

# SCC policy & legislative update

Washington State



**Conservation  
Commission**

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# All in all, we had a really good short session.



- Several bills beneficial to the SCC and CDs passed.
- Bills of concern either failed to move forward (e.g., HB 2415, the elections bill) or were amended to alleviate concerns.
- Excellent coordination between SCC, WACD, and individual CDs.

# 2SSB 5947 - Establishing the sustainable farms and fields grant program.

## What the bill does:

- This bill creates a new sustainable farm and fields grant program at the SCC.
- This program would provide funds through conservation districts and other public entities to assist participants implement practices on farms, ranches, and aquaculture operations to store carbon and reduce emissions.
- SFF grants will be prioritized based on ability of projects to:  
1) increase sequester carbon in terrestrial topsoil and aquatic soil; 2) reduce CO2 equivalent emissions in soils, nitrous oxide and methane emissions through changes to livestock or soil management; and 3) increase use of precision agricultural practices.

# 2SSB 5947 - Establishing the sustainable farms and fields grant program.

## Impact on the SCC and/or CDs:

- The SCC will administer and implement the grant program in consultation with WSDA, WSU, and NRCS.
- The SCC will consult with WSDA, WSU, and NRCS in developing prioritization metrics that will be publically available.
- SFF program allows up to 20% total appropriated funds to be used to administer and develop the program, metrics, and education/outreach.
- SCC must submit a biennial report
- SCC will also provide a public list of projects, summary of state and federal expenditures, private funds spent, landowner matching expenditures, the total number of projects, and an estimate of carbon sequestered or emissions reduced.
- CDs have the option of applying for a single grant to serve multiple growers.

# SSB 6306 – Creating the Soil Health Initiative.

## What the bill does:

- It creates the soil health initiative under Title 15 RCW.
- The soil health initiative is a collaboration between WSU, WSDA, and the SCC to improve agricultural viability, crop nutrition, and environmental function of soil through the implementation of healthy soil practices based on sound science and an assessment of current soil conditions in Washington.
- The three agencies will support and supplement the soil health advisory committee, assess programmatic needs and roles, and identify gaps in scientific research.
- A biennial Washington soil health initiative progress report will be submitted to the Governor and legislative committees.

# SSB 6306 – Creating the Soil Health Initiative.

## Impact to the SCC and/or CDs:

- SCC is responsible for developing an outreach campaign to help conservation districts, extension offices, and local government to increase awareness of the importance and benefits of healthy soil practices.
- SCC will coordinate efforts by CDs and university extension to provide site-specific technical assistance to landowners and to collect soil health data.
- SCC and NRCS are providing staff time to revamp and prepare the Soil Health Committee for its new role with the SHI.

# SSB 6091 - Continuing the work of the Washington food policy forum.

## What the bill does:

- The bill establishes the Food Policy Forum in the Conservation Commission statute.
- The Forum as structured in the bill is essentially the same as what the Commission has been currently implementing through budget proviso.
- The bills sets out several goals for the Forum, as well as several considerations for the Forum as they do their work.
- The bill continues to identify the directors of the Commission and WSDA in appointing members to the Forum.
- A report with recommendations is to be developed by the Forum by October 29, 2021 and every odd numbered year thereafter.

# SSB 6091 - Continuing the work of the Washington food policy forum.

## Impact to SCC and/or CDs:

- Commission staff will continue to work with our WSDA partners and others on the implementation of the Food Policy Forum.



# 2SHB 2528 - Recognizing the contributions of the state's forest products sector as part of the state's global climate response.

## What the bill does:

- The bill makes several findings regarding the role of forests in carbon sequestration and how the state can use forests as part of our climate response strategies.
- The bill incorporates into the state's carbon reduction strategies the maintenance and enhancement of natural and working forest lands.
- The bill adds new statutory language stating it's the policy of the state to support the contributions of all working forests and the forest product's sector to the state's climate response.
- Another new policy is to utilize carbon accounting land use, land use change, and forestry reporting principles consistently with established reporting guidelines.
- Any state carbon programs must support the policies stated in the bill.

# 2SHB 2528 - Recognizing the contributions of the state's forest products sector as part of the state's global climate response.

## Impact to SCC and/or CDs:

- Early versions of the bill included a grant program to fund on-the-ground activities by forest landowners. In the original version of the bill, the Conservation Commission was to implement the program, in the second, amended version DNR was to implement the program. Ultimately the grant program was removed from the bill.
- Commission staff will evaluate the bill to determine whether it impacts how we currently calculate carbon sequestration values associated with CREP.

# EHB 1187 - Revising hydraulic project eligibility standards under RCW 77.55.181 for conservation district sponsored fish habitat enhancement projects.

