

# Responses to Technical Panel and Public Comments

September and October 2017 | Comments and Responses compiled by BERK and The Watershed Company

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## I. State Technical Panel Meeting September 29, 2017 Comments and Responses

Voluntary Stewardship Technical Panel Meeting September 29, 2017  
Tuesday, September 29, 2017  
9:00 am – 3:00 pm

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Facilitator – Bill Eller, VSP Coordinator, WSCC

**Attendees in Lacey:** Brian Cochrane, WSCC (TP); Lauren Driscoll, ECY (TP); Kelly McLain, WSDA (TP); Amy Windrope, WDFW (TP); Stacy Polkowske, WDFW (Technical Panel); Alicia McClendon, WSCC; Ron Shultz, WSCC; John Stuhmiller (SAC), Evan Sheffels, Renee Hadley; Lisa Grueter; Sarah Sandstrom; Frank Hendrix;

**Webinar:** Audrey Ahmann, Joanna Cowles, Tom Glover, Todd Kimbal, John Small, Lisa Stearns, Ron Wesen, Steven Woodley, Stuart Crane, Barbara Adkins; Carmen Andronaegui, Scott Kahta, Shannon Laun, Aaron Rosenblum

### VSP Technical Panel Meeting Minutes

#### 9:05 am: VSP Program update – Bill Eller, Ron Shultz, WSCC

Ron Shultz discusses Department of Commerce – series of workshops – critical area ordinance monitoring

Bill Eller – mentions the regional meetings the Commission is setting up in early December – topic will be implementation after plan adoption.

Ron Shultz mentions the status of the County contracts – down to 1-2 to be signed.

#### 9:30 am: Yakima County - presentation on work plan monitoring, goals and benchmarks

Frank Hendrix introduces himself as the Yakima VSP work plan chairman. 20 meetings with the work group. 15 meetings with the commodity groups. Pre-review the Technical Panel provided was helpful. Want to get started on implementation asap.

Lisa Grueter brings up the letter that the Commission sent to the work group on receipt of the work plan and how that drove the structure of the PowerPoint presentation today.

Lisa Grueter begins the presentation.

Ron Shultz asks who is responsible for adaptive management.

Lisa Grueter says each goal and benchmark has that set out, but then largely the work group will be.

Stacy Polkowske says the overall plan is great, but we have some comments on a-l. Chapter 4 – relating to other plans – thought there could be a stronger tie of what pieces of those plans were used in VSP – highlight the key things in the plan. RCW 36.70A.720(1)(k) – own section – could be brief. Regulatory backstop – there is one for fish passage and screening that you might want to include. Brian Cochrane discusses the outreach by technical providers. Saw the roles and responsibilities in Chapter 6, but didn't see the connections and commitment of those who are the supporting technical providers.

Response: Stronger tie of what pieces of those plans were used in VSP – see Chapter 4 track changes. For each plan, a sentence is added with how it links to the Work Plan. Regarding the regulatory backstop, in Section 4.2.2 reference to Fish Passage laws is added. Chapter 6 adds more language about role of supporting technical providers and which are on the Work Group.

Kelly McLain says the wording of that section should say something that “the county will contract with these technical providers” to something along those lines.

Response Language added to Chapter 6.

Lauren Driscoll says the targeted outreach is great with the number of producers. Are there individual stewardship plans target numbers?

Lisa Grueter says that North Yakima Conservation District was thinking about the priorities in that area and then try to get the most bang for the buck on the contacts with the landowners by phone calls, going to meetings, etc. They set out the acres parameters. There are 17,000 landowners in the critical area intersect. But that number drops when you consider larger rangeland (160 acres +) and irrigated acres along waterbodies and wetlands (20 acres +).

Brian Cochrane says that Section (g) says the technical service provider works to ensure the individual stewardship plans is working toward the goals and benchmarks. I think it was all there, but it was hard to tease out who was working with the entity to ensure the provider works with the landowners to ensure the individual stewardship plans are meeting the goals and benchmarks.

Lisa Grueter says we will cover that later in the presentation. There is also a survey monkey tool to match the goals and benchmarks.

Response: As noted at the meeting, the tracking tool links the practices to goals and benchmarks. The tracking tool is added as an appendix to the Work Plan (Appendix K). See also the paragraphs below.

Brian Cochrane asks about baseline monitoring and imaging monitoring. It was a little open when you say imaging will be used for monitoring.

Response: Per the discussion at the meeting, the Work Plan includes Exhibit 8-6. Use of Imagery/Map Interpretation in Measuring VSP Benchmarks.

Lisa Grueter continues with the presentation and how the technical assistance provider will do their work. There is a draft letter, short form, then a meeting, and a thorough review. Cost share and practices might be part of that. South Yakima Conservation District said education is also a piece of that. Both districts sought other funding and working with other areas on riparian enhancements. They often work with the agricultural producers to accomplish those.

