

Voluntary Stewardship Program

Skagit County – End of Biennium Status Report



August 30, 2021

Table of Contents

Introduction	3
Acronyms	4
1. Protection and Enhancement of Critical Areas.....	5
Protection	5
Fish and Wildlife Habitat Conservation Areas	7
Wetlands	9
Frequently Flooded Areas.....	9
Geologically Hazardous Areas.....	10
Critical Aquifer Recharge Areas	10
Enhancement	11
2. The Long-Term Viability of Agriculture	12
3. Reducing Farmland Conversion	14
Land Use.....	14
Water Resources.....	15
4. Maximizing Voluntary Programs.....	16
Natural Resources Stewardship Program	17
Current Use Open Space Tax Program.....	17
Conservation Reserve Enhancement Program	17
Pollution Identification and Correction	17
5. Leveraging of Existing Resources	18
6. Fostering A Spirit of Cooperation.....	18
7. Ongoing Efforts to Improve Compliance.....	19
8. Voluntary Stewardship Practices	20

Introduction

The Washington State Conservation Commission released Policy Advisory #05-18 to outline content reporting requirements under the Voluntary Stewardship Program. This document represents Skagit County's second end of biennium status report on the Voluntary Stewardship Program. This update is organized by the eight criteria outlined in the policy advisory.

Skagit County's Skagit and Samish watersheds are important both locally and regionally. The Skagit River is the largest source of freshwater and home to some of the largest salmon runs in Puget Sound, and Samish Bay is one of the leading shellfish producers in the state. The Skagit River is the third largest river on the west coast of the contiguous United States and the largest and "one of the most unspoiled strongholds of fish and wildlife habitat in the Puget Sound."¹ The Skagit River hosts all five species of Pacific salmon, including six independent populations of threatened Chinook salmon, six populations of threatened steelhead, at least 26 local populations of threatened bull trout, three populations of chum salmon, two populations of Coho, and one each of pink and sockeye. Skagit County is often called the "last, best hope" for salmon recovery in Puget Sound.

At the same time, the agricultural industry is critical to Skagit County's economy, rural character, and the food security of Western Washington. There are over 90 different crops grown in the County. Commodities include milk, livestock, poultry, crops, and value added products. Blueberries, raspberries, strawberries, tulips, daffodils, pickling cucumbers, specialty potatoes, Jonagold apples, and vegetable seed are some of the more important crops in the maritime valley. Ninety-five percent of the red potatoes grown in Washington are from Skagit County. Skagit County ranks first in Washington State in the "Nursery, Greenhouse, Floriculture, Sod" commodity category, fourth in the "Vegetable, Melon, Potatoes, and Sweet Potatoes" commodity category, and fifth in Washington State in "Milk from Cows" production. Skagit County is a major producer of cabbage, table beet, and spinach seed for the world. There are six vegetable seed companies in the county, most of which market products globally.²

Protection of both critical areas and agriculture are compatible goals. As the Puget Sound Partnership Action Agenda proclaims, "agricultural lands [contribute to] critical fish and wildlife habitat and other ecosystem functions, especially in highly productive lower elevation riparian areas... maintaining the vibrancy of agriculture is crucial to recovering Puget Sound and instrumental in providing a high quality of life in the region."³

¹ Skagit Chinook Recovery Plan, 2005

² Washington State University, Skagit County Extension, [Agricultural Statistics](#), 2019

