



Funding Request: \$7,090,000

Implementing the Voluntary Stewardship Program (VSP)

The 2011 Washington State Legislature created the Voluntary Stewardship Program (HB1886, RCW 36.70A.700) as a new approach to protecting critical areas within the Growth Management Act. The VSP allows counties to establish watershed-based, collaborative stewardship planning processes to protect critical areas associated with agricultural activities. VSP provides land owners the opportunity to use incentives to promote BOTH the viability of agricultural and environmental stewardship.

Urgency

28 Counties opted into the Voluntary Stewardship Program but are not required to begin implementation until they receive adequate funding. Federal agencies and the congressional delegation are supportive, but they have also made it clear that state funds to initiate the program are necessary to receive federal assistance for stewardship activities.

The 2013-2015 biennial budget provided funding for two counties (Chelan and Thurston) to initiate work to comply with the provisions of the Voluntary Stewardship Program. The VSP requires counties to be funded by July 31, 2015, or they must revert to other more litigious processes to protect critical areas associated with agricultural activities. History has proven this process to be very costly and time consuming, with limited positive impact on the environment.

Program Outcomes

Counties are not required to implement VSP unless funding is made available. This was done to address concerns of an unfunded mandate. However, upfront implementation prior to funds being made available must be funded by the county.

Once funding is available, the county must designate a work group to develop a watershed-scale work plan that will:

- Identify critical areas and resource concerns;
- Identify agricultural activities in the critical areas;
- Create a plan for targeted outreach to assist landowners in developing on farm plans to address agricultural impacts to critical areas on the landowner property;
- Identify and maintain economically viable agriculture while protecting and restoring (if funding available) critical areas.

A county has 18 months to develop this work plan and submit it to the Conservation Commission for approval.

The Conservation Commission submits the work plan to a state technical review panel for review and recommendation on approval.

Once every 5 years, the county must report to the Conservation Commission on progress on both program implementation (are landowners being contacted and implementing plans) and on resource condition (are critical areas being protected). If progress is not being made, the work group must adaptively manage to reach program and natural resource goals.

Implementation of practices by landowners to address impacts to critical areas would be funded through existing federal and state programs.

Funding Details

Entity	Activity	Request
26 Counties	Establish watershed groups and technical assistance entities, develop watershed work plans (subject to technical review), monitor and evaluate progress, and report.	\$6,500,000/ \$250,000 per county
Conservation Commission	Program administration and technical assistance. Coordination of the state- wide advisory committee. Coordination and participation in technical review process. Priority watershed designation/oversight. Review and evaluation of program success and report to Legislature.	\$240,000
Commerce	Technical assistance to counties. Code review and coordination with GMA activities.	\$120,000
WDFW WSDA Ecology	Provide technical assistance to counties and watersheds. Participation on technical review panel. Implementation monitoring.	\$230,000
	Total Request	\$7,090,000

VSP WORK PLAN PROCESS—INITIATE, DEVELOP, APPROVE, REPORT

	Statutory Deadline	Action Item
COUNTY INITIATES	By January 22, 2012 (w/in 6 months of VSP Effect Date) County Takes Leg Action to:	1-Opt-in; 2-Designate Participating Watersheds; 3-Nominate Priority Watersheds
	Before Accepting Funding	Solicit Letters of Interest for VSP Group Members
	Co Formally Accepts \$ from Director on: _____	Funding Date Drives Timeline Moving Forward
	W/in 60 days of Receipt of \$, by _____	1-Confer with Tribal Governments/Stakeholders; 2-Designate VSP Group(s); 3-Designate Administration Entity
VSP GROUP DEVELOPS	Get Approval W/in 3 Yrs of \$	Develop VSP Plan—Meet as Necessary
	RCW 36.70A.720 Primary Group Duties	1-Designate Technical Assistance Provider 2-Develop Producer Participation TA Process 3-Develop Individual Stewardship Plan Docs 4-Set Protect & Enhance Goals & Benchmarks
	Preferably w/in 2 Yrs 6 Mos of \$—Submit Plan to CC Director (CCD) & Tech Panel w/ Suff Time for Sec. 7 Approval Process (RCW 36.70A.725)	<i>Test--At End of 10 Years, Considering Work Plan and Other Plans and Regulation:</i> <u>A) Critical Areas will be Protected; and</u> <u>B) Ag Viability will be Maintained and Enhanced</u>
CC DIRECTOR APPROVES	W/in 45 days of Plan Submission Tech Panel Recommend Due to CCD on: Sec. 6(2)(a) Approval (RCW 36.70A.720(2)(a))	If Technical Panel says YES to A and B then TP Must Recommend Approval to CCD and CCD Must Approve. IF TP says NO to A or B, VSP Group Must Modify & Resubmit.
	W/in 2 Yrs & 9 Mos of Receipt of \$, by _____	CC Director Approves or Submits Plan to Statewide Advisory Committee (SAC) for Resolution. If SAC Recommends Approval CCD Must Approve.
	W/in 3 Yrs of Receipt of \$, by _____	CC Director Approves or County Must Comply with Critical Area Protection Requirements Under Section 9 (RCW 36.70A.735) of VSP Legislation
VSP GROUP REPORTS	W/in 60 Days After Each Biennium Ends, by _____	Biennial Written Status Report Due to County and CCD on VSP Plans and Accomplishments.
	W/in 5 Yrs of \$, by _____, and Every 5 Yrs Thereafter	Submit Sec. 6(2)(b) Report (RCW 36.70A.720(2)(b)) to County and CCD (w/SAC Sec 8 Consult—RCW 36.70A.730) on Whether Goals and Benchmarks Being Met for: A) Protection and B) Enhancement. If NO, Adaptive Management or Comply with Section 9 (RCW 36.70A.735).

