

King County Agriculture Commission

DRAFT Minutes from

Thursday, September 17, 2015

Watershed Science Center, Issaquah

Commissioners	P	A	Commissioners	P	A
Nancy Hutto, Chair	X		Bob Tidball	X	
George Irwin	X		Bob Vos	X	
Eldon Murray	X		Siri Erickson-Brown	X	
Larry Pickering	X				

P=Present; A=Absent

Staff Present	
Christie True, DNRP, Director	Patrice Barrentine
John Taylor	Alan Painter
Joan Lee	Rick Reinlasoder
Ted Sullivan	Kathy Creahan
Mike Lufkin	Steve Evans
Ivan Miller, Executive's Office	Brad Clark, DPER, Sub Area Planner
Guests Present	
Anne Becker	Meredith Molli
Leann Krainick	Pat Mc Glothlin
Bruce Elliott	Ewing Stringfellow
Leigh Newman-Bell	Dave Casey
Shelby Jors	Erick Haakenson
Amy Holmes	Kathy Lambert, County Councilmember, District 3
Darron Marzolf	Jeff McMorris, Councilmember Lambert's Office
Josh Monaghan	

Meeting Action Summary

- **May Meeting Minutes were approved**
- **Comprehensive Plan Presentation and Discussion: Zoning Studies with feedback from commissioners, DNRP current recommended changes**
- **Tall Chief Request for Letter of Support: failed 3-2 (quorum questioned); Will return next month for vote.**
- **KCD Advisory Board alternate member: tabled for next meeting**
- **Next Meeting October 8th**

Meeting Highlights with Action Items in Text Boxes

Called to Order 4:15 pm

Approval of Minutes

George Irwin made a motion to approve the minutes. Bob Vos seconded.

May meeting minutes approved unanimously

Public Comment

Dave Casey, Changing Seasons Farm – Respectfully request delaying sale of Tall Chief. *Please see end of minutes for copy of Mr. Casey's written comment.*

George Irwin: Are you representing yourself or an organization?

Dave Casey: Myself and many others, but individuals. SVPA and SVT will not speak against this.

King County Comprehensive Plan – Ivan Miller and Kathy Creahan

Ivan Miller is the Comprehensive Planning Manager, King County Executive's Office of Performance, Strategy and Budget. Kathy Creahan is the Agriculture and Forestry Incentives Program Manager, Water and Land Resources Division of the Department of Natural Resources and Parks.

Please see meeting packet for corresponding presentation and materials presented.

a) Overview – Ivan Miller:

John Taylor is managing all of DNRP's edits and changes. Brad Clark is here as well and he is overseeing DPER's changes.

The Comp Plan covers a wide variety of topics such as the urban growth boundaries, and channels the vast majority of growth into urban areas in order to protect the natural resource lands as much as possible.

Refers to map in packet to show designation of boundaries.

George Irwin: What is the difference between should and shall?

Ivan refers to the glossary at the end of the comp plan and shares that there is a language hierarchy of action:

1. Shall (must do it)
2. Should (try to do it, funding dependent)
3. Encourage
4. Consider

[35:41]

Where we currently are in the process is working through the language changes with departments.

Key dates:

- **Nov 4- Jan 4:** Public draft is available for public comment. Public meetings are being scheduled within the same period.
- **March:** County Executive transmits plan to County Council.

b and c) History of the Policies and APDs and Current Recommended Changes - Kathy Creahan [46]

Chapter 3 is primarily about land use policy; we're adding in information on the Local Food Initiative and the two main goals of the initiative and adding a placeholder for Farm, Fish, Flood policies. [Walks commissioners through the chapter and proposed changes].

Siri: You can search the entire Comp Plan for keywords, like "farm" and see what all of the departments are recommending regarding farms.

George Irwin: p. 26 top RXX– Is this protecting all easements on a property?

Kathy: This is new and is about protecting FPP easements and is calling for a long term strategy to protect FPP lands.

George: It doesn't say that.

Kathy: We'll make a note of that and clarify it.

p. 28: R649 and R650: Balance or conflict of ag land and habitat restoration projects is being worked on in the Farm Fish Flood Task Force. Then, policies will be recommended by FFF.

Bob Tidball: The shoreline management act covers and protects the floodplain farms, not just the GMA.

Bob Vos: p. 27: R647 – New development shall not interfere with existing ag operations. What about land adjacent to an APD?

Kathy: That would be within the APD. It does not say to protect those lands although it is sometimes considered. But these do address that: All resource lands...**R606**, p.20, refers to agriculture, forestry and mineral sites – and by the designation of appropriate, compatible uses on adjacent lands... **R607, too.**

[56:21]

Nancy: You asked about this regarding Ewing Stringfellow's challenge with City of North Bend?

