



King County

Water and Land Resources Division

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**King County Agriculture Commission
Meeting Minutes
Thursday, March 9th, 2017
Enumclaw Public Library, Enumclaw**

Commissioners	P	A	Commissioners	P	A	Commissioners	P	A
Leann Krainick, Chair Pro-Tem	X		Siri Erickson-Brown	X		Leigh Newman-Bell		X
Amy Holmes, Vice Chair Pro-Tem	X		Shelby Jors		X	Larry Pickering		X
Roger Calhoon	X		Meredith Molli	X		Bob Vos	X	
Bruce Elliott	X		Eldon Murray	X				

P=Present; A=Absent

County Staff Present		
Erin Auzins, KCC	Richard Martin, DNRP	Randy Sandin, DPER
Patrice Barrentine, DNRP	Alan Painter, DNRP	Ted Sullivan, DNRP
Steve Evans, DNRP	April Sanders, KCC	John Taylor, DNRP

Guests Present		
Janet Baker	Liz Clark, KCD; Boise Creek Goats	Lorna Lufener, CEPR
Laurel Berger	Scott Gray, KC Fair/Expo Center	Lacey Mansanarez, KC Fair/Expo
Mark Berryhill	Julie Kintzi	Carrie Olsen, Renton Farmers Market
Sandy Canon, Concerned Enumclaw Plateau Residents (CEPR)	Karl Lufener, CEPR	Dennis West, King-Pierce Farm Bureau

Meeting Action Summary

- **Approval of February 9th Meeting Minutes**
- **Agriculture Code Changes**
- **Updates: Farmland Preservation Program; Farm Fish Flood Discussion/Letter**

Meeting Called to Order at 3:00 pm (no quorum), 3:20 (with quorum)

Public Comment

Liz Clark of King Conservation District (KCD) said KCD is working with the County and other organizations on outreach on the Newaukum plateau; she is willing to provide information about possible compensation and cost-shares available for implementing buffer projects to land owners on Newaukum Creek.

Lorna Lufener, of the group Concerned Enumclaw Plateau Residents, spoke on local residents' worries about possible County code changes to designate marijuana production an agricultural activity.

Scott Gray of the KC Fair/Expo Center spoke about a desire to refocus the center back on more agricultural education. He also noted a program selling pins to raise funds and public awareness for the King County Fair, which is July 14th-18th this year. He added there will be a town hall meeting at the center on May 22nd from 7-9 pm, with KCC member Reagan Dunn and representatives from several County agencies.

Approval of Meeting Agenda

Leann Krainick postponed the agenda and minutes' approval until quorum was reached. Amy Holmes made a motion to approve tonight's agenda, which Meredith Molli seconded and was passed unanimously.

Approval of Prior Meeting Minutes

Roger Calhoon made a motion to approve the meeting minutes from February 9th, 2017. Bruce Elliott seconded the motion, which passed unanimously.

Code Changes: Agriculture/Ag Use Definitions - Erin Auzins, KCC & Randy Sandin, DPER

Erin Auzins, KCC policy analyst, and Randy Sandin of KC Department of Permitting and Environmental Review (DPER) spoke to the Commission on updates to agriculture-related definitions in the county Code. Mr. Sandin described a 1993 overhaul of the zoning code, where all identified land uses were distributed among other categories, such as retail, residential, and manufacturing. Agricultural land uses were put in a "resource" land use category. However, many agricultural supporting land uses, such as sale of agricultural products, were classified as "retail" or other categories. In 2012-13, when the County updated its shoreline master code to ensure compliance with state shoreline regulations, this led to the insight that this structure is a flaw in the current code format.

Originally, DPER sought to redefine agriculture to include every activity on a farm. They also wanted to support agriculture support activities on non-agricultural lands, such as farm labor housing on land adjacent to an APD. In 2015 DPER worked with KCD, the County agricultural program, and the Commission Regulatory Committee on a draft of code changes to better support farming. This draft was sent in March 2016 to KCC as part of the annual comp plan update.

Ms. Auzins overviewed a timeline of the code updates within KCC. Between March - July 2016, KCC staff with the KCC Transportation, Economy, and Environment (TREE) committee chair's office and Executive's office staff outlined the proposed changes. In July 2016, TREE chair Rod Dembowski opted to remove these changes from the revised comp plan, due to KCC not having sufficient resources to review the language and address additional work needed. However, KCC adopted a work plan item for an inter-branch team to finish work on the proposed agriculture changes and conduct outreach to invested parties, with a goal to send the new ordinance to KCC by September 2017. The team includes staff from DNR; DPER; Performance, Strategy, and Budget (PSB); and KCC. She noted that language addressing wineries will be sent separately prior to the agriculture ordinance; she also added that marijuana zoning changes were not included, as they are pending outcome of three KCC-requested studies, and that language is not scheduled to return before KCC until the end of 2018.

