set a dangerous precedent for increasing the density in our resource lands.

Annie Lohman moved the policy position be accepted as presented by the Committee. Randy Good seconded the motion. Motion carried unanimously.

7. Standing Issues:

Water Rights:

Randy Good reported that he attended a public meeting about the Department of Ecology's proposed amendment to the current MOA with Skagit County regarding instream flow rules. Ecology, under this amendment, would have the power to shut off water if it did not like a land use decision made by the County. Such an amendment effectively takes land use decision power out of the community's hands, and would force development only into places where public water was available and would limit peoples' access to water.

Commissioner Munks noted this is the first time in the history of instream flow rules that the rights of a County to make land use decisions are all but eliminated.

Critical Areas:

Annie Lohman reported that the County and the Pacific Legal Foundation have recently put forward briefs, but that agricultural interests involved in the suits have been cut out of the process by the Swinomish Tribe, which has quit briefing the ag interests. However, she has contacted the Western Washington Growth Management Hearings Board, which has said that ag is still a party of record and needs to be briefed. The Swinomish Tribe also tried a legal maneuver to force agricultural interests to apply for "intervenor status" but a judge ruled that the most the ag community needs to do is file a notice of appearance.

8. Miscellaneous

Chair Oscar Lagerlund extended his thanks on behalf of the Board to Dyvon Havens, who will be retiring in April from WSU Extension. He noted her many years of service to the County and Skagit agriculture. Member Roger Knutzen said that she has done a truly remarkable job for the ag community and it has been a pleasure working with her over the years. The rest of the Board concurred.

Oscar Lagerlund called for a motion to adjourn. Murray Benjamin moved, and Roger Knutzen seconded, that the March meeting of the Skagit County Agricultural Advisory Board be adjourned. Carried.

Adjourn regular session, 8.37pm.