Frank Hendrix says the county assessor says there are 40,000 taxpayers who have between 2-20 acres who will need training.

Brian Cochrane asks about the acres that the producer numbers represent. It would be helpful to know the context.

Kelly McLain says it would be helpful to have that number as another metric to consider.

Response: See new Appendix J.

Lisa Grueter says that in speaking with Mike Tobin in Yakima that there are eight large rangeland landowners in Yakima County.

Kelly McLain likes that we can add context around the percentage that was reached. If only eight contacts, but 80% of the land covered....

Lisa Grueter says the 17,000 landowners caused us some concern for our outreach efforts and that's why the target was 160 acres+ for rangeland and 20 acres + for irrigated along waterbodies. But NYCD started there and came up with numbers for reach goals (e.g. 40+ acres and 5+ acres). Continues with presentation and participation priorities.

Tracking tool – survey monkey. Discussion ensues.

Brian Cochrane asks about duplication of data.

Sarah Sandstrom says it will be the North and South Yakima Conservation Districts who will be implementing this.

Kelly McLain says it can be organized by the commodity group in your database.

Response: The Tracking Tool is added as Appendix K. A question about commodity types is added too.

Sarah Sandstrom says that the conclusions are not necessarily based on tracking an individual over a number of years. There is less concern about tracking the same individual.

Lisa Grueter continues the presentation. What the technical provider will be doing on an annual basis and how they will be using the tracking tool annually. Every two years there will be mapping and producer surveys. Expert panels will be convened as needed. We added a definition of the expert panel. Imagery was a hot topic in the work group sub-committee. The work group created six imagery guiding principles.

Frank Hendrix says we don't know what we will have available in five years, but it should be better than what we have now.

Lisa Grueter continues.

Brian Cochrane asks about "other tools." Choice of tool, including imagery, depends on the questions you ask about monitoring – what are you going to monitor, how good of an answer do you need, and what can you afford.

Lisa Grueter says a table was added with what the types of information that mapping or imagery interpretation could provide for each critical area (e.g. composition, cover, complexity for shrub steppe).

Sarah Sandstrom says the imagery will be used for adaptive management.

Lisa Grueter continues and covers imagery interpretation. There is more than one monitoring method. What are we trying to get out of the imagery? We also added a definition of the expert panel.

Ron Shultz asks how aquifer recharge areas will be monitored.

Sarah Sandstrom says Appendix G is adaptive management. Monitoring is in it. Hydrologically related critical areas includes streams, wetlands, floodplains, and critical aquifer recharge areas. The county

ordinance uses those terms, so we use them. We included critical aquifer recharge areas. We are looking at the functions of those critical areas.

Brian Cochrane says there are aquifer studies of the Yakima Valley that show that pumping goes up in times of drought.

Ron Shultz asks about row 4 in Appendix G – pathogens for groundwater contamination. I am looking at that. Memo from Ecology.

Bill Eller summarizes the memo that Ecology provided to the Commission late yesterday about CARA's dated September 13, 2017 for the Yakima County work group to consider.

Sarah Sandstrom recognizes that the Lower Yakima GWMA was recognized by the Yakima County VSP work group, but didn't want to duplicate those efforts in the work plan. The outcomes of the GWMA process will be used in the work plan as part of the regulatory backstop.

Ron Shultz says that the GWMA can help determine where outreach to landowners needs to occur.

Sarah Sandstrom says maybe in the adaptive management process might include a trigger for GWMA.

Ron Shultz would encourage an accurate statement about how the GMWA will be incorporated into the work plan. Put it in up front in the body of the plan.

More than stating the GWMA in a benchmark and in regulatory backstop?

Ron Shultz says yes.

Response: Text regarding the GWMA is added to Chapter 4. Since the GWMA is a voluntary process, it was removed from the regulatory backstop discussion, but the application of its work products under VSP was also clarified.

Kelly McLain says there are two documents that the GWMA will produce by December that will describe targeted practices to address ground water – voluntary practices that they will suggest. Those documents don't need to be specifically called out, but the work plan could include a clearer statement about that.

Sarah Sandstrom continues the presentation on goals and benchmarks. Shrub steppe metric lowered to 2.5% from 5%. Hydrologically related critical areas are what we will focus on now.

Brian Cochrane asks about a protection benchmark that relies on a regulatory benchmark (adjudication of water rights) and therefore doesn't require monitoring.

Ron Shultz says water use affects hydrologically related critical areas.

Sarah Sandstrom says the adjudication regulates the water use and that is why monitoring isn't needed.

Ron Shultz says if water use is impacting hydrologically related critical areas. Not sure what GMA/VSP will be able to do. Not sure there is a benchmark that could be used here. Don't see a problem with it as a benchmark, but suggests leaving it out.