³ Puget Sound Partnership, 2012/2013 Action Agenda for Puget Sound, page 51

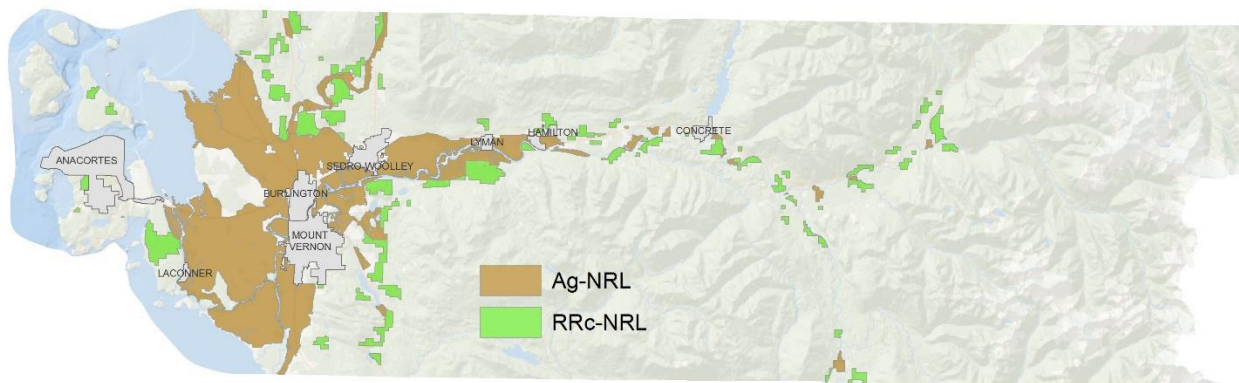
Acronyms

Ag-NRL	-	Agricultural - Natural Resource Lands
CAO	-	Critical Areas Ordinance
CARA	-	Critical Aquifer Recharge Areas
CBP	-	Custom Buffer Plan
County	-	Skagit County
CREP	-	Conservation Reserve Enhancement Program
CSI	-	Clean Samish Initiative
Ecology	-	Washington State Department of Ecology
ESHB	-	Engrossed Substitute House Bill
FC	-	Fecal coliform
FFA	-	Frequently Flooded Areas
FWHCA	-	Fish and Wildlife Habitat Conservational Areas
GHA	-	Geologically Hazardous Areas
GMA	-	Growth Management Act
NHD	-	National Hydrography Dataset
IDDE	-	Illicit Discharge Detection and Elimination
LWD	-	Large woody debris
MARP	-	Managed Agricultural Riparian Plan
NRSP	-	Natural Resources Stewardship Program
PIC	-	Pollution Identification and Correction
PSP	-	Puget Sound Partnership
RCW	-	Revised Code of Washington
RR-NRL	-	Rural Resource Natural Resource Lands
SCC	-	Skagit County Code
SCD	-	Skagit Conservation District
SFEG	-	Skagit Fisheries Enhancement Group
SLT	-	Skagit Land Trust
SWC	-	Skagit Watershed Council
TMDL	-	Total Maximum Daily Load
VSP	-	Voluntary Stewardship Program
WDFW	-	Washington Department of Fish and Wildlife
WSCC	-	Washington State Conservation Commission

1. Protection and Enhancement of Critical Areas

Reporting Criteria 1: The protection and enhancement of critical areas within the Area where agricultural activities are conducted

Skagit County’s VSP Work Plan applies to the intersection of agriculture and critical areas in unincorporated areas of Skagit County, referred to as the VSP Intersect Areas. While some agricultural activities occur throughout the county, the vast majority of agricultural activities occur in the Agricultural (Ag-NRL) and Rural Resource (RRc-NRL) zones shown below. The Rural Resource zone also includes mineral resource and forestry activities.



Protection

Skagit County’s VSP Work Plan outlines a critical area specific approach to monitoring for protection of all five critical areas in the VSP Intersect Areas. The following reflects the Work Plan protection goal for each of the critical areas:

Wetlands

Goals	Preserve and protect wetlands to prevent their continual loss and degradation. ⁴ No degradation below the statutory 2011 baseline.
Applicable Regulations	Intersect areas are protected by regulations including SCC 14.24.070(2) which requires any expansion of agriculture into a critical area or its buffer to comply with the substantive and procedural provisions of the critical areas code.
Benchmarks	Within the intersect areas, no net loss of wetlands or buffers existing as of July 22, 2011.
Metrics	Skagit County will use Ecology’s Wetlands Change Analysis, which it updates at five-year intervals, for a coarse evaluation of gain or loss of wetlands in the intersect areas.
Trigger	Within the intersect areas, loss of more than 10% of wetlands area due to agricultural activity.
Response	Confirm areas of identified loss through site visits; prioritize affected sites for voluntary incentive measures to improve wetland function; pursue code enforcement where code violations have occurred.

⁴ Skagit County Comprehensive Plan Goal 5A.

Critical Aquifer Recharge Areas

Goals	Protect aquifer recharge areas, and well-head areas, ground and surface water quality and quantity for supplying all needs within Skagit County, including potable water for human use. ⁵ No degradation below the statutory 2011 baseline.
Applicable Regulations	Intersect areas are protected by regulations including state and federal pesticide regulations and the County's agricultural watercourse protection measures found in SCC 14.24.120(4)(b) that require agricultural operators to apply farm chemicals with all requirements stated on the chemical container labels and limit application of crop nutrients to agronomic rates intended for that particular crop.
Benchmarks	Within the intersect areas, no degradation below the statutory 2011 baseline of Group A water system water quality.
Metrics	Skagit County will review water quality parameters directly applicable to agricultural activities (e.g., synthetic organic contaminants including pesticides and herbicides) from Group A water system test results (e.g., those conducted for annual EPA-required Consumer Confidence Reports ⁶).
Trigger	Statistically significant degradation in metric since statutory 2011 baseline.
Response	Confirm contamination due to agricultural activity; involve Department of Agriculture to identify agricultural operators within area of groundwater influence on affected wells.

Frequently Flooded Areas

Goals	Protect hydrologic functions and reduce the potential for physical injury and property damage associated with flooding. ⁷ No degradation below the statutory 2011 baseline.
Applicable Regulations	Intersect areas are protected by regulations including the County's flood damage prevention regulations found in SCC Chapter 14.34. Agricultural activities are allowed in frequently flooded areas, but new land clearing or new structures must follow rules adopted to ensure the County's compliance with the National Flood Insurance Program ("NFIP"), and by extension, the National Marine Fisheries Service biological opinion for NFIP compliance with the Endangered Species Act. The NFIP requires the County to have a regulatory approach to comply with these mandates.
Benchmarks	Within the intersect areas, no new structures within the floodplain that are not compliant with the County's flood code, and no development that impedes floodplain habitat function inconsistent with that allowed by the flood code.
Metrics	The County's continued participation in the NFIP requires ongoing monitoring by the Department of Ecology through their Community Rating System and Community Assistance Visits ("CAV") and requires correction of any identified non-compliance. The County's metric will be number of unresolved issues in the intersect area identified by each CAV.
Trigger	Any unresolved issues in the intersect areas identified by each CAV.
Response	Perform and prioritize additional outreach to farms that have similar characteristics to identified CAV issues; pursue code enforcement where code violations have occurred.

⁵ Skagit County Comprehensive Plan Goal 5A.

⁶ [40 CFR 141](#).

⁷ Skagit County Comprehensive Plan Goal 5A.

