

From: Riparian Taskforce Agriculture Stakeholders

To: All Interested Parties

Date: August 13, 2024

Re: Plauche and Carr - Riparian Taskforce Recommendations – An Agricultural Perspective

As a group, we appreciate the opportunity to participate as agricultural representatives on the Riparian Task Force and applaud the sincere efforts of the Plauche and Carr team in guiding the group's efforts. In addition, we have great appreciation for our colleagues representing their interests at the table. Not only do we feel we have strengthened relationships, but we have great respect for the devotion of time to this effort and willingness to work together commenting on the Plauche and Carr recommendations.

While the issues in front of the taskforce are complicated, both scientifically and politically, we believe there are opportunities for meaningful progress. Both agriculture and salmon are important and protecting the future of both need not be mutually exclusive. Now that the Plauche and Carr team recommendations have been published in the final report, we want to continue to be thoughtful, helpful, and considerate as we all move forward. Please take into consideration our collective input below:

We support full and complete funding for the Voluntary Stewardship Program

As we heard on the Skagit tour when the farmer asked his banker what would happen if he were to take a portion of his land out of food production under the current WDFW buffer recommendation and the banker responded, "Your operating loan would be under collateralized." Many farmers are paid only once a year when their crops are sold, and they rely on operating loans to continue farming. This sudden loss of collateral could mean not only hardship for farms but an immediate end to many of them under the currently recommended onerous non-site-specific riparian buffer plan. And if you include the site-specific potential tree height buffers to NON-FISH bearing waterways, that has the potential to remove 30-50% of Skagit delta farmland (because of the drainage infrastructure). In that case, these farmers will be forced to sell to developers, zoning will change, and the land in the Skagit delta will become housing developments.

To be clear, communities and families hold local food production to be critically important and we know that riparian habitat is just as prized and valued. Collectively our state's support for riparian zone enhancement programs emulate and enhance local collaborations like those in the Dungeness, Nisqually, Yakima, Chehalis, and Walla Walla basins, the Sustainable Land Strategy in Snohomish County, and the Forest, Fish and Farm process in King County. These voluntary, local collaborations allow local stakeholders to make decisions and set priorities, and more importantly, they are also achieving results.

We see voluntary efforts as being the key, and we continue to view VSP as the number one existing voluntary program and a primary vehicle to move forward regarding riparian zone habitat. VSP already incorporates basin-wide regulatory backstop needed to ensure performance goals are achieved. It is a program well accepted in rural communities where many of these riparian buffers may be helpful and comports to federal guidance for conservation funding

Opposing Eminent Domain as a “regulatory backstop”

We have spoken at length about a regulatory backstop for riparian buffer efforts and we continue to maintain that incentives for voluntary efforts are the best path forward. Under the guidance of the Plauche and Carr team we have been told eminent domain is only something that would be used on the “1% of the 1%” impacted agricultural lands. We are concerned that “last resort” authorities have too often become over-used or even first step actions in state government. We therefore remain strongly opposed to endorsing the use of eminent domain as a “regulatory backstop.”

Opposing a moratorium on development within a watershed until outcomes are met

We strongly oppose this recommendation and have long held that, miles of planted trees on a stream bank, or the return of salmon as a measure of success are untenable. Many factors affect salmon in today’s world --- failing oceanic conditions, the health of Puget Sound, overfishing by foreign flagged vessels, predators, and lack of prey species to name a few. Riparian buffers may aid in salmon recovery and... they may not. This recommendation punishes communities by not allowing them to grow their local economy and tax base ---- because they couldn’t meet meaningless measures of “success.”

Mandatory riparian buffers are likely to lose eligibility for federal conservation funding

We have told task force members and Plauche and Carr: *WDFW mandatory riparian buffers will jeopardize current federal funding regarding farm conservation practices.* In multiple conversations with federal agency officials, we understand completely that federal funds that flow to farms in this state for voluntary riparian buffer efforts would be unlikely to continue if the State wants to make buffers mandatory. Put simply --- the federal government offers funding to incentivize voluntary actions and not to meet regulatory mandates.

Opposing limited landowner appeals

We have voiced this during task force meetings and still oppose any effort that would limit landowner appeals.

“Best Available Science” should not be exclusively defined by the Department of Fish and Wildlife

We respect the work of WDFW and value them as partners on the riparian workgroup, we cannot concur that the *WDFW Riparian Ecosystems Volumes 1 and 2 (2020) (WDFW Riparian Guidance (2020))* represent the best available science to be used as the exclusive standard for riparian buffers. Let us not limit science to one voice and one voice only. Hearings Board rulings established that local governments rightly can choose from a range of best available science. Codifying into law 2020 guidance is a mistake that would plague future development of progressive and effective conservation practices for riparian zones. Moreover, defining this document as the scientific standard in statute and then allowing WDFW to make alterations to this guidance at its discretion is a reckless and unreasonable grant of authority.

In Closing

Ag viability is vital to meet the demand for food in our growing communities. It is our goal as a collective group to work together with all task force members on these critical and important issues and we are committed to remaining at the table with our colleagues on the riparian taskforce.

Best regards,

Bre Elsey, Washington Farm Bureau

Jay Gordon, Washington State Dairy Federation

Matt Harris, Washington State Potato Commission

Michelle Hennings, Washington Association of Wheat Growers

Diana Carlen, Contract Lobbyist – Gordon, Thomas, Honeywell

Mark Streuli, Contract Lobbyist – Streuli Public Affairs

Jon DeVaney, Washington State Tree Fruit Association

Kara Rowe, Western Washington Agriculture Association

Cc: Rob Duff, Executive Director – Policy and Outreach – Governor Jay Inslee

Cc: Ruth Musgrave, Senior Policy Advisor on Natural Resources – Governor Jay Inslee

Cc: Plauche and Carr

Cc: House Agriculture & Natural Resources Committee

Cc: Senate Agriculture, Water, Natural Resources & Parks Committee Members