## What the bill does:

- The bill strikes the current eligibility criterion described under RCW 77.55.181 (1)(c)(v) to allow conservation districts to use the streamlined HPA review and approval process when implementing fish habitat enhancement projects, which is outdated and prevents conservation districts from making use of this permitting process.
- It replaces it with language allowing conservation district-sponsored fish habitat enhancement projects to be eligible for this streamlined permitting process.

EHB 1187 - Revising hydraulic project eligibility standards under RCW 77.55.181 for conservation district sponsored fish habitat enhancement projects.

Impacts to SCC and/or CDs:

- The bill will allow conservation district-sponsored fish habitat enhancement projects to be eligible for WDFW's streamlined HPA review and approval process.

# SHB 2588 - Improving openness, accountability, and transparency of special purpose districts.

## What the bill does:

- Adds a new definition of “special purpose district” to an existing local government accounting section of the state auditor’s statute, which now includes conservation districts.
- The bill also adds the “unauditable” definition to existing an existing statute (RCW 36.96) relating to inactive special purpose districts. This existing statutory language allows a county to determine a special purpose district is inactive or unauditable, and may dissolve the district.
- The existing statutory language for RCW 36.96.010 includes a definition of an “inactive” district to include one that, among other things, has not held an election within the preceding seven-year period.

# SHB 2588 - Improving openness, accountability, and transparency of special purpose districts.

## Impact to SCC and CDs:

- By adding conservation districts to the definition in the existing state auditor statute, the effect is to add new requirements for conservation district reporting, including filing financial reports annually with the state auditor in a form prescribed by the auditor and set in the statute.
- Commission staff will need to work with conservation districts on these new requirements
- Since the language of RCW 36.96 is existing statutory language, it means conservation districts have always been at risk of being deemed inactive for failing to hold an election for the previous seven-year period. “Not holding an election” could include canceling an election because only one candidate appears on the ballot. No action has ever been taken by a county against a district under this provision.

# 2SHB 1888 - Protecting employee information from public disclosure.

What the bill does:

- Under current law, all information in the possession of public agencies is considered a public record and must be disclosed upon receipt of a public records request. Public records may only be withheld from disclosure if there's a specific statutory exemption for the record.
- Conservation districts are considered public entities subject to the state Public Records Act.
- A recent state Supreme Court decision held public employee birthdates and other personal information are public records subject to disclosure and many not be exempted in response to a request.
- The bill exempts month and year of birth, photographs, and payroll deduction information of public employees and volunteers held in personnel files from public disclosure requirements, but permits the news media to have access to full dates of birth and photographs.
- The bill also exempts race or ethnicity, sexual orientation, national origin, or disability status information voluntarily submitted to a public agency which is not in de-identified or aggregated format from public disclosure requirements.
- Requires an agency to notify an employee, the employee's union, and the requestor when a public records request has been made for information located exclusively in the employee's personnel, payroll, supervisor, or training file.

# 2SHB 1888 - Protecting employee information from public disclosure.

Impacts to SCC and/or CDs:

- The changes apply to the Commission and to conservation districts. The Commission will communicate these changes to conservation districts so they are aware of the new exemptions to requested records. We will also communicate to districts the new requirement to notify employees when certain employee specific information is requested. Districts have received these requests in the past.



# SHB 1154 - Concerning the financing of Chehalis basin flood damage reduction and habitat restoration projects.

## What the bill does:

- The House bill originally authorized bonds in the amount of \$700 million to finance Chehalis basin flood damage reduction and aquatic species habitat restoration projects. Funding would be disbursed over 10 biennia.
- The Senate amended the bill, striking all funding provisions and inserted language requiring the Office of Chehalis Basin to compile decision packages from participating agencies identifying projects to be implemented in the next biennium.
- The Senate version also requires a report to the legislature by January 1, 2021, which includes a final strategic plan including a list of projects. The legislature is to review the report and identify funding for the project list.

# SHB 1154 - Concerning the financing of Chehalis basin flood damage reduction and habitat restoration projects.

## Impact to SCC and/or CDs:

- The Conservation Commission participates on the Chehalis Basin Board as an ex officio member. Many projects implemented in the plan are implemented by conservation districts, including Lewis, Grays Harbor, and Thurston.
- If the bill passes, the Commission would need to provide a decision package with a list of projects to be implemented by the participating conservation districts.

