

Proposal to enroll the County, and each of its watersheds, in the ESHB 1886 Voluntary Stewardship Program. The proposal nominates the Samish Watershed as a priority watershed.

Comments:

1. The undersigned neither supports nor opposes the proposal. I offer my comments to help the Planning Commission and our County Commissioners better understand the consequences of their actions on this matter.
2. There is no substantive difference between the proposed Stewardship Program and what has been in place now for many years. We long have had Watershed Committees and Action Plans, Stream Teams, and all of the incentive programs (including CREP and the Natural Resources Stewardship Program and free Conservation District assistance for the asking.) Beyond that we now also have the huge *Clean Samish Initiative* which has spent more than one-million dollars in the past two years. But pollution levels in most or all of our monitored water bodies are as high as ever, despite those expenses, committees, efforts, incentives and plans. There has been no evidence presented that this proposed program will improve anything, while the past many years of experience with a comparable program demonstrate that it will not. There is not even any additional funding for this program, barring some financial miracle.
3. Most of the anticipated water-quality improvements from the *Clean Samish Initiative* are due to direct threats of fines from the State Department of Ecology, an effort that receives none of the more than one-million dollars (Skagit Clean Water Program and Federal EPA Grant) that fund the *Initiative*. Since this new Stewardship Program does not specifically provide for any additional local enforcement of water pollution laws, significant improvements in our local water quality will continue to come as a result of enforcement efforts, by Ecology, external to the Program (and external to the County.)
4. By far the most significant agricultural pollution of water, in our county, comes from large farm animals grazing next to fences that are immediately adjacent to ditches, streams, lakes and rivers. Their manure accumulates and washes into the waterways during our rains between September and May, as monitoring efforts have demonstrated year after year. In some places there are lots of these animals - owned by commercial ventures, and in others only one, two, or a few - owned by individuals for hobby or recreation. Existing County laws do not preclude this practice, although State and Federal laws do. This Stewardship Program doesn't do anything about it either, thus it will continue, except where specific State Department of Ecology actions can be brought to bear.
5. And so, if this Program is accepted, then I also would like you to create a Skagit County ordinance that requires livestock to be fenced well away from roadside and drainage ditches, streams, lakes, etc. and that also prevents occupied pastures from being direct-ditched into our waters.


Peter Haase 14951 Benson Hgts Bow 98232

10/25/2011

11/1/2011

Skagit County Planning Commissioners
Mount Vernon, Wash. 98284

November 2, 2011

RE; Testimony on Ruckelshaus Vol/Ag-CAO Public Hearing

Dear Commissioners;

Concerns- From date Resolution was signed to review this proposal it has been evident Skagit County planned to enroll, opt in to Voluntary Stewardship Program. No information made available to public or Ag Advisory Board to review disadvantages or advantages of not enrolling. Whatcom, Island, Snohomish Counties all have opted out.

This issue came to our County Ag Advisory Board. The Agriculture Advisory Board's Sub-committee on CAO met and unanimously agreed to draft a letter to the County Commissioners specifically asking for information the County needs to become compliant with the present CAO and requesting staff perform a statistical analysis of data to satisfy the Supreme Court and Hearings Board ruling. Letter was sent to Ag Advisory Boards Chairman. Sub Committee's letter was never brought forward to other Ag Board members for their review or approval. At next full Board meeting Ryan Walters was asked what would be required to bring present CAO into compliance. Will Honea interrupted saying we will not be talking about that.

As of today Nov. 2, 2011 we still have not seen copy of report requested in County Commissioners Resolution analyzing costs, staff, funding, benefit of joining.

Since the County is opting in; Need assurance County will provide staff person with Natural Resource Degree, with experience in doing statistical data analysis and field work experience necessary to determine the baseline natural background. Required duties under the Ruckelshaus Voluntary Stewardship Program as stated by Ron Schultz.

Called Voluntary, but is it? Ruckelshaus Vol Program will by regulation force enhancements in this new Ordinance with no true field tested science to back these requirements up.

The reality of these voluntary projects and effects to adjoining farmland. The County Commissioners were criticized for considering removing 6 acres of farmland for the Francis Road project. Yet, we have hundreds of acres of prime farmland being planted with blue tubes with 435 conifer and hardwood trees per acre for CREP projects and other conservation, restoration projects. Real science proves shade does not cool water. The day is coming when nature will over rule government agencies, F&W and tribes failure to use true field tested science. Taxpayers and adjacent landowners will foot the bill with farmland loss forever.

With 1000's of acres of farmland being turned into conservation fish habitat projects relying on former Swinomish Indians employee's junk science studies we list one of many projects and the harm it is causing. The Northern state Alluvial fan project where farmland was lost, the fan project killed more fish in one year than was ever lost in Hansen Creek. With a excellent return of fish the first year after completion, spawning took place in areas that were soon left high and dry. During the spring and summer many lost their lives to bird's and too shallow of water pools. Fish experts calling this a natural phenomenon. Poor engineering has Hansen Creek now washing alongside Highway 20. A backflow of Hansen Creek waters into a ditch leading to Red Creek resulted in an overflow to be diverted onto our 30 acre farm field ruining a new seeding, this year resulting in a total lost. These voluntary conservation fish habitat enhancement projects are clearly not farm friendly, not only taking large farming acreage out of production, but making it impossible to farm next to them.

It is very important that the County starts now in performing required steps to become Court compliant with the present CAO. All of the steps are necessary anyway to satisfy the requirements of Ruckelshaus Vol/Stewardship Program.

These steps should include;

Staff needs to start a statistical analysis of data. Supreme Court made it clear that benchmarks must be established from existing data.

Critical Areas Ordinance must be based on monitoring.

Monitoring cannot be interpreted without valid statistical analysis of data in

order to implement adaptive management where corrections are needed.

County lacks triggers because only measurements have been taken and because measurements have not been tested by analysis leaving data interpretation open ended to anyone's guess.

Best Available Science in WAC-365-195-900-925 requires analysis. Once the natural capabilities are known (the benchmarks) of the creeks within a statistically high confidence level, we will know if harm is being done and when DOE levels are unobtainable.

Once a condition is determined using statistically valid baseline, then determine if this is a natural background condition or if the condition might be improved by Best Management practices implemented from the farmer, Conservation District or NRCS.

Thank you

Handwritten signatures of Randy Good and Aileen Good in cursive script.

Randy and Aileen Good
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FILE

DATE: September 13, 2002

TO: Rick Boge
Skagit County

FROM: Rod Hamilton, CRP/CREP Program Specialist
Washington State FSA Office

SUBJECT: CRP/CREP Eligibility

This is to confirm our telephone conversation yesterday. I will provide a signed copy when I get back in the office.

The Farm Service Agency determines the eligibility of land offered for CREP based on the date the CREP contract (CRP-1) is approved, not on the date an application is filed (form CRP-2). It is important for the county, or any other government body, to take this into consideration when taking action that impacts a producer's legal ability to farm his cropland. If a particular piece of land can legally be cropped on the date the application is filed, but circumstances change and it can no longer legally be cropped on the date FSA is ready to approve the contract, the land would be ineligible for CREP.

Please let me know if this does not adequately answer your question. Of course we will continue to work with Skagit County to make CREP work in your area, within the confines of the program regulations and authorizing statute.

rdh

cc: Skagit County FSA Office
Gary West, District Director
Debbie Becker, WA CREP Coordinator

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FOR MORE INFORMATION ABOUT FSA, VISIT OUR WEB SITE AT <http://www.fsa.usda.gov>