Bob Vos: Snohomish County has a law called the "Right to Plow Law" that protects farmland, but King Co. does not.

Bob Tidball: Shoreline Management Act is a resource that may protect farms in the floodplain.

p.31, R658 expands the concept of working with non-profits as well as other jurisdictions to expand markets for local farm product sales and ***we shall*** do that.

R659 talks about farmer training and how we will support that.

p.33, RXX County would expand leasing of county owned lands based on a Local Food Initiative recommendations.

R662 Who we will work with on issues such as processing.

I really wanted you to see that we have a fairly significant body of policies supporting agriculture already.

Shelby Jors: Prime farmland that isn't currently in production. Is that delineated anywhere?

Kathy: We have identified farmland from an aerial photograph point of view and have identified lands that are farmable.

Darron Marzolf: regarding R663, "King County supports the processing of farm products, crops and livestock". Where can we find the type of support given? What is the county doing, is there a program?

George: This whole thing is a joke. It says "supports" and is more of a political statement than a service. These are guidelines except when things say "shall".

Ivan Miller: I would characterize it a little differently. The Comp Plan is a *statement of intent*; outlining the direction the county wants to move. I agree that there are parts that are non-binding, but it shows intent.

Kathy: An example, we have applied for a grant from the KCD to bring a mobile meat processor to King County. That would be a direct example of how we do that. Another is that we have a forum for farmers market managers that we hold 4 times/year. Our Agriculture Program staff, 4 people, are tasked with these activities and we do this work because we have this policy direction.

[1:10]

Kathy: New policy: Reclaimed water, working hard to getting reclaimed water in the Snohomish Valley; and the Council will be voting soon on the WID.

Bob Vos: This is really important and says "shall". Recommend it saying shall support the WID.

Leann Krainick: R669 suggests adding WSDA and USDA to county's partners, particularly the conservation programs.

Kathy: p. 37, LFI improving access to food for low income people, reducing food waste.

Patrice: Bottom of page 37 has a general statement about food production emitting the most greenhouse gases second only to cars and I believe that does not reflect the kind of production we have in King County.

Kathy: OK we'll look at that.

George: Agrees.

Bob Vos: The important thing is not the number of miles food travels, it's the number of miles that goes into the total number of production and sales.

John Taylor: As the DNRP coordinator for the Comp Plan, I am striking all of that language. It doesn't add anything, so rest easy, it will be deleted.

d) Zoning Studies – Ivan Miller

- Zantes – request to rezone from APD to City of Woodinville
 - Commission does not support this request
 - While the letter says it is not commercially farmed, it is currently farmed by several farmers
 - This property has an active farm stand where produce is sold to the public
 - Is it in Current Use Tax Incentive Program? Yes, Ted Sullivan checked and it is meeting commercial farming requirements for this incentive.
 - Commission states that this property is viable for agriculture and states the letter has several inaccuracies.
 - Numerous farms in King County are viable at this size by direct marketing
 - Recommend contacting 21 Acres for their comprehensive plan

Siri: Is this the kind of information that is needed? What is the likelihood that this request would be considered?

Ivan: The County's policies are very strong. And it's important we do due diligence and get feedback from citizen groups and commissioners to vet these statements. So, I think we have what we need in the minutes here.

- Remlinger –The proposal is to move the rural land into the Urban Growth Area just outside of the City of Carnation. This rural land is directly adjacent to agricultural zoned land. The county is in discussion with the Remlingers about several land use changes.
 - The county received a petition from 60 farmers saying this is a terrible idea.
 - I don't think there's a lot of support for this.
 - When community meetings happen in Nov and Dec, we may hear more.
 - Bradley Clark: We did receive a letter from the City of Carnation asking us to work on this issue, but not asking specifically for the annexation.
- Tall Chief – Proposal to add Tall Chief (80 acres) to the APD.
 - Commission supports

- Willing landowner? Yes.

Tall Chief- John Taylor, Bob Vos

see packet for materials

Nancy offers public comment to Erick Haakenson who arrived after the public comment period

Erick Haakenson: I'm not quite sure what this topic or more to the point what this vote is about. Is it to support the specific decision of the committee or proposal? Is that what we're talking about?

Nancy: John, maybe you can answer that question.

John: Bob and I talked today and while I'm loath to come here with a pre-packaged solution for the commission, I drafted a letter (see meeting packet) with wording from Bob that basically says the ag commission participated in the process, thought it was a fair and good process, the outcome was fair and good and we support the process and that it will deliver a positive outcome. With that said, it is up to the commission members to decide if that is what they want to say or to send a letter to the council.