Geologically Hazardous Areas

Goals	Minimize risk to life, property, infrastructure, and resources caused by disrupting geologically hazardous areas or by locating development in areas subject to naturally hazardous geologic processes. ⁸ No degradation below the statutory 2011 baseline.
Applicable Regulations	Intersect areas are protected by regulations including the County’s agricultural watercourse protection measures for soil erosion and sediment control management found in SCC 14.24.120(4)(c).
Benchmarks	Within the intersect areas, all new ag structures must comply with regulations for seismic hazard areas, e.g., soil liquefaction susceptibility.
Metrics	Number of permits issued in the intersect areas that achieve benchmark.
Trigger	Within the intersect areas, any failure to address seismic hazard regulations through permit conditions.
Response	Pursue code enforcement where permit conditions have been violated.

Fish and Wildlife Habitat Conservation Areas

Goals	Protect, restore where practical, and enhance fish and wildlife populations and their associated habitats. ⁹ No degradation below the statutory 2011 baseline.
Applicable Regulations	Intersect areas are protected by regulations including the County’s Critical Areas Ordinance for Ongoing Agriculture (SCC 14.24.120) and its watercourse protection measures.
Benchmarks	Within the intersect areas, no net loss of riparian buffer existing as of July 22, 2011, within the standard distances prescribed for each water type.
Metrics	Acres of riparian buffer within the standard distances prescribed for each water type.
Trigger	Any loss of riparian buffer within the intersect areas due to agricultural activities.
Response	Perform and prioritize additional incentive measures within the basin where loss has occurred; pursue code enforcement where code violations have occurred.

Fish and Wildlife Habitat Conservation Areas

As noted in the Work Plan, the focus in the agriculture/critical areas debates in Skagit County centers on FWHCA, which Skagit County protects through its standard CAO for activities other than ongoing agriculture, and through its Ag-CAO for ongoing agricultural activities. Generally, “protection” is achieved when the amount of vegetated buffer adjacent to applicable watercourses is maintained at, or improves from, its July 22, 2011, baseline levels. The notable efforts in this reporting timeframe include implementing protocols related to monitoring FHWCA.

There are two components of the monitoring plan. The first is determining the study area which is based on the watercourse location and type (to determine the width of the monitored area). This is a critical step because it determines the location of all subsequent analysis. The second part of the monitoring plan involves measuring change of vegetation in the study area via GIS methods.

⁸ Skagit County Comprehensive Plan Goal 5A.

⁹ Skagit County Comprehensive Plan Goal 5A.

Hydrography to Determine Study Area

Skagit County's GIS Department first started working on hydrography updates by working with the Washington State Department of Ecology (WA DOE). Washington State has recently adopted the National Hydrography Dataset (NHD) as the official source of watercourse information. With the help of Ecology staff Skagit County submitted hydro data that was incorporated and submitted to the Federal management of the NHD. While this has created an improved single hydrology layer to be used there are still more corrections and refinements that need to be made to the data including some on the ground site visits.

The second step in defining the study area is determining the width from the stream to be monitored (the buffer area). Skagit County CAO uses stream typing defined by the Department of Natural Resources (DNR) hydrology. These categories are detailed in the Work Plan. As part of the VSP program needs, WA DOE and Skagit County started a beta program to create stream DNR typing on the NHD data. The initial results of this program are very promising and will be a huge benefit in creating a single GIS layer for both stream location and stream typing.

Measuring Change Detection

Skagit's VSP Work Plan outlines aerial photography methods to monitor FHWCA in the VSP study area. Skagit County's GIS Department staff acquired additional data in order to support this effort. Skagit County contracted with Washington State Consolidated Technology Services to obtain access to infrared imagery flown every 2 years. Infrared imagery is useful in measuring vegetation, and was one of two data sources necessary to measure vegetated landcover. The imagery was already available for 2011 but newer image was acquired for 2017, and is available every 2 years.

GIS staff also worked with their aerial photography service provider, Eagleview, to beta test a process that creates digital surface elevations from the 2011 aerial imagery that was previously flown. This data in conjunction with the Infrared data allows the height of vegetation to be determined. Lidar data collected in 2016-2017 is used as an additional surface elevation source.

These datasets together allowed GIS to create and run a model to determine landcover for both 2011, 2017, and 2019 time periods, as well as to measure vegetation gains and losses over time. Approximately 17,338 acres were assessed. The monitored riparian areas were classified based on vegetation height. Losses of greater than 0.25 acre became a dataset to investigate; staff developed a flow chart to systematically address these potential losses. A multidisciplinary team has reviewed all losses capture by the 2017 aerial photo change detection; the additional losses from 2019 will also be put through the flow chart, categorized, and investigated. The Watershed Group will adopt a strategy by September 2021 to work with landowners where

losses have occurred. All unexcused vegetation losses were documented and are available for review in a GIS format.

The benchmark of no net loss of riparian buffer below the statutory baseline was shown to be achieved through this analysis. Skagit County is contracting with NOAA to obtain a land coverage dataset at 1 meter resolution to refine the change detection methods further going forward.

Wetlands

The goal to preserve and protection wetlands to prevent their continual loss and degradation with no degradation bellow the statutory baseline was achieved through the analysis of wetland change data. In addition, VSP intersect areas are protected by regulations including SCC 14.24.070(2) which requires any expansion of agriculture into critical area or its buffer to comply with the substantive and procedural provisions of the critical areas code.

The benchmark to achieve no net loss of wetlands or buffers was shown to be achieved through analyzing the Washington State Department of Ecology's wetland change inventory. All sites with land cover classification changes indicating a wetland loss or downgrade between 2011 and 2016 were evaluated. In total, there were 54 sites examined. These were investigated further using high resolution EagleView aerial imagery, which is available for Skagit County for years 2011 and 2017.