Kelly McLain says it is worth acknowledging.

Discussion related to referencing the adjudication in the Valley affecting the work plan. Would add context to discuss it in the work plan.

Response: Removed benchmark on water adjudication but describe it in Chapter 4.

## Responses to Technical Panel and Public Comments

Sarah Sandstrom continues the presentation using hydrologically connected critical areas as the example.

Brian Cochrane asks what happens when the flood control districts implements practices that reduce flood plain connectivity.

Lisa Grueter says that will be part of the baseline analysis (new mapping analysis every 2 years).

Kelly McLain says there will be losses in one place, and gains in others.

General discussion about recharge, irrigation ditches, and flood control.

Sarah Sandstrom says there is a trigger of 10% connectivity in flood plain connectivity. The work group would do the analysis on why that might have occurred and if it is related to agriculture activities.

Lauren Driscoll asks about the implementation metrics – if they will be incorporated along with others for wetlands.

Sarah Sandstrom say they will be. Those could be pulled out separately. Sarah Sandstrom continues with the explanation of how the technical assistance provider will gather data to inform the success of the implementation metrics. Ecology's wetlands change analysis can be used once it is complete. WDFW fish passage barriers will also be used.

Response: The tech service provider will track effects to wetland functions during site visits (already included). We have added reference to the regulatory backstop (Section 404) that regulates wetland loss. We edited the monitoring method to indicate that before the change analysis is available, we will use riparian habitat monitoring, where it overlaps with mapped wetlands.

Stacy Polkowske says the baseline conditions should likely include that these are known barriers. There is a regulatory backstop for fish passage. Barrier replacements could be considered an enhancement. Fish passage should probably be only in an enhancement. A current crossing could become a barrier in the future. That could be described in the inventory. Passages need to be revised so that they continue to be passages and don't become barriers.

Response: See comments below under formal Tech Panel comments.

Sarah Sandstrom covers riparian areas – area and cover as the metric.

Brian Cochrane asks about the metric – how much change would be the trigger?

Discussion about the WDFW mapping error rate for riparian areas – 10% in Appendix G. Could be changed to 5%.

Response: This change is made in Appendix G.

Brian Cochrane says it is good to have the metric based on something real.

**10:38 am: Break**

10:55 am: Continue review – Yakima County work plan

Sarah Sandstrom – letter from Ecology – second bullet that starts with “groundwater moves”. This is talking about enhancement not protection.

Lauren Driscoll says this is more about protecting the groundwater and not enhancement. Still need a baseline to show the existing practices being done.

Sarah Sandstrom says if 20 practices were done in 2011 and 20 practices when it is looked at again, that would meet the concern?

Lauren Driscoll says yes. The question is how that would be done by monitoring. The technical provider would be looking at that.

Sarah Sandstrom says yes. The technical provider will be looking at a portion of the projects they are implementing to ensure those practices are functioning as intended.

Brian Cochrane asks about sizes of facilities and loading rates. A larger animal facility would load more than a smaller.

Kelly McLain says there are things we know and don't know. The bigger issue in Yakima is the 100,000 acres of irrigated agriculture as much as the dairies. Would talk about this in the narrative of the work plan. The technical service providers know what the effects are. The GWMA advisory committee has gone through 150 practices to determine the best ones.

Brian Cochrane asks if counting BMPs will get at protection.

Kelly McLain says yes, if they are the right BMPs. Groundwater protecting BMPs (as noted by the GWMA) could be identified in the work plan.

Frank Hendrix says it used to be common practice in potatoes to overload fertilizer.

Kelly McLain says new berry crops might overload the nutrients initially. More important is using the right BMPs to prevent overloading.

Sarah Sandstrom continues with their presentation and goes through a scenario as an example for hydrologically related critical areas. Continues with an analysis of shrub steppe goals and benchmarks, monitoring triggers and metrics. Fire was a big topic during the discussion of shrub steppe. State-managed lands that prohibit grazing.

Brian Cochrane asks what the technical service provider observations would include what?

Sarah Sandstrom says the individual stewardship plans will include that information.

Brian Cochrane asks if the survey has anything related to linkage and pinch points on it?

Lisa Grueter says the survey references critical area types and links to goals but does not have a question to sub-types of critical areas. North Yakima Conservation District has identified priorities.

Brian Cochrane asks about the forms being filled out and the linkage. Should like technical service provider observations to the individual stewardship plans.

Lisa Grueter says questions about linkage and pinch points could be added to the tool.

[Response: Change made to reference habitat concentrations/linkages in stewardship checklists \(Appendix F\) and the tracking tool \(Appendix K\).](#)

Sarah Sandstrom continues the presentation with a shrub steppe example. If shrub steppe is lost, it can't be recreated.