Ms. Auzins reviewed the proposed changes; some are language clarifications, and others address more substantive changes such as re-organizing various agriculture support uses and definitions back into an "agricultural" category. The next phase is outreach, including Commission feedback and briefings with parties such as KCD and Snoqualmie Valley Tilth. Then, the inter-branch team will re-convene to finalize the ordinance report to send to the Executive's office for consideration. She advised that as 2017 is a "non-budget" year, TREE will not address this until October. The team is working with staff of other KCC members' offices to keep them apprised of changes so concerns are addressed sooner in this process.

Several Commissioners asked questions to clarify the intent of the revisions. Bob Vos asked if the updated definitions include marijuana production as an agricultural activity; Mr. Sandin stressed it is defined in a separate category from agriculture. Patrice Barrentine asked the Commission if they had concerns about the recommended changes as presented, or if the Regulatory Committee needs to address them more deeply, or if they are satisfied with the proposed changes. Mr. Vos asked if the changes are proceeding normally or if there are concerns among the KCC. April Sanders of KCC member Kathy Lambert's office replied that her perception is that Ms. Lambert's goal, and other Council members', is to ensure that what came from the Regulatory Committee is what is adopted. Meredith Molli suggested the Regulatory Committee assist the inter-branch team in crafting the proposed changes into a more understandable, presentable format for the public outreach phase. Leann Krainick agreed.

BREAK

Marijuana Policy – Patrice Barrentine, DNRP

Due to the topic being addressed earlier in the meeting, Leann Krainick tabled discussion on this agenda item. She noted the relevant legislation, HB 1692, is “dead” in committee, and directed anyone interested in the Commission’s September 2016 letter to KCC on this topic to tonight’s meeting handouts, which include the letter. Ms. Barrentine said HB 1692 intended to designate marijuana as a protected agriculture product, with marijuana processing as an agriculture use, and therefore not subject to “nuisance law.”

Updates – Commissioners, KC Staff

- **Agriculture Program (Richard Martin, DNRP):** Mr. Martin said at next Commission meeting he hopes to present a 2016 “work in review” report for the KC agricultural team. He reported two County agriculture positions are being recruited. One is a regulatory permitting specialist which will serve as coordinator for both the Farm Fish Flood (FFF) regulatory task force and the DPER/DNRP agriculture permit team. He said he hopes to report back at April’s Commission meeting with the new hire for the position. The second recruitment centers on updating the county’s 2013 Agricultural Land Cover Assessment; this involves reviewing current rural/APD land uses to better determine total county land dedicated to agriculture. He said two to three people will be hired this summer, one of whom will stay on part-time through December; he invited interested parties to contact him for more information.
- **Commission Details (Patrice Barrentine, DNRP):** Ms. Barrentine reported she had received all but one Financial Disclosure form. She advised the April Commission meeting is being held earlier in the day due to venue availability. She said the KCD Regional Food Grant the County received for meat processing infrastructure is moving quickly, and a public workshop will be held at Enumclaw Expo Center from 11 am - 2 pm on April 12th. A similar workshop for Snoqualmie Valley is planned to follow one to two weeks after.
- **Selection Committee (Leann Krainick):** Ms. Krainick said Ms. Barrentine will send out invitation letters soon. Ms. Krainick also asked anyone interested in serving on the Commission, or anyone who knows potentially interested parties, to contact Ms. Barrentine as soon as possible.
- **Councilmember von Reichbauer’s Town Hall Meeting (Leann Krainick):** Ms. Krainick reported that KCC member Pete von Reichbauer is sponsoring a South King County agriculture-centric town hall meeting on March 21st from 7 - 8:30 pm at the Auburn High School performing arts center. She said the goal of the meeting is to encourage youth activities in agriculture.
- **King Conservation District (Amy Holmes):** Ms. Holmes gave an update on this year’s Regional Food Grant Program (RFGP), that it will offer roughly \$900K in competitive grants and strategic project funding to address regional food goals. She reported a recent RFGP working group program meeting produced several recommendations, to improve the grant process, and for 2017 funding priorities. These will go before KCD’s board in late March. The 2017 grant announcement should also come in late March. She said KCD has secured an additional \$500K in funds for countywide agricultural drainage work to be invested over the next three years; Ben Axt can be contacted for more information. She added that a farmers’ working group also met earlier that week to advise KCD on the focus of what to seek in grant applications this year.
- **Farm Bureau (Bruce Elliott):** Mr. Elliott overviewed a situation with a Puyallup creek that parallels many issues involved in Snoqualmie Valley’s FFF. KCC staffer April Sanders noted she is on a planning commission involved in those discussions, and a code update is scheduled to be ready in a few weeks. Mr. Elliott reiterated a wish for Farm Bureau outreach to north King County areas like the Snoqualmie Valley; Siri Erickson-Brown and Meredith Molli said that process is underway.
- **Snoqualmie Watershed Improvement District [WID] (Siri Erickson-Brown):** Ms. Erickson-Brown reported that the WID is working on a water resource strategy to provide regular water availability to farmers in the Valley, at a cost of \$125/per acre foot for one year.

