

Wash. proposal offers alternatives to buffers

Tuesday, March 11, 2003

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MOUNT VERNON, Wash. — With the goal of crafting a fish-friendly plan that steers away from mandatory agricultural buffers, Skagit County, Wash., has released a proposal that takes a “do-no-harm” approach to water quality and the needs of fish.

This approach is linked to existing state and federal standards and regulations, with an acknowledgment that they can change from time to time.

The county is under orders from the courts and the Western Washington Growth Management Hearings Board to come up with an ordinance that will protect fish without pushing farmers out of business. The deadline is this June.

In a staggered schedule, all counties in Washington will have to update their “critical areas” ordinances using the best available science within the next several years.

Because Skagit County is the first county struggling to do this, counties across the state are closely watching Skagit County’s progress.

“As Skagit goes, so goes the rest of the state,” is an often-heard refrain at ag meetings.

During a packed-house public hearing last week on the county’s new proposal, farmer after farmer went to the podium to share concerns about the plan. While several farmers thanked county staff for their work on this, no one spoke in outright favor of it.

Instead, some warned that, as written, it would spell the end of agriculture, while others pointed to specific parts that needed either major revision or tweaking.

“This issue is extremely critical,” said potato farmer Keith Morrison. “You need to take a very serious look at it. We can’t take this ordinance and survive. There will be no generation behind us unless you support fish and agriculture.”

Under the proposal’s “no harm or degradation” standard, farmers on ag land need to develop and implement best management practices specific to their farms. While they can choose to consult with the conservation district or the Natural Resource Conservation Commission, they are not required to. Nevertheless, farms must be managed in ways that prevent water pollution by livestock and chemicals and erosion of sediments into waterways.

Many farmers bristle at the way investigations of their farm practices would be triggered. Under the proposal, anyone can submit a request for an investigation to the county’s Planning and Permit Center.

The county will then investigate the complaint to determine if it’s valid and worthy of further investigation.

But farmers worry about how this will play out.

“You will drive a wedge between property owners and the public like you’ve never seen before,” warned beef raiser Jim McRae. “You’ll see more ‘Keep Out’ signs going up, I guarantee it.”

Tree farmer Tom Solberg was more direct.

“I’m totally against snitch laws,” he said. “We’re living in a world of snitches now, and I don’t like it.”

Some farmers warned that the proposal opens the door too wide to the state’s Department of Ecology.

“Using Ecology in a drive-by complaint is really painful,” said vegetable seed farmer Annie Lohman, referring to Ecology’s role in enforcement in the complaint process.

Money was another sticking point.

Beef raiser Jean Shea pointed out that it can be expensive to put some farm practices into place — fencing, for example — and that government money to reimburse farmers is being cut.

“Who will pay for it?” she asked.

“Everyone’s out of money,” said beef raiser Janet McRae. “This needs more work.”

Chris Clark, who works with the Whatcom Conservation District, shared some sobering numbers with the group.

“For the dairy farmers I’m working with, we’re asking for \$10 million just to meet the requirements of the Comprehensive Nutrient Management Plan,” he said, referring to a cost-share funding program under the new farm bill.

Delta farmers expressed concerns about the proposal’s approach to diking and drainage systems.

“Going away from buffers is a fundamentally sound proposition,” said Mount Vernon attorney Gary Jones, who represents diking and drainage districts in the county. “But it’s important for the Planning Commission to recognize the distinction between landowners and diking and drainage systems. Diking and drainage is part of the county’s infrastructure.”

Delta farmer Curtis Johnson agreed, saying that the powers, duties and obligations of the districts are not subject to “critical areas” ordinances.

In an interview after the meeting, Carolyn Kelly, manager of the Skagit Conservation District, said that no matter what the county’s ordinance says or doesn’t say, farmers have two “big daddies” that they have to obey — the federal Clean Water Act and the Endangered Species Act.

“Farmers need to take a look at their operations and decide what best management practices they need to put into place,” she said. “There are resources out there to help them do that.”

COMMENT DEADLINE

Written comments on the county’s proposal will be accepted until 4:30 p.m., March 31, at the Skagit County Planning and Permit Center, 200 W. Washington St., Mount Vernon, Wash. 98273.

To view Skagit County’s proposal, go to www.skagitcounty.net and then click on “Draft Environmental Impact Statement (DEIS) and Draft Ongoing Agriculture-Critical Areas Ordinance.”