Brian Cochrane asks how shrub steppe is defined.

Sarah Sandstrom says the definition of shrub steppe was discussed by the work group, and WDFW PHS includes a definition. We also consider the cover of native species in terms of measuring the quality of habitat.

Response: A definition is added in Chapter 4.

Stacy Polkowske asks about the fire and shrub steppe and how the technical service provider would access those lands affected by fire.

Lisa Grueter says we included these three scenarios to help explain how these will be applied. Sarah Sandstrom noted it is really about agricultural viability first, then enhancement.

Frank Hendrix says the definition of damage due to fire is important – when shrub steppe is lost, it will take decades to get back. Lost versus damaged.

Lauren Driscoll asks about how non-participating folks are being captured. Some is being captured with the aerial imagery.

Sarah Sandstrom says the resource assessment adaptive management metrics cover that.

Brian Cochrane – asks about assisting state agencies and their monitoring programs – didn't see how that was being accomplished.

Lisa Grueter says she thought that was in Chapter 4. Going back to Stacy Polkowske's question - could add on sharing appropriate information on fish passage.

Stacy Polkowske says, similar to (k), calling it out would make it explicit.

Response: See new Section 8.3.7 for a discussion of assisting state agencies.

Brian Cochrane says the same thing on "satisfying other reporting requirements of the program" – not sure where that is. Who is responsible for reporting is an example. Should add some detail to that.

Lisa Grueter says that is in Chapter 8. Could add a sentence.

Response: See new Section 8.3.8 for a discussion of satisfying report requirements.

Lauren Driscoll asks about a budget for implementation? Not a requirement.

Lisa Grueter says we did one, but didn't include one in the work plan.

Lauren Driscoll says it is helpful to see how the work group is thinking about implementation.

Lisa Grueter says that is what we have in the draft budget and it can be added, provided it's considered draft and work group has flexibility.

Response: Draft Budget included in new Appendix M.

Frank Hendrix says the more money we can get on the ground is the thing to me. The RC&D has the staff to handle the inventory.

Stacy Polkowske asks about an enhancement goal in fire – coordination with federal and tribal entities. Has that started?

Sarah Sandstrom says that hasn't really started, other than they did ask a Firing Center representative to attend the work group meeting.

Frank Hendrix says there are some legal issues with the Firing Center, so they may not want to talk right now. There are opportunities with the WDFW and choke points and discussions around that. That happened because of VSP.

Brian Cochrane asks about rural fire districts.

Frank Hendrix says yes, that discussion was had. We are trying to work out something for these areas.

Sarah Sandstrom says that working with WDFW to incorporate grazing allowances on new lands that are acquired by the agency is the low hanging fruit.

General discussion about next steps and schedule for the Yakima (and Walla Walla) work plans.

Schedule for Yakima and Walla Walla's further Technical Panel review:

October 11<sup>th</sup> – agency comments due to Bill Eller at Commission

October 12<sup>th</sup> – Bill Eller provides the summary of the agency comments to the work group and Technical Panel

October 24<sup>th</sup> – work group has the final version of the work plan done and provided to the Commission and is sent out to the Technical Panel for review.

October 27<sup>th</sup> – next meeting on Yakima's plan – vote intended to be taken then.

## II. Comments from Ecology Water Quality Program and Responses

Note: Comments are in italics.

### 1. **Monitoring**

The lead agency should obtain groundwater monitoring data, maps, and graphs where available, especially from the Lower Yakima Ground Water Management Area, to inform their technical assistance efforts.

Existing groundwater monitoring data needs to be leveraged to support an understanding of where there are contaminated wells and what is happening to ground water quality over time in those areas. If there is over-loading of nitrogen near a contaminated well, the loading needs to be reduced.

The CD could keep track of groundwater monitoring results and voluntary practice locations, and inform landowners whether they are in the vicinity of a well with contamination or in an area where contamination has been found.

Response: The Yakima County VSP recognizes the ongoing efforts of the Lower Yakima Groundwater Management Area (LYGWMA). In an effort to build on, rather than duplicate these efforts, we edited the VSP Work Plan (see Chapter 4) to indicate that the LYGWMA work products will be considered in identifying the areas and BMPs for groundwater protection. BMP tracking is included in the adaptive management matrix (Appendix G) for the water quality benchmark.

2. **Reporting**: The VSP Work Group should incorporate groundwater quality status into the VSP biennial reports.

Response: We added text in Section 4.1 and 8.1 to clarify that the Work Group will consider new information relating to critical areas and agricultural activities (including data from the LYGWMA), and determine whether adaptive management is needed.

3. **Adaptive Management**: Adaptive management is most needed in areas where groundwater has been impacted. Existing groundwater monitoring should inform the adaptive management process.