RCW 36.70A.720

Watershed group's duties — Work plan —

(1) A watershed group designated by a county under RCW 36.70A.715 must develop a work plan to protect critical areas while maintaining the viability of agriculture in the watershed. The work plan must include goals and benchmarks for the protection and enhancement of critical areas. In developing and implementing the work plan, the watershed group must:

(a) Review and incorporate applicable water quality, watershed management, farmland protection, and species recovery data and plans;

(b) Seek input from tribes, agencies, and stakeholders;

(c) Develop goals for participation by agricultural operators conducting commercial and noncommercial agricultural activities in the watershed necessary to meet the protection and enhancement benchmarks of the work plan;

(d) Ensure outreach and technical assistance is provided to agricultural operators in the watershed;

(e) Create measurable benchmarks that, within ten years after the receipt of funding, are designed to result in (i) the protection of critical area functions and values and (ii) the enhancement of critical area functions and values through voluntary, incentive-based measures;

(f) Designate the entity or entities that will provide technical assistance;

(g) Work with the entity providing technical assistance to ensure that individual stewardship plans contribute to the goals and benchmarks of the work plan;

(h) Incorporate into the work plan any existing development regulations relied upon to achieve the goals and benchmarks for protection;

(i) Establish baseline monitoring for: (i) Participation activities and implementation of the voluntary stewardship plans and projects; (ii) stewardship activities; and (iii) the effects on critical areas and agriculture relevant to the protection and enhancement benchmarks developed for the watershed;

(j) Conduct periodic evaluations, institute adaptive management, and provide a written report of the status of plans and accomplishments to the county and to the commission within sixty days after the end of each biennium;

(k) Assist state agencies in their monitoring programs; and

(l) Satisfy any other reporting requirements of the program.

(2)(a) The watershed group shall develop and submit the work plan to the director for

approval as provided in RCW 36.70A.725.

(b)(i) Not later than five years after the receipt of funding for a participating watershed, the watershed group must report to the director and the county on whether it has met the work plan's protection and enhancement goals and benchmarks.

(ii) If the watershed group determines the protection goals and benchmarks have been met, and the director concurs under RCW 36.70A.730, the watershed group shall continue to implement the work plan.

(iii) If the watershed group determines the protection goals and benchmarks have not been met, it must propose and submit to the director an adaptive management plan to achieve the goals and benchmarks that were not met. If the director does not approve the adaptive management plan under RCW 36.70A.730, the watershed is subject to RCW 36.70A.735.

(iv) If the watershed group determines the enhancement goals and benchmarks have not been met, the watershed group must determine what additional voluntary actions are needed to meet the benchmarks, identify the funding necessary to implement these actions, and implement these actions when funding is provided.

(c)(i) Not later than ten years after receipt of funding for a participating watershed, and every five years thereafter, the watershed group must report to the director and the county on whether it has met the protection and enhancement goals and benchmarks of the work plan.

(ii) If the watershed group determines the protection goals and benchmarks have been met, and the director concurs under RCW 36.70A.730, the watershed group shall continue to implement the work plan.

(iii) If the watershed group determines the protection goals and benchmarks have not been met, the watershed is subject to RCW 36.70A.735.

(iv) If the watershed group determines the enhancement goals and benchmarks have not been met, the watershed group must determine what additional voluntary actions are needed to meet the benchmarks, identify the funding necessary to implement these actions, and implement these actions when funding is provided.

(3) Following approval of a work plan, a county or watershed group may request a state or federal agency to focus existing enforcement authority in that participating watershed, if the action will facilitate progress toward achieving work plan protection goals and benchmarks.

(4) The commission may provide priority funding to any watershed designated under the provisions of RCW 36.70A.705(2)(g). The director, in consultation with the statewide advisory committee, shall work with the watershed group to develop an accelerated implementation schedule for watersheds that receive priority funding.

(5) Commercial and noncommercial agricultural operators participating in the program are eligible to receive funding and assistance under watershed programs.