Bob Vos: I did talk with John and made some suggestions to the letter and thought it was important to address these issues in a timely manner. The letter contains my suggestions and I believe the proposal before the commission is whether or not to approve the letter.

[1:38:38]

Erick Haakenson: Thank you for clarifying. I was hoping that you would be able to accomplish something that I haven't been able to accomplish for months, namely, to get a copy of the proposal. It's unthinkable to me that you could write a letter of support without seeing the proposal. And I'd be a little suspicious of being asked to write a letter of support without seeing the proposal. Commissioners, would you approve a proposal, you haven't seen? So, I would hope at the very least, you will have an opportunity to see that proposal.

The second point I would like to make is that there's been a lot of talk about the fact that we don't want to see farmers against farmers. We all know the proposal that was accepted was by Steve and Janet Keller, and I just want you to know that I consider them to be friends of mine. I've known them both for 25 years. At the end of the fight to keep Tall Chief from turning into a housing development, there were only four people left standing: Steve and Janet Keller and Erick and Wendy Haakenson. SO, we've been through a lot together and I admire them a great deal. Nevertheless, this isn't about farmer against farmer. It's about one particular problem: GMO Round-up ready corn and the glyphosate in Round-up. The Keller's own 700 acres and farm 1,200 and their main crop is GMO corn.

Three days ago the State of California added glyphosate to their list of cancer causing chemicals. That impacts not only human life, but salmon. There comes a time as there has come with asbestos, nicotine and a lot of other things, when the pendulum begins to swing, and all the king's horses and men can't change the fact we're dealing with a very toxic substance. I think we need to think about the health, welfare and safety of this community, of the fish on the river, and what farming in King County should

be like when we dispose of this piece of property that was paid for by the citizens of King County. And I think we all know how King County voted when it came to simply GMO products being identified – the vast majority were in favor. Now that we have these studies and know about it, we can't let this go forward.

Nancy: I appreciate your comments and I think, in all fairness, we should see the proposal.

John: I appreciate and respect where Erick and Dave are coming from. We have met and discussed this a couple of times.

The county bought Tall Chief Golf Course in 2013. We bought it because there was a proposal to subdivide it into 18 housing lots and that it would negatively impact neighboring farms. We bought it with the intention to put it back into farming.

We had two options. We could surplus the property or we could develop a request for proposals (RFP) and because we knew of people and organizations interested in farming the site, we developed an RFP to be very flexible with purchase or lease options and allow multiple uses because we wanted to see what types of proposals we would get in response.

We took the draft RFP and held a public meeting at Tall Chief about it and that meeting was very well attended with 15-20 people there. We asked for feedback. Many of the people who ended up submitting proposals attended that meeting.

When the RFP draft was finished, we circulated it for at least 30 days and solicited additional comments from the attendees and others because we wanted to make it as easy as possible for the interested parties to bid. One of the comments we then got was from Erick and was that people who are organic producers should get higher points when they submitted a proposal.

I'll be really clear about that. We did not accept that comment.

We can provide the commission our responses to the comments. The reason we took that stance is because the county does not want to get into the business of supporting one type of farming over another.

George: That's good.

John: There were expectations in the RFP:

- You have to get the land into production
- You need to find uses for the buildings

The detail of the scoring is in your packet. Outlined who was on the Tall Chief RFP review committee.

Received three solid proposals and tried really hard to select the strongest one, and I believe we did that.

In regard to Erick's request to see the proposals, we are not allowed to share information in purchase and sales agreements until the purchase and sale agreement gets transmitted to council. So, we can't share the Keller's proposal.

We are responding to a public disclosure request, but it's been tough because when you're in an RFP process, you just can't share documents. I know it's frustrating, but we legally cannot do it per our procurement department.

Larry Pickering: How did you select a sustainable business when they use GMO corn?

John: We judged it not on production methods but on economic sustainability five years and more down the road.

George: The California ruling on glyphosate is part of their farmworker safety program. The natural state is carcinogenic, but it breaks down in 7 days under UV light. I agree that over time, any plant will develop a tolerance to whatever weed control is being used.

Bruce Elliott: They may want to grow corn now, but that doesn't preclude growing something else in the future.

Siri: Are you able to share the scoring?

John: Once we've transmitted the purchase and sale agreement, we can share everything.

Bob Vos: The evaluation panel was diverse and we all developed our individual scores. We talked about them and we came to a consensus – a unanimous consensus – that the Keller proposal best satisfied the requirements of the RFP. The three proposals were very interesting and pretty different. In our discussions, there were both positive and negative aspects to each proposal.

