



King County

Water and Land Resources Division

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**King County Agriculture Commission
DRAFT Minutes
Thursday, July 14th, 2016
Snoqualmie Public Library, Snoqualmie**

Commissioners	P	A	Commissioners	P	A	Commissioners	P	A
George Irwin, Chair	X		Meredith Molli		X	Shelby Jors	X	
LeAnn Krainick, Vice Chair	X		Bruce Elliott	X		Amy Holmes	X	
Eldon Murray	X		Bob Vos	X		Anne Becker		X
Roger Calhoun	X		Siri Erickson-Brown		X			
Leigh Newman-Bell	X		Larry Pickering		X			

P=Present; A=Absent

County Staff Present		
Patrice Barrentine, DNRP	Joan Lee, DNRP	Ty Peterson, DPER
Christine Jensen, KCC	Richard Martin, DNRP	April Sanders, KCC
Councilmember Kathy Lambert, KCC	Megan Moore, DNRP	John Taylor, DNRP

Guests Present		
Josh Monaghan, KCD	Dennis West, Farm Bureau	

Meeting Action Summary

- **May 2016 Minutes Approved**
- **Comp Plan Update**
- **EMDS Pilot Project**
- **KCC Marijuana Zoning Legislation**
- **Updates: Sammamish Winery Study, KCD, Land Committee, WA Dept. of Ecology CAFO**
- **Next Meeting: August 11th, 2016, Snoqualmie Public Library**

Meeting Called to Order at 4:10 pm

Approval of Agenda

The agenda was passed by unanimous acclamation.

Approval of Meeting Minutes

Amy Holmes motioned to approve the May 12th, 2016 meeting minutes. LeAnn Krainick seconded the motion. The motion passed unanimously.

Public Comment

King County Councilmember Kathy Lambert overviewed several concerns for the Commission's attention. They included: a potential issue with leaching at the County's seven closed landfills; a desire to reassess the standards of the "4-to-1" land conservation program; bringing the former Camp Corey land near Carnation back into agricultural production; and, the increase of household SWM (Surface Water Management) fees. John Taylor of DNRP advised the County will brief her on this latter issue. She also voiced frustration over a lengthy process of funds allotment from the PSRC, and requested Commission input on a review of the frequency schedule of the required evaluations of county septic systems.

Comp Plan Update – John Taylor, DNRP & Christine Jensen, KCC

John Taylor of DNRP updated on the status of the KC Comprehensive Plan. He spoke specifically of one docket item in the update: a proposal to expand the city of Carnation's Urban Growth Area (UGA) boundary, adjacent to the Snoqualmie Valley APD, to allow room for a new housing division. Mr. Taylor said there is concern from local farmers that a new housing development on the edge of an APD will increase public opposition to and potential additional restrictions placed on farmers.

King County's Executive position is that the only way this proposal could occur would be via a "4-to-1" proposal: the developers must conserve four times the total land used for the housing. Mr. Taylor said such a proposal has been submitted. Several local agencies must visit the proposed site as a team and review its suitability for conservation, which in this context means the land coming into DNRP inventory and classified as open space. The land could still be farmed, Mr. Taylor explained, but Council member Lambert opposes the County having such influence on land management. Christine Jensen, KCC's principal legal analyst, listed several alternatives to a "4-to-1" to expand an Urban Growth boundary, but noted the "4-to-1" is the only course applicable here. Mr. Taylor explained that, if the suitability analysis is successful, one benefit of this proposal could be to create a "buffer" area to prevent further urban incursion into the APD.

Amy Holmes asked that Carnation's resolution, put forth in support of this proposal, be forwarded to Commissioners to review cited reasons for supporting the proposal. Patrice Barrentine of DNRP said Carnation named in their resolution a shortfall of city public services, and the hope that increased revenue from an increased population could restore some services. Ms. Holmes then asked how many homes could be built on the current land involved in the "4-to-1" proposal; Ms. Jensen answered that a total of 5.2 acres is available for the housing, with a minimum density of four homes per acre (a total of about 20 homes).

Mr. Taylor said the next step in this process will be to complete the suitability analysis, at which point the analysis will be brought before the Commission for opinion, then referred on to the KCC. He stressed there is a tight schedule for this to occur, as the KC Executive's office wants final action on this issue taken within the current comp plan cycle. Ms. Jensen elaborated that KCC is currently reviewing the Executive's proposed comp plan, will send it to their Transportation, Economy, and Environment (TrEE) Committee in August, with a vote on September 20th and final action by full Council in November or December.

Mr. Taylor briefly discussed another plan update for agriculture: a new policy addressing beaver control. He explained that a rebounding local beaver population is creating increased conflicts in rural and residential areas where they build dams and culverts, often resulting in flooding. In addition, he said updates from the Fish Farm Flood (FFF) process have been incorporated into the "rural" chapter of the plan. Two existing policies relevant to FFF – R649 and R650 – will remain; a third policy will be added from new FFF language. He clarified there will be separate FFF processes for other APDs, but that much of their existing groundwork has been laid thanks to the Snoqualmie Valley FFF. He said once Snoqualmie's FFF process is finalized, then the County will determine a timeline to address FFFs for other APDs.