# E2SHB 1622 - Concerning drought preparedness and response.

## What the bill does:

- The bill creates two authorizations for Ecology: A drought advisory, and a drought emergency.
- Under a drought emergency, Ecology may take actions including authorization of emergency water withdrawals of public surface and ground waters, approve temporary changes in use of a water right, among other actions.
- When declaring a drought emergency, Ecology is to consult with agencies identified in the state drought contingency plan. The plan includes the Conservation Commission.
- Authorizes Ecology to develop and update a drought contingency plan in collaboration with other affected governments.
- Directs Ecology to initiate a pilot program to explore the cost, feasibility, and benefits of entering into long-term water right lease agreements to alleviate water supply conditions that may occur as a result of drought conditions.
- Establishes a grant program at Ecology for projects that will reduce current or future hardship caused by water unavailability stemming from drought conditions. Conservation districts are eligible for these grants.

# E2SHB 1622 - Concerning drought preparedness and response.

## Impacts to SCC and/or CDs

- Commission staff have been closely engaged with Ecology staff on the bill. We will continue to engage with Ecology on bill implementation.
- Commission staff will assist in the update of the state drought contingency plan.
- Commission staff will also distribute information to conservation districts about the new grant program as the program is developed.

# 2SHB 2311 - Amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science.

What the bill does:

- Modifies state anthropogenic greenhouse gas (GHG) emissions reduction limits and state agency GHG emissions reduction targets.
- Requires the state and state government as a whole to achieve net zero GHG emissions by 2050.
- Every two years state agencies must submit a report to Ecology and to the state Efficiency and Environmental Performance Office. The report must describe:
  - o the actions planned for the next two biennia to meet emission reduction targets and the actions taken to meet the emission reduction targets established in the bill,
  - o the agency's long-term strategy for meeting the emission reduction targets established in the bill, which the agency shall update as appropriate.
- Section 4 of the bill identifies natural resource agencies, including the Conservation Commission, who are to seek all practicable opportunities to cost effectively maximize carbon sequestration and carbon storage in their non-land management agency operations, contracting, and grant-making activities.

# 2SHB 2311 - Amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science.

## Impact to SCC and/or CDs

- The Conservation Commission will need to meet the requirements of the bill. We will need to submit the report identified in the bill identifying our plans and strategies for agency emissions reductions.
- Commission staff will need to evaluate the requirements for including carbon sequestration in grant-making activities and determine how this will be implemented with Commission issued grants.

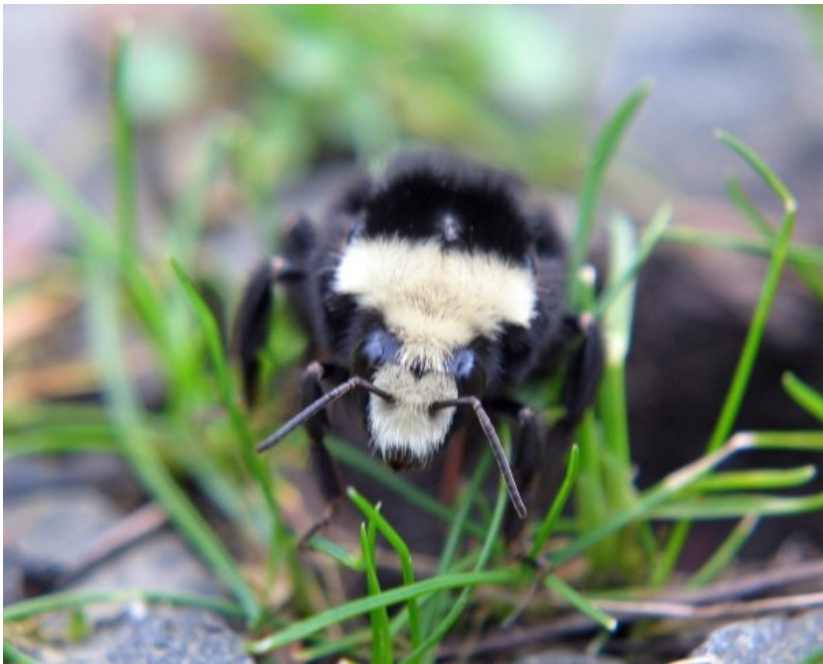
# Quick update on Keeping of Animals Rule

- State Board of Health continues to work on update of WAC 246-203-130.
- Extended informal comment period of third draft to March 13, 2020.
- SCC staff sent out GovDelivery announcement to CDs and submitted comments to SBOH regarding definition of “pet” and requirements about pet waste.



Photo by Elaine Russ, Ravelry member

# WSDA Pollinator Health Task Force



- SCC member of the Task Force and is participating in the Habitat sub-committee.
- SCC and CDs play key roles in several of the draft recommendations.





Thank you!

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Washington State  
**Conservation Commission**