Farmland Preservation Program (FPP) – Ted Sullivan, DNRP

Mr. Sullivan, FPP manager for DNRP, provided the Commission an overview of the program. He said FPP has been around since the early 1980s. It was adopted via County ordinance with intent to protect soils for planting/farming. FPP's role is to acquire property interests, by buying rights from property owners with the intent that the land is preserved for farming activities. FPP was funded initially from a 1979 bond, and since then from other state and local sources such as the Conservation Futures Tax (CFT) and donations. A newer revenue source is the Transfer of Development Rights (TDR) program, which sells development rights from rural/agricultural areas to cities for further development opportunities.

He noted that participation in FPP does not mandate farming a piece of land, but does require that 95% of the property remain available for farming. He said most of the 15,000 acres preserved in the program were acquired in the 1980s-1990s, but an ongoing effort since 2014 has added almost 1,000 acres to the program, and more to be added this year. He also noted FPP deeds do not allow buffer area restoration to water bodies on a protected property unless deemed beneficial to agricultural use. To address this restriction, new deeds for the program (since 2009) now include a "Present Conditions Report" (PCR), which outlines areas on a property eligible for potential buffer restoration or other resource purposes.

Mr. Sullivan's presentation was followed by several Commissioner questions, leading to discussion about FPP's part in larger goals such as the Executive's Land Conservation Initiative. Clarification was also sought on the definition of conservation easements vs. FPP; it was explained that easements are the actual mechanism that conserves an individual piece of land, and FPP is the overarching program. There was also discussion detailing some of the variations possible in negotiating individual easements.

Meredith Molli voiced concern that PCRs may open a door to chip away at available farmland for other purposes. John Taylor of DNRP replied he could not foresee a situation where the County would pay hundreds of thousands of dollars or more for development rights on a property where a significant amount of acreage is being proposed removed from agricultural use. Richard Martin added that if a property is identified as prime for restoration work as well as farming, discussion between those interests ahead of time could potentially lessen this issue by an agreement such as the portion of the land for restoration not having an easement purchased on it for FPP. Further discussion continued on ideas to reach the ultimate goal of keeping land farmable, such as finding a way to enforce a possible mandate that FPP land be actively farmed. Leann Krainick advised anyone with suggestions to send them to the Land Advisory Committee, which is set to reconvene in August to finalize their recommendations to the Executive's office. She also requested Mr. Sullivan return to the Commission at a future date to present further on this topic.

Farm Fish Flood (FFF) Update – John Taylor, DNRP

Mr. Taylor updated on the status of FFF report revisions suggested by the Commission at prior meetings. He said the most substantial of these revisions that DNRP staff shared with the other FFF caucuses, at a meeting the preceding Monday, involved composition of the FFF 2.0 committee, and a way to enforce "bundled" implementation of FFF caucus action priorities. He said the general response among caucuses was supportive of the revisions' intent, but had reservations about the specific language. A suggestion of eliminating the flood caucus was poorly received. The ultimate consensus was that more work was needed on the suggested revisions, possibly even a full edit of the entire report. During a separate discussion between DNRP and KCD, it was suggested the report may not even be necessary; and that just the action item recommendations, already agreed-upon by the caucuses, could be transmitted for signature. The result of this discussion is a proposal to no longer label this report an FFF task force report, but a King County staff report, as County staff wrote it. This would come in the form of a jointly written transmittal letter from the FFF task force, attached to the action recommendations, which would include the Commission's two key concerns (FFF 2.0 composition and "bundling") to be built into the next FFF process. Mr. Taylor recommended tasking a small group to quickly draft and finalize this letter over the course of one meeting, to ensure other caucus parties did not tire and walk away from the negotiation process.

Bob Vos asked which version of the staff report would be included in the packet. Mr. Taylor answered that it would be the version that all other parties but the Commission had agreed upon. Several Commissioners

expressed reservations about attaching this version along with the other suggested materials; that it could be perceived as one document which all parties had agreed to. Mr. Vos stated his perception that County management was dismissing all of the last several months of input from the Commission on this matter.

Siri Erickson-Brown said she was frustrated that the mutual understanding and respect formed between the FFF committee members was being jeopardized by the staff report. Mr. Taylor suggested that the County's proposal be brought before the FFF committee for them to determine the final structure of this transmittal packet, and perhaps even omit the report entirely. He noted that the County's official position is still to include the staff report along with the aforementioned letter and action recommendations; that he believes a lot of good material is in the report aside from the Commission's reservations, as well as context for any readers unfamiliar with the FFF process. Ms. Erickson-Brown voiced hope that the suggested letter would sufficiently address the Commission's two key concerns.

Mr. Taylor stressed his belief that there was no intended bias in the staff report and that County staff have worked very hard to support the Commission. He expressed concern that further lengthy debating on the minutiae of this report would cost crucial momentum to achieve the FFF task forces' work. Ms. Barrentine added that she believed sufficient foundation has been laid to address Commission concerns going forward; she also praised the strategic work the Commission completed regarding the composition of FFF 2.0. After further discussion, Leann Krainick directed a subcommittee to proceed with drafting the letter proposed above, which will then return to the Commission for a vote.

Meeting Adjourned at 6:21 pm

Next Meeting

April 13, 2017, 2:30-5:30 pm, at Snoqualmie Public Library, Snoqualmie