Response: Reference to review and consideration of LYGWMA water quality monitoring results was added to Chapter 4.1 and 8.1.

4. **Participation**: The participation metric should be made clearer over time. Right now, the participation metric is that enough participation occurs to be sufficient to protect the functions and values of critical areas. This is non-specific and I did not see how the Work Group or lead entity would be able to determine that participation was sufficient to protect the functions and values of Critical Aquifer Recharge Areas. This may be quite a difficult topic to address since participation is confidential and groundwater contamination is area specific.

If the larger watersheds are broken down into small subareas, this issue is easier to address.

Response: The reviewer seems to be referencing an earlier version of the Work Plan. In the September 2017 version, watersheds are broken down into sub-basins, and specific numerical targets are identified. The participation targets are further addressed with information on number of parcels acres in different intersects that are of primary consideration [e.g. priority habitats and species (including corridors and shrub-steppe), hydrologic study areas (agricultural/rangeland in proximity to streams, lakes, and wetlands), floodplains, and critical aquifer recharge areas].

5. **Baseline**: Page 80, Exhibit 7-1. Protection Goals, benchmarks, and monitoring approaches to maintain critical area functions:

Manage nutrients, pathogens, and other contaminants to **maintain** surface and groundwater quality (rely on regulatory backstop for pesticides, dairy nutrients, and stormwater, and on Lower Yakima Valley Groundwater *Management Area standards for groundwater*).

**Groundwater moves** , so the groundwater that was contaminated in July 2011 isn't the same groundwater that would be contaminated if loading continues and is not reduced. It doesn't make any sense to say protection is maintained if groundwater continues to be contaminated at the same RATE as in July 2011. Overloading should stop and groundwater quality should therefore improve. It should be noted, however, that for any one operation, groundwater quality improvement downgradient also depends on what is coming onto the property from upgradient parcels. In addition, there is a time lag between when best management practices are implemented and when changes are seen in groundwater quality at a well.

These issues are not easy in the context of the VSP but should be acknowledged and kept in mind.

Response: This comment was discussed with the Technical Panel on September 29, 2017, and the Panel members agreed that maintaining water quality and current best practices is consistent with the concept of maintaining ecological functions. No change.

6. Appendix D, page 6: *“Under the federal Clean Water Act”* should be changed to “under the state Water Pollution Control Act (Chapter 90.48 RCW)” in the following paragraph:

*Chapter 173-200 WAC - Water quality standards for groundwaters of the state of Washington  
Regulates groundwater water quality and application of best management practices (BMPs) to  
comply with water quality regulations under the federal Clean Water Act.  
<http://apps.leg.wa.gov/WAC/default.aspx?cite=173-200>*

Response: Change made as recommended in Appendix D.

7. **Regulatory Backstop** : Because VSP is voluntary, non-regulatory and has non-disclosure provisions, regulation outside of the VSP may be needed to control groundwater pollution. This is reflected in the VSP as a regulatory backstop. The regulatory backstop should be enabled to mitigate or reduce groundwater contamination threats where groundwater has been found to have been contaminated.

Response: The state and federal regulatory backstop applies regardless of VSP. The County is not required to improve baseline conditions as a part of VSP. No change.

8. **Previous Studies** : Incorporation of the results of previous groundwater studies, including those completed under the Lower Yakima Ground Water Management Area, and those by the USGS, is extremely relevant to understanding the groundwater flow system and how contaminant concentrations may change in response to the reduction of contaminant source loading and water conservation efforts at the land surface.

Response: See responses to 1-3 above. The LYGWMA work products will be acknowledged and considered in implementation of the VSP.

9. **Pesticides in groundwater** : The Washington State Dept. of Agriculture has been tracking **pesticides in groundwater**. **Yakima County should ask WSDA** if there are indications of pesticide contamination within the county and incorporate this information.

Response: We did not identify any available groundwater data on pesticides in Yakima County. Available pesticide data will be considered in adaptive management review.

### III. Summary of comments from Jean Mendoza, Friends of Toppenish Creek and Responses

**Note:** Comments are in italics

1. **Concern that VSP will favor large producers** : Commenter expresses concern that large dairy producers were not included in the VSP work group and that NPDES permits disproportionately affect small producers.

Responses to Technical Panel and Public Comments

Response: VSP work group participants were selected from a range of agricultural sector representatives; please note that the Farm Bureau and other representatives cover a range of producers, small, medium, and large. NPDES permits are outside of the scope of the VSP. The VSP Work Plan is intended to help reduce the regulatory burden, which may disproportionately affect small producers. Agricultural viability aims are focused on improving viability for small farms and large farms alike. No change.

2. **Concern that LYGWMA will not protect groundwater.** Commenter says that “far from addressing the groundwater problems in the area and does not address surface water or air quality issues.”