Positively, the Kellers were the only ones who had the experience necessary to handle the building situation – some of the buildings are in serious disrepair. Some need serious work and some need to be torn down. The Kellers have the resources and experience to do that. In addition, they were the only proposal that could hit the ground running. They would immediately start using one of the storage sheds to start storing their machinery and actually offered to store machinery of their neighbors in case of flooding.

There are environmental benefits in reducing transportation because additional feed can be raised here and the land can be used to spread manure.

Regarding prices, one of the proposals was for a purchase at about half the price of the Keller's. And the third proposal was to lease the land for ten years at an annual no cost lease fee. We felt this showed that the business was not economically viable.

For those reasons, I would ask the commission to second the decision of the panel. Are there any questions?

Meredith Molli: Can we see a draft of this letter?

John: Yes, here is a draft.

Meredith: Whether or not we second this letter, the sale is happening, right? There isn't anything that can stop this from happening is there?

John: The Executive proposes and the Council has to authorize any purchase and sale. The purchase and sale agreement will be transmitted to the council soon. So, that is why we are bringing this to you. It could be that the council decides they don't want to do this. Our hope is that they will because we believe this was the best proposal.

We plan to use the funds from the sale of Tall Chief to buy additional land to support the other two proposals. We think this is a good outcome.

Josh Monaghan: I feel like this was a really solid process that also included interviews and site visits.

Kathy Creahan: We had an appraised value and the sale meets that. It would not be possible to sell the property for less than the appraised value.

Nancy: Can we add or amend the letter to read, "We have been informed of the thoughtfulness of the process, understand the objections, and reflect this discussion to an extent in the letter? We acknowledge the conflicts and would like to see the land being farmed as soon as possible."

George: Point of Order, I don't believe we have a quorum.

Nancy: I think we do of our current members.

Patrice: We do.

George: Is it a quorum of the current members?

Bob Vos makes a motion that: The Ag Commission approve this draft letter subject to some revisions that Nancy can work with the county staff to include on according to her previous comments.

Siri seconds.

- 7 current members
- 6 voting (chair only votes in a tie)
- Motion does not carry; 3-2
- George: I don't believe we have a quorum; so voted against. I don't believe we should take action on this item at this time.

Motion to send letter in support of Tall Chief sale fails. Revisit next meeting; bring the commission bylaws to show the quorum requirements

Public Comment Part 2:

[2:10]

Ewing Stringfellow: I ask for your chair to come to the City Council meeting October 6th and speak; write a letter to the City of North Bend about trying to preserve a farm in the upper Snoqualmie – we are the last surviving farm in the area.

City councilman visited two weeks ago and he proposed a concrete bulkhead between the road and my feedlot. Tax revenue would come from developer to city and city build.

Second solution: relocate the barn.

Dave Casey: I'm concerned about the impact of filling the floodway and flood storage by this development. It seems like it is a displacement of storage.

Bob Vos and Larry Pickering are willing to attend the Oct. 6 meeting.

Kathy Creahan: You can request that we continue to engage with City of North Bend.

Nancy: Except we cannot vote because we do not have a perceived quorum.

Alternate for KCD Advisory Board

Josh Monaghan and Nancy Hutto described the desired commitments.

Action postponed to next meeting due to quorum in question.

Siri: *Let's add learning about the KCD to the orientation information.*

Updates:

KCD: Josh Monaghan; Happy about staff person Amy Holmes poised to join Commission. Drainage projects: 3 this year with County ADAP, new funding from flood control district for next year; Katie Penke, new drainage staff person.

\$650,000 in food systems grants and we are in the review process now. Advisory committee will make recommendations to the advisory council. Award notifications: Nov 7th

FFF - John Taylor: In partnership with KCD, we are tackling drainage. We doubled ADAP budget and hired Lou Beck for outreach and engineering support. Drainage ditch clearing: Last year we did 3,500 feet, this summer almost 12,000 linear feet. Want to see 20,000 ft. in the next couple of years. Based on KCD's survey, we know about 90,000 linear feet that need drainage. Partnerships with KCD are critical to our success.

The background of FFF is that DNRP is tasked with supporting farmers and with supporting salmon recovery and that is an internal conflict which FFF is trying to work through.