Ecosystem Mgmt. Decision System (EMDS) Pilot Project – Joan Lee, DNRP & Josh Monaghan, KCD

Joan Lee, Rural and Regional Services section manager for DNRP, briefed the Commission on a new grant project that could have future benefits for FFF and County agriculture. The grant is federally funded

through the EPA to Department of Ecology, and the project itself involves developing an analytical tool to juxtapose contrasting/conflicting ecological issues, such as land “farmability” and riparian buffers. It could help answer the question, she said, of how the most progress can be made on fish recovery with the least impact on farms. If the tool works, it can be applied for use with the entire Snoqualmie Valley and other FFFs as well. Patrice Barrentine explained it would actually display possibilities from different factions (such as fish and farm), overlaid together on a GIS map layer, to provide a unique visual representation.

Amy Holmes asked how success with this project would be quantified. Ms. Lee answered that the County would be able to ask whether a conversation between fish and farm communities was possible, and could locate areas where buffers could be placed to make progress for fish recovery but still have minimal impact to agriculture. She said a second way would be to determine if a tool could be developed to ask similar questions for other issues. She added that an additional component was to develop a mitigation framework for farmers to address concerns such as drainage.

Bob Vos voiced concern about the issue of the agriculture faction lacking the paid staff resources to pursue self-advocacy that the Fish and Flood factions have. He asked how this grant could address that problem. Ms. Lee said one-third of the funding from this grant would go towards agriculture efforts, which in this case will be led by King Conservation District (KCD). John Taylor of DNRP further explained that currently the County has very limited funding for agriculture staffing, which they are making efforts to maximize, and this grant could actually help fund additional staff as well as FFF support.

Josh Monaghan with KCD explained that partners were being sought with this project, including WSU Extension, Snoqualmie Valley Preservation Alliance, American Farmland Trust, KCD, King County, and the Forest Service. The partners will create a draft of the project model, which will then be brought to the community and Commission in the fall for feedback to determine needed testing and revisions, after which the draft will be brought to a broader audience of farmers for further testing. He said by November or December they should have a draft of the model that can quantitatively address the question of buffers vs. “farmability” in the Snoqualmie Valley. Ms. Holmes asked if there would be a way to add local farmers to the project team and compensate them for their efforts; Mr. Monaghan replied the plan is for involved farmers to be paid stipends for their work during focus group sessions reviewing the model.

KC Councilmember Lambert raised two concerns about the project. The first involved the exact height of the trees used as the base of the proposed buffers, which she says should be clearly defined beforehand; Mr. Vos concurred. Ms. Lambert’s second concern was that her district is over 70% open space and trees, and she is uncertain that the 1-2% of County open space designated as APD should get the bulk of the new funding. Ms. Lee replied that if this project is successful, it will open the door to other grants and more money for other purposes such as conservation and farm improvements.

BREAK

Sammamish Valley Area Winery Study Update – Roger Calhoon

Roger Calhoon reported on the ongoing study involving potential zoning changes for wineries and wine tasting rooms in the Sammamish Valley. He said the study is still largely in a “listening/thinking/planning” stage, and therefore still at a good place to incorporate public input. He explained that the next meeting, when a more definite proposal is to be presented for stakeholder and eventual public review, will be critical to determine the future of the study, which he hopes will serve as a future model for other winery areas in King County. He added there is a website for the study, containing relevant information and meeting handouts, the location of which John Taylor of DNRP said would be emailed out to Commissioners.

Councilmember Lambert commented that it was her impression the Sammamish Valley situation is unique and any outcomes of this study would not be applicable elsewhere in King County. She also posited that the influx of winery/tasting room visitors to the Valley would translate to increased revenue for area farmers

as well. Mr. Calhoun countered that he sees very little overlap between wine and farm customer bases, and that what he views as “wine tourism” should not be “disguised” as agriculture.

Pike Place Market Update – Leigh Newman-Bell

Leigh Newman-Bell gave a quick snapshot of current events at Pike Place Market. She said there were now five satellite farmers’ markets throughout Seattle, including a very successful “night market” from 5:00 to 8:00 pm on Wednesdays outside the main Pike Place Market location.

KCC Marijuana Zoning Legislation – Ty Peterson, DPER

Ty Peterson, commercial product line manager at King County Department of Permitting and Environmental Review (DPER), spoke on County marijuana regulation and how it impacts County agriculture. County regulation of marijuana began in 2013. Current regulations allow limited production in rural or agricultural zones. Production in these areas is limited to outdoor marijuana-specific greenhouses, or non-residential buildings built prior to October 2013; 2,000 square feet total in area, or up to 10,000 square feet with a “conditional use permit.” He said a few facilities went in with no issues, but growing frustration with the concentration of retail facilities in some urban areas prompted on April 25th a County moratorium on any marijuana permitting until a course of action can be determined.