76% of sites had observed visible change. Of these, 78% of this change was due to natural causes such as river migration, shoreline migration, or natural plant growth or loss. 22% of sites that had observed visible change were due to human activity, however none of these sites showed wetland loss or a downgrade in land use classification. Changes detected were either slight variations in continued agriculture or visible gains in surface water and wetland habitat, such as quarries, retention ponds, or created wetlands. Skagit County is contracting with NOAA to obtain a land coverage dataset at 1 meter resolution to refine the change detection methods further going forward.

Frequently Flooded Areas

The Frequently Flooded Area (FFA) benchmark was achieved by monitoring by obtaining all findings from the Community Assisted Visits from the Skagit County Planning and Development Services Department. Community Assisted Visits are led by the Department of Ecology on behalf of the Federal Emergency Management Agency. These findings were then classified by zoning, ongoing agriculture status, and resolution status. There were no unresolved CAV findings related to ongoing agriculture.

The FFA goal of no degradation below the statutory baseline and protecting hydrologic functions and reduce the potential for physical injury and property damage associated with

flooding was achieved through investigating Community Assisted Visit findings. In addition, VSP intersect areas are protected by regulations including the County's flood damage prevention regulations found in SCC Chapter 14.34. Agricultural activities are allowed in frequently flooded areas, but new land clearing or new structures must follow rules adopted to ensure the County's compliance with the National Flood Insurance Program, and by extension, the National Marine Fisheries Service biological opinion for NFIP compliance with the Endangered Species Act. The NFIP requires the County to have a regulatory component approach to comply with these mandates.

Geologically Hazardous Areas

The GHA benchmark was monitored through permit data obtained from Skagit County Planning and Development Services. The database was searched for all building permits within the VSP intersect areas from the statutory baseline through 2019. Each building permit was analyzed to ensure compliance with geohazard conditions. This research was coordinated with Skagit County's Building Official.

The benchmark of ensuring all new agricultural structures comply with regulations for seismic standards was achieved by examining geohazard requirements and compliance for all agricultural structures in the VSP intersect areas. All Building Permits and Commercial Building Permits issued in the VSP intersect areas complied with geohazard conditions.

The GHA goal was achieved through collecting and monitoring all permit data for agricultural structures in the VSP intersect area and ensuring all geohazard conditions were met. Because most of the Ag-NRL and RRc-NRL zones are in diked and drained areas, the major geological hazard within areas of agricultural activities are those within a high liquefaction susceptibility as indicated on the Liquefaction Susceptibility Map of Skagit County issued by the Washington Department of Natural Resources. The geotechnical reports associated with each building permit in the VSP intersect areas reviewed for permit compliance, including the liquefaction analysis. This generally includes testing to ensure adequate soil capacities for building foundation design.

Critical Aquifer Recharge Areas

The Critical Aquifer Recharge Areas (CARA) goal of achieving protection of aquifer recharge areas was met through investigating Group A water system test results which yielded no violations to investigate further. The VSP Intersect Areas are also protected by regulations including state and federal pesticide regulations and the County's agricultural watercourse protection measures found in SCC 14.24.120(4)(b) which requires agricultural operators to apply farm chemicals with all requirements stated on the chemical container labels and limit application of crop nutrients to agronomic rates intended for that particular crop. As noted in the Work Plan, if a contamination is found and believed to be due to agricultural activity, the

County will work with the Washington State Department of Agriculture and agricultural operators in the drainage area on remediation.

The CARA benchmark is being monitored by obtaining and analyzing all Group A water system Consumer Confidence Reports in Skagit County from the Washington State Department of Health for years 2011 and 2018. 42 responsive records were returned for 2011 and 44 were returned for 2018. There were two pre-treated violations for coliform in 2011 and no violations for any agricultural markers in the 2018 reports. Agricultural markers included coliform, nitrate, herbicide/pesticides, and volatile organic compounds.

The Consumer Confidence Reports were geo-referenced by zoning and broken down by all reported analytes. While obtaining the Consumer Confidence Reports, the Washington State Department of Health suggested supplementing the Consumer Confidence Report data with the U.S. Environmental Protection Agency's Enforcement and Compliance History Online (ECHO) database. WSDOH stated this data is refreshed quarterly for all public water systems. This data source will be added, in addition to obtaining Group A Water System Consumer Confidence Reports, for future five-year reports.

Enhancement

Skagit County's VSP Work Plan outlines enhancement goals for seven subbasins. The programs and organizations that work with voluntary stewardship, protection, and enhancement of riparian areas throughout Skagit County are extensive.

Skagit County solicited consultants with a Request for Proposals to support the compilation of restoration data related to this goal. After rankings, the County selected The Watershed Company to assist in components of implementing the VSP Work Plan, including outreach and education and compiling all FWHCA restoration within the VSP Project area. The Watershed Company tallied restoration projects from a variety of sources, including the County's Natural Resources Stewardship Program, the Skagit Conservation District's Conservation Reserve Enhancement Program, the Skagit Watershed Council's riparian database, and the Recreation and Conservation Office PRISM database. These projects were overlaid with the VSP project area created as part of the FWHCA protection goal.

