

The Honorable Jay Inslee
Governor of Washington
Office of the Governor
[Address]
Olympia, WA

Dear Governor Inslee,

Many of our constituents in Whatcom County received letters around August 24, 2023 from the United States Department of Agriculture's Farm Service Agency (FSA) notifying them that their contracts in the Washington Conservation Reserve Enhancement Program (WA CREP) must be modified or terminated by September 29, 2023.

The FSA letter claimed several WA CREP enrollment practices had been "erroneous" since 2008, resulting in the agency now forcing, with little advance notice, the modification or termination of contracts landowners had with the FSA where they are paid to preserve habitat for salmon and other species, create shade, improve water quality, and mitigate flooding. Significant public benefits from this program are now at risk.

The USDA / FSA appear to be renegeing on contractual obligations it made to rent land where landowners were asked to invest in planting vegetation as salmon habitat. The result of this can be a loss of expected income for landowners, significant unfounded costs to landowners to return their land to producing other income, and the loss of critical habitat protections. This amounts to serious setback to efforts the state and county have made over the years to build collaborative relationships between government and landowners that promote the protection and recovery of our salmon populations.

A coalition of Whatcom County farming and environmental groups estimates the FSA cancellations may affect over 200 property owners, 1500 acres of riparian buffers, and 120 stream miles in Whatcom County.

The Whatcom County Council joins with this coalition to ask you make an emergency commitment to invest approximately \$2.0 million over the next biennium to keep these payments in place, and work with our partners in the state legislature to preserve and advance the goals of the Washington Conservation Reserve Enhancement Program.

We also request that your office join with our partners in the US Congress and contact the FSA to find if there is any way for the agency to modify, revisit, or extend the September 29th 2023 deadline they have issued.

We would also respectfully ask you to contact the Secretary of Agriculture and request reconsideration of the USDA's plans, under CFR title seven section 718.303 the Secretary has full authority to provide equitable relief to landowners who enter to these agreements in good faith. Restoring these agreements to full force and effect would eliminate the need for state replacement funding.

These actions will help protect salmon bearing streams and help maintain collaborative efforts between landowners, state and local agencies toward that goal.

We thank you for appreciating the urgency of this matter,

Whatcom County Council