Mr. Peterson said that to date, of the 12 facilities that have been licensed in rural or agricultural zones (3-4 in APDs), none have been over 2,000 square feet. However, no testing has yet been conducted on whether marijuana production in agricultural areas would be considered as subtracting from the total agricultural land supply. Current County limitations thus far, he said, keep the total percentage of rural/agricultural land used for marijuana production at about 3-4%. He also noted that marijuana is not now recognized as an agricultural product by the state of Washington or King County; however, current building codes do treat it as such a product.

George Irwin asked what changes to current marijuana code are being contemplated by the King County Council (KCC). Mr. Peterson described several proposals: banning marijuana in all “rural area zones” except Vashon Island; redefining maximum production space limits in agricultural zones so that properties more than five acres would be allowed up to 5,000 square feet, more than 10 acres would be allowed up to 10,000 square feet; and increasing the “setback” requirement for all aspects of the growing/retail process to at least 150 feet from all property lines. The proposed setback revision likely stems from a desire to diffuse/dilute the concentration of marijuana odor in an area, which is intrusive to some.

There was some discussion on the definition of what activities are allowed in APDs, and whether marijuana should be treated as an agricultural support product. Some Commissioners view it as purely non-agricultural. Others argue there is a stigma against classifying it as agricultural, that it shares many aspects with recognized agricultural products: it is a plant, it grows, composts. Mr. Peterson added that marijuana does not “remove” agricultural potential from land, that other crops can be planted in that same soil.

Several County staff and Commissioners voiced concern that marijuana could be considered more financially lucrative than other products by farmers and non-farmers alike, eventually leading to large tracts of unused and inaccessible farmland, and increased demands for growing marijuana on APD land, driving that land cost much higher. Mr. Peterson and Amy Holmes observed that much of what they see are farmers incorporating marijuana as a supplement to existing farm activity, not a replacement. Roger Calhoun suggested enforcing or incentivizing marijuana production as purely an “accessory” to recognized agricultural production in an APD; Shelby Jors suggested using it as an incentive for non-APD rural and agricultural zone property owners to keep land from development and open for future agricultural use. Richard Martin asked if there is a designated limit to rural and agriculture zoned land used for agriculture production. Mr. Peterson replied that there is none at this time.

Mr. Peterson said these issues would come before KCC on July 25th. Councilmember Lambert expressed disquiet about two proposed amendments to allow marijuana production in broader areas, such as in closer proximity to and higher concentration in residential areas. She invited anyone interested to review and comment on the amendments.

Updates – KCD, Land Committee, Dept. of Ecology CAFO Comments

- I) **King Conservation District:** Josh Monaghan of KCD updated on current goings-on at the District. He reminded the Commission that KCD is now at the King County Fair, and two of their newly-purchased pieces of equipment – a poultry-processing unit and a no-till drill – are on display there. He also reported that while KCD still lacks an Executive Director, interviews would probably occur in August with an offer out in September or October. He added that their agricultural drainage coordinator is working with a County team to secure funding on several projects, and that a more concrete report on their status would hopefully be available next month. He gave a quick update on the Regional Food Grant Program, which is currently in the midst of its application review process, with awards to occur in October.

- II) **Land Committee:** LeAnn Krainick said this group met two months prior, with two main concerns for the Commission. The first is linked to the county’s Local Food Initiative goals, and involves short-term affordable land access for new limited-resource farmers. The second involves potential short-term farming of some “fallow” DNRP inventory lands awaiting long-term use strategies, and selling other inventory parcels that do not meet certain criteria. Richard Martin of DNRP said a draft has been worked up from recommendations from the meeting, and when the committee has approved it, it will be brought to the Commission for the August meeting. Patrice Barrentine of DNRP will email the draft out to Commissioners for comments and a conference call review.

- III) **WA State Dept. of Ecology CAFO Permitting:** Mr. Martin briefed the Commission on proposed updates to WSDE’s CAFO, or Confined Animal Feeding Operation, general permitting, which would likely affect a majority of large dairy producers in King County. The proposed language would require any producer with 200 or more animals per Grade-A permit to either convert all lagoons on their property into a regulatory-compliant design, or obtain a permit with a large number of “special conditions” attached, of which both would be very difficult for farmers to comply with. Mr. Martin explained that WA State Department of Ecology (ECY) is operating under the assumption that all lagoons are leaking into groundwater, and it is very difficult to prove otherwise. He said that comments on this proposal are due August 17th, and that the County is drafting a reply to ECY, to be signed by DNRP Director Christie True. John Taylor of DNRP said this letter would be drafted by the end of July for the Commission’s input. Mr. Martin noted there would also be a public comment hearing on this issue in Bellingham on July 26th, with a webinar to follow on July 27th. Ms. Krainick added that if ECY determines there is a “problem” on a property, even if the farmer has less than 200 animals, they would still be subject to CAFO requirements. She also reported that in addition to the increased burden of further required lagoon/crop testing, those testing records – along with all other farm records – would become public, a prospect of concern to her and the Dairy Commission. She further stated that, to some extent, ECY is working with the Dairy Commission and Dairy Federation to incorporate their concerns.

Meeting Adjourned at 7:04 pm

Next Meeting

Thursday, August 11th, 2016 at 4:00 pm
Snoqualmie Public Library, Snoqualmie