

October 26, 2011

County Commissioners and Council Members

RE: Agricultural Community Support for the VSP

**A message from 35 associations on  
behalf of the Washington  
agricultural community**

Dear Commissioners and Council Members,

Working through the Agricultural Legislative Summit, agricultural organizations in Washington State participated in the Ruckelshaus Center negotiations to create a Voluntary Stewardship Program to protect agricultural activities and provide voluntary stewardship opportunities in our state.

The VSP is an alternative to updates and potential new regulations under RCW 36.70A, the Critical Areas Ordinance update requirement portion of the GMA that affects ALL counties in Washington State.

The VSP is voluntary, protects existing agricultural activities, is locally driven, and spares counties from potential litigation that has cost millions of taxpayer dollars in previous update cycles.

A county legislative body's choice to participate in the VSP alternative is not subject to appeal, but the choice must be made no later than January 22, 2012. Once that choice is made, the county will not have to proceed with the local actions of the VSP until the county has accepted funds from the Washington Conservation Commission.

If the county does not choose the VSP alternative, it must use the existing GMA update process to review and revise if necessary their agriculture-related CAO. This process will require the county to fund the update themselves and the product will be subject to appeal. Additionally, there is no explicit statutory protection for agricultural activities.

#### FOR COUNTIES THAT OPT IN:

The VSP provides counties the opportunity to work with stakeholders to create voluntary programs that protect critical areas associated with agricultural activities while maintaining and enhancing the viability of agriculture.

This stakeholder process will include agricultural, tribal, and environmental interests. Protection and enhancement of critical areas will be pursued exclusively through voluntary programs.

Counties have 3 years to complete the local process to identify goals and create local plans, beginning after the county accepts funding from the state.

The decision to opt into the VSP and the subsequent plan are not subject to legal challenge. If recent history is an indicator, this could save millions of dollars in legal costs.

#### FOR COUNTIES THAT DO NOT OPT IN:

If a county does not opt in by January 22, 2012, the county must review and, if necessary, revise its Critical Areas Ordinance (CAO) related to agriculture. That update must be completed by July, 2013.

Counties must act whether they receive funding or not. Counties will bear the expense of the public process, identifying and including the best available science, and the legal costs of any legal challenges. The regular update process leaves counties and agricultural activities vulnerable to lawsuits that could force new and unnecessary regulations.

WHAT DOES A COUNTY NEED TO DO TO OPT INTO THE PROGRAM?

- 1) The county must confer with tribal, agricultural, and environmental interests before opting into the program.
- 2) The county must adopt an ordinance or resolution indicating that the county elects to participate in the VSP.
- 3) The county must consider the following potential aspects of the program prior to adopting an ordinance or resolution opting into the program:
  - a. The role of farming and its economic value in the watersheds;
  - b. The importance of local salmonid resources in the watershed(s);
  - c. Significance and vulnerability of biological diversity in the area;
  - d. Presence of local leadership to make the VSP successful;
  - e. Integration of local watershed strategies and availability of data;
  - f. Presence of local watershed technical assistance;
  - g. Likelihood of success with a local effort under the VSP;
- 4) The county must opt in by January 22, 2012 or the opportunity will be lost.

Then, it is a matter of waiting for adequate funding before the timeline begins with deadlines for completion of steps in the program. Efforts are underway to refocus existing federal dollars toward this new voluntary stewardship program.

BOTTOM LINE:

The following agricultural organizations support opting into the VSP because it is the only way to ensure that both the county and agriculture are protected from lawsuits and new regulations.

Sincerely,

*Cattle Producers of Washington*

*Columbia-Snake River Irrigators Association*

*Hop Growers of Washington*

*Pacific Coast Shellfish Growers*

*Washington Asparagus Council*

*Washington Association of Conservation Districts*

*Washington Association of Wine Grape Growers*

*Washington Blueberry Commission*

*Washington Cattlemen's Association*

*Washington Farm Bureau*

*Washington Friends of Farms and Forests*

*Washington-North Idaho Seed Association*

*Washington State Council of Farmer Cooperatives*

*Washington State Grange*

*Washington State Nursery and Landscape Assoc.*

*Washington State Sheep Producers*

*Wenatchee Valley Traffic Association*

*Yakima Valley Growers-Shippers Association*

*Columbia Basin Development League*

*Far West Agribusiness Association*

*Northwest Food Processors Association*

*Pacific Northwest Christmas Tree Association*

*Washington Asparagus Commission*

*Washington Association of Landscape Professionals*

*Washington Association of Wheat Growers*

*Washington Cattle Feeders Association*

*Washington Christmas Tree Growers*

*Washington Fish Growers Association*

*Washington Growers Clearing House Association*

*Washington Potato and Onion Association*

*Washington State Dairy Federation*

*Washington State Horticultural Association*

*Washington State Potato Commission*

*Washington State Turfgrass Seed Commission*

*Western Washington Agricultural Association*