In June, with FFF, we entered into a Memorandum of Mutual Understanding. It contained work for the county to do over the summer:

1. Scope of work for strategic plan for the Snoqualmie APD,
2. Scope of work for a buffers task force
3. Scope of work for a regulatory task force

KCD, under Josh's leadership, is leading

4. Community outreach effort because the real point of contention in the Spring was that farmers were telling us:
 - a. We don't feel like we're being heard *and*
 - b. Agriculture does not have a unified position (yet)

We're on a path once farmers get their crops in, is to start convening meetings with landowners to see if there is a unified position on key issues in FFF that can be shared with the FFF task force when it gets back together in January. If these pieces fall into place, then we can start the tough work on negotiation of key factors for an agreement on how we do buffers, and how we do salmon restoration, and how we drain ditches. How do you knit something together that compensates farmers when we take ag land?

Just to be clear, we're gonna be taking ag land. We may not take as much as we would've, but if we're gonna do salmon restoration projects and we're gonna do them in the main stem of the Snoqualmie River, we're gonna have to take some ag land. That's just the reality and people need to understand that.

The last piece that we've heard especially from the commission, is that you [2:51] need crop and soils expertise in King County. We don't have anyone on staff who is an expert in crop and soil science. A long time ago, King County severed their relationship with King County Extension. There's good reasons why that happened. What we are doing in the short term, is WSU Extension collaborating with King County, is applying for a KCD grant to bring some of that expertise back into the county. Patrice worked on that grant with WSU. We're also starting to have very preliminary conversations with WSU Extension about re-establishing that relationship and what it might look like. We're going to evaluate that for the next biennial budget.

George: Dean Barnardo has announced that he's reviewing WSU's offices in every county to make sure they are meeting the local needs.

Commissioners Selection Process: - Patrice

The next commission is in 3 weeks, so I am planning to delay the orientation for new commissioners until November at which point the current commissioners have recommended we take you on a tour to show you some of the issues that will help you understand the issues around Farm, Fish, Flood, drainage, etc. I will plan to have a month's lead on the tour dates and times.

Councilmember Lambert:

Sept 22, 9:30a.m.: Drainage tour and pictures at ADAP/KCD drainage site in Cherry Valley.

Funding available: \$20 million coming available from arts funding. I want this money to be for barn restoration funds for my district and for money to go out to barn owners with county experts to support you in fixing your barn.

- Chris Moore 206-624-9449, WA State Dept of Archeology and Historic Preservation – Grant Program for Barn Restoration

I want to support barn dances without sprinkler systems in barns by changing comp plan and making that an allowable use.

Comp Plan Roads and Bridges Task Force (Ag Commissioner George Irwin is on the task force)- 35 miles of roads and 25 bridges will be closed without new funding. Their report is coming out in January 2016. Pay attention to this report.

Commissioner Updates:

Leann Krainick – couple of events from a

- Invitation only. See the Krainick Dairy Centrifuge and Bedding Master: Nov 15, 1-3pm, sponsored by KCD, King County DNRP. Commissioners, let Leann know if you're interested in attending.
- Giant Pumpkin Weigh off at Elysian Brewery, Georgetown, 9/27, 11am-3pm, free, there is also a beer garden, band, and pumpkin carving.

[3:10]

Adjourned 7:19 pm

Next Meeting

Thursday October 8, 2015

Issaquah Fish Hatchery, Watershed Science Center, Issaquah

Dave Casey's public comment re: Tall Chief

Tall Chief

Dear Agricultural Commission

I respectfully request that you delay your endorsement of the sale of the Tall Chief property for the following reasons:

1. The content and priorities of the RFP for the disposition of the property was prepared using input from the wider farming community.
2. The RFP contained a clear desire and direction on the part of the County and community that the selected proposal would have a strong public benefit to the wider farming community.
3. I have attended meetings with county staff and expressed that it was my opinion that the current proponent's benefit to the wider farming community would be much less than a different applicant (Seattle Tilth).
4. The RFP process appears to have been revised wherein the County is now looking for properties for all three of the applicants.
5. This begs the question of why (in my opinion) a weaker applicant was selected over a stronger applicant. As a result, the community's clear desire to have a public farming related benefit on the Tall Chief property has (in my opinion) been ignored.
6. I am afraid that as a result of abandoning the spirit of the original RFP and changing the process a breach of trust is occurring between the County and the wider farming community in the lower Snoqualmie valley.
7. Please read the RFP's of the 1st and 2nd rated applications before you act.
8. A while back a significant breach of trust occurred related to the SR205 project wherein we were told by County staff that the downstream effects of the revisions to the Snoqualmie Falls would be negligible. We are still being impacted. It has taken many years to rebuild trust.
9. Please don't break it again. Thank you.

I would request that you allow ~~an~~ additional input from additional stakeholder at your next meeting prior to taking action