Response: The Work Plan was modified to clarify how the work products from the LYGWMA will be integrated into VSP. The Work Plan only references the LYGWMA in terms of groundwater quality. Surface water quality is addressed using different BMPs and monitoring methods. Air quality is not a component of critical areas under the Growth Management Act.

IV. Technical Panel Written Comments Received October 13, 2017

Please indicate which Technical Panel member is filling out this form	Please select the county work plan under review	Element [A] (check all that apply)	Element [A] Explanation	Element [B] (check all that apply)	Element [B] Explanation	Element [C] (check all that apply)	Element [C] Explanation	Element [D] (check all that apply)	Element [D] Explanation
Commission	Yakima	Meets	Plans incorporated in Appendix C tables for each WRIA and in Chapter 4.	Meets	Process is described in Section 1.2	Meets	Participation benchmarks identified in 7.2.2 on page 100	Needs clarification	Found a list of providers and roles, and a list of activities, but didn't see the connective tissue that would "ensure" that those activities.
									Comment is not complete. See additional text clarifying role in Chapter 6. Most supporting members are on Work Group.
Fish & Wildlife	Yakima	Meets, but needs more information in the plan Needs clarification	Explicitly explain how each listed plan ties to the VSP work plan (what elements of those plans were pulled into the VSP workplan)  In the Shrub Steppe section in Chapter 4 - consider including the definition the work group created for	Meets	Outreach efforts described in Chapter 1 and Appendix H meet this requirement	Meets, but could have more information in the plan	As discussed at the Sept 29th meeting, to add more context to participation measurement: ...consider adding the acres that the producer numbers represent. ...consider adding % acreage that the producer	Meets	NA

Please indicate which Technical Panel member is filling out this form	Please select the county work plan under review	Element [A] (check all that apply)	Element [A] Explanation	Element [B] (check all that apply)	Element [B] Explanation	Element [C] (check all that apply)	Element [C] Explanation	Element [D] (check all that apply)	Element [D] Explanation
			shrub steppe habitat.				numbers represent.		
			In Chapter 4, a sentence is added for each plan to explain the connection to the Work Plan. A definition of Shrub-Steppe is added to Chapter 4.				See new Appendix J.		
Agriculture	Yakima	Meets	[LEFT BLANK]	Meets	[LEFT BLANK]	Meets	[LEFT BLANK]	Meets	[LEFT BLANK]
Ecology	Yakima	Meets, but could have more information in the plan	there could be more information on how the plans are informing the priorities or areas of focus for conservation measures. What elements of the plans recommendations can affect?	Meets	[LEFT BLANK]	Meets, but	what does 20% of producers mean in terms of the agricultural area intersect. better clarity on the amount of agricultural area that is represented by the participation goals.	Meets	[LEFT BLANK]
			In Chapter 4, a sentence is added for each plan to explain the connection to the Work Plan.				See new Appendix J.		

## Responses to Technical Panel and Public Comments

Please indicate which Technical Panel member is filling out this form	Element [E][i] (check all that apply)	Element [E][i] Explanation	Element [E][ii] (check all that apply)	Element [E][ii] Explanation
Commission	<b>Meets Needs clarification</b>	Benchmarks disguised as Adaptive Management Action levels in Appendix G, Table 1.	<b>Meets Needs clarification</b>	Benchmarks disguised as Adaptive Management Action levels in Appendix G, Table 1.
		The consultant team wanted to clarify the meaning of the comment, and a follow up call with the commenter helped to define the concerns, which focuses on ensuring the wording of the benchmark and performance metrics is clearer so that it is more easily measured. Further, it was discussed that definitions of key words in the benchmarks – protect and enhance – would help the monitoring and evaluation process. See changes in Chapter 7 and Appendix G in response to the comment.		See at left.
Fish & Wildlife	Meets	[LEFT BLANK]	Meets	[LEFT BLANK]
Agriculture	Meets	[LEFT BLANK]	Meets	[LEFT BLANK]
Ecology	<b>Meets, but needs more information in the plan</b>	Benchmark is protect wetlands but The existing wetland areas should be verified during ISP visits since the NWI maps have errors. In the absence of Ecology's Wetland Change Analysis, comparing site conditions to 2011 aerial photos (NAIP) during site ISP development and review can show if protection is being attained on those sites.  Aerial photos used for the riparian habitat monitoring with an expert panel could also be used for monitoring the effectiveness of the VSP actions.	Meets	[LEFT BLANK]
		The tech service provider will track effects to wetland functions during site visits (already included). We have added reference to the regulatory backstop in Chapter 4 (Section 404) that regulates wetland loss. We edited the monitoring method to indicate that before the change analysis is available, we will use riparian habitat monitoring, where it overlaps with mapped wetlands. See Appendix G.		