The benchmark to achieve enhancements through voluntary, incentive-based measures was achieved by the ongoing implementation of existing programs, namely the County's Natural Resources Stewardship Program and the Conservation District's Conservation Reserve and Enhancement Program. For 2020, these subbasins had the following goals, which were all met: Samish/5 acres, Lower Skagit/2 acres, Fisher Carpenter/0.5 acres, Nookachamps/2 acres, Middle Skagit/5 acres, Upper Skagit/2 acres, and Sauk/1 acre.

The restoration project information was gathered from a variety of project sources, including the County's Natural Resources Stewardship Program, the Skagit Conservation District's Conservation Reserve Enhancement Program, the Skagit Watershed Council's riparian

database, and the Recreation and Conservation Office PRISM database. These projects were overlaid with the VSP project area created as part of the FWHCA protection goal. Acres planted by subbasin include: Samish = 58.5 acres (goal of 5), Lower Skagit = 49.2 acres (goal of 2), Fisher Carpenter 19.5 acres (goal of 0.5), Nookachamps = 16 acres (goal of 2), Middle Skagit = 155.4 acres (goal of 5), Upper Skagit = 18 acres (goal of 2), and Sauk = 5 acres (goal of 1). By WRIA, these plantings total 7.1 acres for WRIA 1, 272.8 acres for WRIA 3, and 41.7 acres for WRIA 4.

2. The Long-Term Viability of Agriculture

Reporting Criteria 2: The maintenance and improvement of the long-term viability of agriculture

During the last Biennium, Skagit County produced an Agricultural Yearbook, funded by the Voluntary Stewardship Program to highlight the coordination, partnerships, and synergy that keep Skagit County agriculture thriving. The Yearbook received article contributions from 14 organizations to support the effort, including:

Friends of Skagit County	Skagit Drainage and Irrigation District Consortium
Northwest Agricultural Business Center	Skagit Farm Bureau
Port of Skagit	Skagit County Farmland Legacy Program
Skagit Cattleman’s Association	Skagit County Noxious Weed Control Board
Skagit Conservation District	Skagitonians to Preserve Farmland
Skagit Valley Tulip Festival	Taylor Shellfish
Western Washington Agricultural Association	WSU Extension – Mount Vernon

Skagit Publishing compiled the Yearbook and it was an insert in to the Skagit Valley Herald and La Conner newspapers. It is online at:

https://issuu.com/skagitpublishing/docs/skagitcountyagyearbook_pf_4c82a8f934733c

Agriculture is a principal industry in Skagit County. Commodities include milk, livestock, poultry, crops, and value added products. There are over 90 different crops grown in the County. Blueberries, raspberries, strawberries, tulips, daffodils, pickling cucumbers, specialty potatoes, Jonagold apples, and vegetable seed are some of the more important crops in the maritime valley. More tulip, iris, and daffodil bulbs are produced in Skagit County than in any other county in the United States. Ninety-five percent of the red potatoes grown in Washington are from Skagit County. Skagit County ranks first in Washington State in the “Nursery, Greenhouse, Floriculture, Sod” commodity category, fifth in Washington State in “Milk from Cows” production, and fourth in the “Vegetable, Melon, Potatoes, and Sweet Potatoes” commodity category. Skagit County is a major producer of cabbage, table beet, and spinach seed for the world. There are six vegetable seed companies in the county, most of which market products globally.¹⁰

¹⁰ Washington State University, Skagit County Extension, Agricultural Statistics, 2019

In addition to food and fiber products, agriculture in the region provides habitat for thousands of raptors and overwintering waterfowl. Numerous agricultural suppliers, organizations, and agencies serve the needs of this important industry, such as seed companies, food processors, grower associations, financiers, researchers, and farm machinery providers. Each year since 1999, over 20,000 people attend farm tours during the Festival of Family Farms to learn more about the bounty, beauty, and complexity of the Valley's working landscape.

Many programs support the maintenance and improvement of the long-term viability of agriculture in Skagit County. Examples include the County's 40-acre minimum zoning, the Agricultural Advisory Board, the Farmland Legacy Program, a designated agriculture scenic corridor, numerous agricultural oriented non-profit groups, Skagit County Comprehensive Plan, the Innovative Partnership Zone, and the Washington State University Research and Extension Office.

In 2010, the Legislature created an agricultural scenic corridor within the scenic and recreational highway system in order to showcase the state's historic agricultural areas and to promote the maintenance and enhancement of agricultural areas. In Skagit County, Interstate 5 from Starbird Road to Bow Hill Road was designated an agricultural scenic corridor.

The County's Agricultural Advisory Board, a 12 member appointed board, makes recommendations to the County Commissioners, Planning Commission, and the County Administrator on agricultural plans, policies, and programs concerning:

- existing and proposed legislation and regulations affecting agriculture;
- land uses as they impact agriculture;
- ways to maintain, enhance, and promote agriculture and agricultural products in the region; and
- any other agricultural issues as requested by the County Commissioners and/or consistent with the County's Comprehensive Plan.

The Port of Skagit leads numerous programs to benefit the business environment of agriculture in Skagit County, such as the Innovative Partnership Zone ("IPZ"). The Washington State Department of Commerce has designated IPZs across the State as a place for collaboration and innovation. Skagit Valley's IPZ is dedicated to value-added agriculture.¹¹

The Port of Skagit also provides a welcoming environment to a diverse array of businesses, including those related to agriculture. The Port's commercial kitchen was built in 2011 and serves as an incubator for emerging food businesses. Nine former users of the kitchen have established stand-alone businesses.¹² The Port property is also home to WSU's Bread Lab, where the Bread Lab Plant Breeding Program conducts research on thousands of lines of wheat, barley, buckwheat and other small grains to identify those that perform well for farmers, and that are most suitable for craft baking, cooking, malting, brewing, and distilling. The most

¹¹ [Skagit Valley Value-Added Agriculture Innovative Partnership Zone](#)

¹² Port of Skagit, [Media Center](#), 2015

promising varieties are selected for flavor, nutrition, and distinctive characteristics. The Bread Lab began in 2011 in a small laboratory in the Washington State University Mount Vernon Research Center. Today it occupies 12,000 square feet at the Port of Skagit and includes the Bread Lab research and baking kitchen, a cytology lab, and the King Arthur Flour Baking School. In 2017, construction will add a milling laboratory and a professional kitchen overseen by James Beard Best Chef Northwest winner Blaine Wetzel.