Please indicate which Technical Panel member is filling out this form	Element [F] (check all that apply)	Element [F] Explanation	Element [G] (check all that apply)	Element [G] Explanation
Commission	Meets	Roles are established in Section 6, bottom of page 71	Needs clarification	No explicit reference to this. The discussion of the role of technical assistance providers and supporting agencies does look like there will be work along the lines of the requirement. The statement in the Cover Sheet is that "Conservation Districts will work with growers on individual stewardship plans". Connection from goals/benchmarks to ISPs to who will work with the entity is unclear.
				In Chapter 6 the roles of supporting providers are added. In Chapter 8, flow charts of the technical provider steps in participation/checklists are added. The tracking tool links stewardship checklist conservation practices to goals and benchmarks, see new Appendix K.
Fish & Wildlife	Meets	NA	Meets	NA
Agriculture	Exceeds	[LEFT BLANK]	Meets, but needs more information in the plan	There should be an included statement that connects the technical assistance to the ISP's and work plan goals and benchmarks.
				See response above.
Ecology	Meets	[LEFT BLANK]	Meets	[LEFT BLANK]

Responses to Technical Panel and Public Comments

Please indicate which Technical Panel member is filling out this form	Element [H] (check all that apply)	Element [H] Explanation	Element [I][i] (check all that apply)	Element [I][ii] Explanation	Element [I][ii] (check all that apply)	Element [I][ii] Explanation
Commission	Meets Needs clarification	Discussion of what's being used for regulatory backstop in Section 4.4 on page 44. Cover Sheet says "benchmarks assume both state laws and GWMA plan would be implemented. No explanation of Appendix D, "Existing Regulations and Voluntary Programs", in work plan.	Meets	Baseline data collection described in section 8.1, page 105	Meets	Baseline data collection described in section 8.1, page 105
		Chapter 4 summarizes plans and regulations considered in Work Plan Development, and that Chapter cross references Appendix D. Section 4.4 lists what specific plans and regulations are relied upon. It was further amended per Tech Panel comments.  Note that Chapter 3 does reference several voluntary programs (e.g. Global Gap).				
Fish & Wildlife	Meets, but needs more information in the plan Needs clarification	Explicitly explain how each listed regulation ties to the VSP work plan. Make sure it is clear how the work plan depends/incorporates existing regulations to achieve its protection goals & benchmarks.  Add - Fish passage has a regulatory backstop in the hydraulic code rules. For example, when a fish passage barrier is replaced, the crossing needs to be fish passable (WAC 220-660- 190).  Add - As discussed at the Sept 29th meeting, add a bit more language about how the GWMA & the targeted BMPS to address ground water into the work plan. Put it up front in the body of the plan.	Meets Meets, but could have more information in the plan	. Cross-check that all needed TSP observations for implementation metrics are on the long form. . Tracking Tool - employ measures to prevent duplication (participation code, producer identifier, etc.)	Meets	NA
		In Chapter 4, a sentence is added showing the link of the plans considered to the Work Plan. Section 4.4 lists		Added checkmarks on ISP forms for habitat maps		

		specific plans and regulations relied upon. Fish passage laws are also added in Section 4.2.2. A description of how the GWMA is referenced was added to Section 4.1 of the body of the work plan. It was removed as a regulatory backstop, because the Work Group clarified that it is a voluntary process. Exhibit 7-1 was also modified to include the following description under Performance Metrics: "LYGWMA work products will be considered to identify the areas and BMPs for groundwater protection"		and GWMA.  See Appendix K, the tracking tool has a participation code and adds commodities.		
Agriculture	Meets	[LEFT BLANK]	Meets	[LEFT BLANK]	Meets, but could have more information in the plan	Draw more connection between why the numbers or stewardship targets are the right targets for each of the main technical service providers.
						Text added in Section 7.2. Also see new Appendix J.
Ecology	Meets Meets, but could have more information in the plan	Under RCW 90.48, it should be noted that the law also applies to protection of wetland areas.	Meets	[LEFT BLANK]	Meets	[LEFT BLANK]
		See revisions to Chapter 4.				