Recently, the Port's IPZ launched Genuine Skagit, a branding campaign to enhance Skagit Valley's agricultural regions' with the goal to enhance the Skagit Valley's agricultural region's perception and reputation as a premier, preferred and distinctive origin brand. Preference for Skagit Valley's agricultural products builds perceived value and relevance in the minds of residents, regional, national and international fresh food artisans, fresh food purchasers, consumers, food marketers, government agencies and influencers.

Skagit County contracts with the Washington State University's Extension Office, in part to improve agricultural and natural resources. The programs offered by the Extension Office outlined in the Interlocal Agreement include outreach of applied research and education to commercial agricultural producers in Skagit County, pest control programs including outreach to agricultural producers, operating a livestock advisory program, operating a 4-H youth program, and operating a family and consumer science and food access program.¹³

3. Reducing Farmland Conversion

Land Use

Land use and zoning regulations are typically cited as the most important factor for a stable and secure agricultural land base. Skagit County's Comprehensive Plan, Agricultural Resource Lands section, establishes goals and policies that ensure the long-term stability and productivity of the county's agricultural lands.

The Comprehensive Plan specifically outlines the following guiding principles for the County's agricultural resource lands: protect the agricultural land resource and farming in Skagit County; endeavor to minimize the loss of the resource; mitigate unavoidable losses; and replace lost resources whenever possible. These principles guide Skagit County's actions to:

- Preserve agricultural land for agricultural uses;
- Limit new non-agricultural uses and activities on agricultural resources lands;
- Provide education and support services that maintain the farming industry and lifestyle;
- Promote the economic benefits of farming;
- Resolve conflicts between agricultural and environmental objectives; and
- Monitor the long-term achievement of the goals and policies.

¹³ [Interlocal Cooperative Agreement between Washington State University and Skagit County.](#)

These goals and policies are intended to provide clear guidelines for land use planning and implementation in agricultural areas. The plan also includes policies to establish programs and other measures that promote and protect the current and future needs of agriculture within Skagit County.

Development rights are a landowner's right to build houses and structures on their property under current zoning and planning policies. Another common and powerful tool to protect farmland is to purchase development rights off these properties. Skagit County has a robust purchase of development rights program in the Farmland Legacy Program. The County will continue dedicated financial support for the Farmland Legacy Program to remove large numbers of development rights from farmland. This has the added benefit of removing potential homes from the floodplain.

The Farmland Legacy Program is funded by the County's Conservation Futures tax, and has leveraged that money to obtain grants from entities such as the Washington State Recreation and Conservation Office and the federal Natural Resource Conservation Service. Since its inception, the Farmland Legacy Program has protected over 13,000 acres through voluntary easement purchases and by easements acquired by the County's one-acre subdivision rule¹⁴. This program helps ensure the viability of agriculture in Skagit County.

Skagit County has a successful history in protecting agricultural lands through a series of progressive land use regulations dating back to the 1960s. The most notable efforts include:

- 1965 – Skagit County signs its first Comprehensive Plan
- 1966 – Skagit County passes a progressive zoning ordinance
- 1973 – Skagit County adopts the Large Acreage Lot size establishing a 30-acre minimum on agriculturally zoned lands, allowing a one-time division.
- 1979 – Skagit County eliminates the one-time division and increases the minimum lot size to 40 acres.
- 1991 – Skagit County becomes one of the first counties in the state to pass the “Right to Farm” ordinance protecting farmers from unreasonable complaints from neighbors.
- 1996 – Skagit County establishes the Farmland Legacy Program and begins assessing the Conservation Futures Fund

Water Resources

Two imperative water related resources are necessary for the long-term viability of agriculture in Skagit County: the operation and maintenance of drainage infrastructure and access to water for irrigation.

A key component of the success of agriculture in Skagit County is a complex system of levees, dikes, tide gates and drainage ditches established more than 100 years ago to protect more

¹⁴ Skagit County Code 14.16.860

than 67,000 acres of farmland from flooding and tidal inundation. This critical infrastructure is operated and maintained by more than 24 dike, drainage, and irrigation districts. With more than 380 miles of drainage districts, 147 miles of dikes and levees, and 130 tide gates and flood gates, Skagit County's special purposes districts play a significant role in supporting the economy of this vital industry.

The County continues to support the efforts of landowners and dike, drainage, and irrigation districts in obtaining funding and necessary permits and authorities to maintain drainage infrastructure and to have access to water for irrigation. The County will also continue to provide for staff time to attend the Drainage Fish Initiative annual meetings; these meetings give staff an opportunity to provide clear guidance on the County's regulatory needs as related to maintaining drainage infrastructure.

In addition, the County's Drainage Utility continues to support and financially partner through Interlocal Cooperative Agreements with dike, drainage, and irrigation districts on mutually beneficial drainage projects. For example, within the past two years, the County has executed at least ten interlocal agreements with various districts to participate in drainage projects such as conveyance improvements, pipe linings, and infrastructure replacements. The County will continue to support the powers authorized to the dike, drainage, and irrigation districts as outlined in RCW Title 85 (Diking and Drainage) and Title 87 (Irrigation).

4. Maximizing Voluntary Programs

Criteria 4: The maximization of the use of voluntary incentive programs to encourage good riparian and ecosystem stewardship as an alternative to historic approaches used to protect critical areas

Historic approaches to protect FWHCAs in Skagit County on Ag-NRL and RR-NRL lands relied on protective land-use designations such as RCW 36.70A.060, while protection of adjoining watercourses consisted of the no further harm or degradation policy. Since the introduction of VSP, programs have continued to successfully implement protection of these critical areas through purchases and easements, and voluntary stewardship has been attained through monetary incentives and technical assistance and education as to how these protections can benefit the landowners and their agricultural practices while considering long-term sustainability.

Maximizing the use of voluntary incentive programs was addressed in the VSP work plan by setting enrollment benchmarks for the first five years of the program, starting in 2018. These participation metrics include enrollment in local voluntary programs, enrollments in open space tax program, enrollment in relevant federal programs, and protective easements.

Natural Resources Stewardship Program

Skagit County's Natural Resources Stewardship Program (NRSP) was chosen to be the centerpiece of the county's voluntary measures for implementing VSP. The VSP work plan established a goal of 10 enrollments in NRSP by the end of 2019. From 2011 to 2020, the County's Natural Resources Stewardship program completed over 48 projects. These projects include native plantings, fencing, and/or the installation of large woody debris. Data was obtained from the County's NRSP Coordinator.

Current Use Open Space Tax Program

From 2011 to 2020, the Skagit County Hearing Examiner approved 106 enrollments or transfers into the Current Use Open Space tax programs. Data was obtained from the Skagit County Hearing Examiner, which posts all decisions to their website.

Conservation Reserve Enhancement Program

From 2011 to 2020, Skagit Conservation District implemented over 29 Conservation Reserve Enhancement Program contracts. Data was obtained from the Skagit Conservation District annual reports. In addition, Skagit County contracted with the Conservation District to implement six specific projects under the VSP, including a Cover Crop Program, AgWeather Stations, Plantings, Manure Pump, Cattle Alleyway, and Watering Station projects.

Pollution Identification and Correction

As part of Skagit County's Clean Water Program, an initiative was created called Pollution Identification and Correction (PIC). This program responds to water quality data, citizen complaints, and/or visual or olfactory cues that there may be a property contaminating a public watercourse. After inspecting the area and sampling the water, contact is made with the property owner. This occurs at residential properties as well as agricultural properties. When the offending property is agricultural, the property owner is recommended to the CD, whom can work with the property owner on an individualized farm plan that can help maximize productivity of the property while ensuring proper protection of public water quality.

The main effort of the PIC program has been in the Samish River watershed. This watershed is the focus of the Clean Samish Initiative, an initiative created to reduce fecal coliform pollution exposure to the shellfish farming in Samish Bay. Reduction of fecal coliform pollution into the Samish River and its tributaries overlaps with the goals of VSP in that successful implementation and improvement of water quality often requires making the same modifications to landowner properties, such as riparian restoration, manure management, and livestock exclusion. The Skagit CD has successfully restored over 55,000 feet of linear riparian zones for a total of 133.1 acres of land.

5. Leveraging of Existing Resources

Reporting Criteria 5: The leveraging of existing resources by relying upon existing work and plans in counties and local watersheds, as well as existing state and federal programs to the maximum extent practicable to achieve program goals

Skagit's VSP Work Plan recognizes that the promotion of existing programs is critical to success as these plans and government programs will aid in achieving program goals. The existing resources are numerous and many are listed in the Enhancement section of Reporting Criteria

1. These plans and programs include:

- Skagit Watershed Council's Strategic Approach
- Skagit Fisheries Enhancement Group
- Skagit County's Natural Resources Stewardship Program
- Conservation Reserve and Enhancement Program
- Farmland Legacy Program
- Skagit Land Trust Property Acquisitions
- Department of Ecology's Total Maximum Daily Water Quality Improvement Projects
- Skagit Chinook Recovery Plan
- Limiting Factor Analysis for WRIA 3 and 4
- Puget Sound Partnership's Action Agenda
- Department of Fish and Wildlife's Priority Habitats and Species Program
- Skagit County's Habitat Improvement Plan
- Skagit County Water Quality Monitoring
- Centennial Clean Water Program
- Environmental Quality Incentive Program
- National Water Quality Initiative
- Estuary and Salmon Restoration Program
- Regional Conservation Partnership Program
- Salmon Safe Farms Program
- Skagit Delta Farmland Preservation Strategy
- Skagit Delta Tidegate and Fish Initiative
- Skagit Drainage and Fish Initiative
- Stream Team

6. Fostering A Spirit of Cooperation

Reporting Criteria 6: Ongoing efforts to encourage and foster a spirit of cooperation and partnership among county, tribal, environmental, and agricultural interests to better assure the program success

Efforts to encourage and foster a spirit of cooperation and partnership in the Valley are numerous and ongoing. Skagit County Programs that partner with tribal, environmental and

agricultural interests include the Clean Samish Initiative, the Clean Water Program, the Conservation Futures Program, the Agricultural Advisory Board, and the Natural Resources Stewardship Program. The County also participates in many regional programs that advance VSP goals, such as Interlocal Agreements with area tribes on mutually beneficial restoration or planning projects, participating in Skagit TMDL proceedings, Interlocal Agreements with Drainage and Irrigation Districts, and participation in Skagit Watershed Council committees.