Responses to Technical Panel and Public Comments

Please indicate which Technical Panel member is filling out this form		
Element [(i)(iii)] (check all that apply)	Element [(i)(iii)]	Explanation
Commission	Needs clarification	Described in Appendix G. Vague on specifics. Imagery analysis to be determined not clear.
		See Exhibit 8-6. Use of Imagery/Map Interpretation in Measuring VSP Benchmarks.
Fish & Wildlife	Meets, but could have more information in the plan Needs discussion Needs clarification	<ol style="list-style-type: none"> <li>1. Under Baseline Conditions for Fish Passage in Chapter 5 - Clarify that the fish passage barriers listed in the tables are the "known" barriers.</li> <li>2. Fish Passage as a Protection Goal should also include maintaining the current passable/non-barrier crossings to remain passable. This would require:               <ol style="list-style-type: none"> <li>a) additional performance metric of re-survey of the non-barrier culverts periodically to ensure they are still passable over time</li> <li>b) may require some maintenance activities like removing debris, etc. - especially after high flow events, or other site conditions change, etc.</li> </ol> </li> <li>3. As discussed at the Sept 29th meeting, add language/context related to water rights adjudication could hydrologically impact related critical areas.</li> <li>4. As discussed at the Sept 29th meeting, Appendix G - Row #3 - Adaptive Management Action Threshold - Change 10% decrease in riparian cover to: 5% decrease in riparian cover. As Brian mentioned - it is good to have the metric based on something real.</li> <li>5. Consider Ecology's Technical Memo (dated Sept 13, 2017) titled, "Technical Memo Review of the Draft Yakima County Voluntary Stewardship Program with respect to Critical Aquifer Recharge Areas"</li> <li>6. Regarding shrub steppe habitat loss on ag lands due to fire - we would like to stress the importance of the affected producers granting access and working with the TSP to assist in habitat rehabilitation/recovery. This could be added as an Adaptive Management Action for shrub steppe protection &amp; enhancement.</li> </ol>
		<ol style="list-style-type: none"> <li>1. Change made to text to insert "known" in introductory text to Chapter 5 fish barrier tables.</li> <li>2. Change made to benchmark in Chapter 7 and Appendix G.</li> <li>3. Change made in Chapter 4, see Section 4.4.</li> <li>4. Change made in Appendix G to riparian threshold.</li> <li>5. See Section II of this document.</li> <li>6. Change made in Appendix G.</li> </ol>
Agriculture	Meets	[LEFT BLANK]
Ecology	Needs discussion Needs clarification	Some clarity is needed for monitoring methods. Relying on an as of yet unavailable change analysis to show changes in wetlands isn't sufficient to document protection. Clarity on what the imagery interpretation will cover is needed. Aerial photography can be used to determine effects on wetlands in addition to habitats. It should be clarified when the expert panel would be convened. Windshield surveys can be helpful in addition to ISP visits to capture changes in CAs and should be described as part of your monitoring. How are you addressing non-participants? leveraging of existing groundwater quality data should be used to identify areas of concern that could be associated with agricultural activities
		The tech service provider will track effects to wetland functions during site visits (already included). We have added reference to the regulatory backstop in Chapter 4 (Section 404) that regulates wetland loss. We edited the monitoring method to indicate that before the change analysis is available, we will use riparian cover monitoring, where it overlaps with mapped wetlands. See Appendix G.

Please indicate which Technical Panel member is filling out this form	Element [J] (check all that apply)	Element [J] Explanation	Element [K] (check all that apply)	Element [K] Explanation	Element [L] (check all that apply)	Element [L] Explanation	Other comments on the Work Plan
Commission	Meets	Identified in Appendix G	Needs clarification	Didn't see anything describing where this is called out.	Needs clarification	Didn't see anything describing where this is called out. Just found where they copied the RCW language in. Nothing about who, or how.	[LEFT BLANK]
				See Section 8.3.7		See Section 8.3.8	
Fish & Wildlife	Meets	NA	Meets, but needs more information in the plan Deficient	This information is dispersed in the plan, and not explicit. Needs to be its own section - it can be brief.  WDFW has a strong interest in receiving any/all fish passage inventory information to include in our statewide fish passage and screening database.	Meets, but needs more information in the plan Exceeds Deficient	Highlight this element more explicitly and add a few sentences of detail in Chapter 8, as discussed at the Sept 29th meeting.	Commendable effort!!!
				See Section 8.3.7		See Section 8.3.8	
Agriculture	Meets	[LEFT BLANK]	Meets	[LEFT BLANK]	Meets	[LEFT BLANK]	[LEFT BLANK]

Ecology	Meets	[LEFT BLAN K]	Meets Meets, but could have more information in the plan	I didn't see it directly, but if you are going to contribute data to other monitoring programs is should be spelled out.	Meets Meets, but needs more information in the plan	I didn't see a clear representation of when different reports will be done, e.g. biennial evaluation 2019, 5 year reporting 2022 etc. While the table in Appendix G has general information, it seems that you could be clearer on when the reports will be done and what is included in each of the reports. It would be helpful in evaluating how well the plan will be able to be implemented if you have a budget for implementation activities and monitoring.	Overall, a nice job.
				See Section 8.3.7.		See Section 8.3.8, Chapter 9, Appendix G (every row has a timeline attached) and Appendix L (monitoring report outline) and Appendix M (budget).	