The Samish Indian Nation is an active partner in the Clean Samish Initiative. Skagit County maintains an Interlocal Agreement with the Samish to assist the County in water quality sampling in the Samish Watershed. The Skagit Conservation District is another member of the Clean Samish Initiative; Skagit County maintains an Interlocal Agreement with the District to support the Clean Samish Initiative, the Pollution Identification and Correction program, outreach and education, and technical assistance and cost share funds for Best Management Practice Implementation. The County also creates Interlocal Agreements with the Conservation District for individual projects.

7. Ongoing Efforts to Improve Compliance

Reporting Criteria 7: Ongoing efforts to improve compliance with other laws designed to protect water quality and fish habitat

Skagit County landowners on Ag-NRL and RR-NRL properties have to comply with the existing Critical Areas Ordinance for ongoing agriculture, SCC 14.24.120. The VSP allows for further protection and restoration beyond the requirements of 14.24.120. Therefore, VSP does not forfeit or replace compliance with the existing Ag-CAO program, but works alongside to further protection and enhancement goals. Skagit County officially incorporated SCC 14.24 into its VSP work plan, along with SCC 14.34 Flood Damage Protection.

As a part of the implementation of the current Ag-CAO legislation, the Skagit County Water Quality Monitoring Program (SCMP) was created in 2003. This program has taken ambient water samples at 40 sites around the county that fall under N, S, and F DNR water types. These sites were selected to monitor water quality trends both within and without the agricultural zones of the county. The SCMP monitors dissolved oxygen, conductivity, salinity, temperature, pH, turbidity, and fecal coliform (FC) bacteria. These sites have been sampled every two weeks from 2003 until the present day. All aggregated data and summary trends analyses can be found in the SCMP annual reports that are released each year. These water quality trends typically show both some improvements and some deteriorations of water quality in all water types across the county.

The aforementioned PIC program identifies water quality polluting non-compliant properties throughout the county. These properties are contacted by the county, notified of the issue, instructed as to what needs to be corrected to be compliant, and given the contact information of the SCD if they wish to create a farm plan to correct the problems on the property that are

non-compliant with the current Ag-CAO. In all cases, VSP and NRSP participation is highly desired and encouraged if the owner is interested in any of the incentives offered that are above and beyond the baseline compliance with the Ag-CAO.

Skagit County's stormwater staff are tasked with revising and producing a new stormwater discharge regulation framework and a revised Illicit Discharge Detection and Elimination (IDDE) document. This document is intended to bring commercial properties in Skagit County in compliance with SCC chapter 16.32. These developments and subsequent enforcements of pollution reduction to waterbodies that are shared by properties that are used principally for agriculture and are in critical intersect areas is an example of another program Skagit County is investing in to help protect water quality and fish habitat.

As mentioned in the VSP work Plan, RCW Chapter 90.58, the Shoreline Management Act, protects watercourses for all lands being newly developed or newly designated for agriculture. This falls outside of ongoing agriculture, and ensures the protection of water quality and fish habitat on any future agricultural implementation.

8. Voluntary Stewardship Practices

Reporting Criteria 8: A description of efforts showing how relying upon voluntary stewardship practices as the primary method of protecting critical areas and does not require the cessation of agricultural activities

The Washington State Growth Management Act (GMA), adopted in 1990, provides general direction to local governments in creating local comprehensive plans and development regulations. GMA contains fourteen un-prioritized planning goals for local government to consider as they develop land use plans and development regulations.¹⁵ Alas, these goals and directives frequently conflict. For example, conservation of agricultural lands figures prominently among those goals:

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

But at the same time, GMA includes goals related to the conservation of fish habitat and water quality:

(9) Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

¹⁵ Thirteen goals are listed in RCW 36.70A.020; the goals and policies of the Shoreline Management Act are incorporated into GMA as the fourteenth goal by RCW 36.70A.480.

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.¹⁶

In Skagit County, the long-running conflict over critical areas in areas of agricultural activity has contributed to substantial uncertainty in the local agricultural industry, with many millions of dollars misspent on litigation instead of habitat enhancement and fish recovery. The Skagit County Board of Commissioners has long recognized the tension between protection of watershed resources and ensuring the viability of agriculture, but has also supported policies that attempt to strike the appropriate balance between those competing goals. In this new era, Skagit County embraces the opportunity that the Voluntary Stewardship Program provides to demonstrate and measure the County's commitment to stewardship of all our natural resources.

Unlike many other counties that completely exempt agriculture from their critical areas regulations, Skagit County's existing Critical Areas Ordinance, including the provisions for Ongoing Agriculture, already imposes restrictions on agriculture that will help the County achieve outlined protection benchmarks. These provisions, which have been in effect for nearly 15 years, are accepted by local agriculture as a reasonable compromise solution to the challenge of protecting critical areas in area of agricultural activity.

Skagit County's existing ag-CAO uses mandatory "watercourse protection measures" (bright-line rules designed to protect streams and wildlife habitat from pollution, runoff, and degradation)¹⁷ to ensure a minimum level of stewardship and protection of critical areas functions and values in areas of ongoing agricultural activity. The County may propose clarifications to these rules if necessary to ensure readability and enforceability.

¹⁶ RCW 36.70A.020 (partial).

¹⁷ See SCC 14.24.120(4).