



COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

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Creating Solutions for Our Future

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Subject: Voluntary Clean Water Guidance Agriculture Comment

To Whom it may concern:

The Thurston County Community Planning and Economic Development Department appreciates the opportunity to comment on the *Voluntary Clean Water Guidance for Agriculture*. We value our ongoing partnership with the Department of Ecology and share the common goal of protecting water quality while supporting a viable and resilient agricultural community.

After reviewing the draft guidance, the County is concerned that several sections could be interpreted as implying mandatory expectations or potential regulatory consequences for producers who do not fully implement the voluntary Best Management Practices (BMPs). To maintain the integrity of a voluntary program, we encourage Ecology to revise the document to eliminate language that may unintentionally create a compliance standard or assign enforceable obligations to agricultural producers.

We recognize that Ecology may have limited ability to adjust certain statutory or federal requirements; however, the current draft includes statements that appear to assign responsibility for Clean Water Act outcomes directly to producers even when voluntary practices are in place. For example, the document states: “...if there is a documented discharge of pollution to state waters that has a significant impact on human health or the environment, Ecology may take additional action, even if BMPs are in place. Additional actions could include working with a producer to implement additional practices or to improve execution of existing practices.” (p. 11)

Language of this nature risks undermining the voluntary nature of the program by creating the perception that selection and implementation of BMPs may trigger enforceable expectations at the site scale.

To strengthen the guidance and ensure consistency with voluntary conservation principles, we encourage Ecology to work with jurisdictions implementing Voluntary Stewardship Program (VSP) plans to develop monitoring frameworks that effectively track watershed-scale ecological conditions and Clean Water Act–relevant outcomes. A monitoring approach aligned with hydrological and ecological boundaries would provide a more appropriate and scientifically defensible basis for demonstrating

compliance with EPA expectations, rather than relying on project-by-project BMP implementation as an implied enforcement mechanism.

If the guidance maintains a functional presumption that *“water quality is being adequately protected by the operation”* (p. 11) when BMPs are implemented, then enforceable expectations—where required—should rest with the VSP program and the implementing jurisdiction, not individual producers. This would align accountability with the scale at which environmental outcomes are measured and where counties, with Ecology and NRCS technical support, can develop appropriate monitoring programs.

We also recommend that the guidance clearly identify which BMPs could create enforceable expectations if selected, as this will help eliminate uncertainty for producers. The section titled *“Decisions Concerning Implementation Remain in the Hands of Producers”* (p. 10) emphasizes that BMP choices remain voluntary and landowner-directed; however, this intent should be reinforced throughout the document through consistent, unambiguous language.

Thurston County’s experience with VSP provides strong evidence that voluntary, collaborative approaches yield meaningful environmental results. Within our county alone, 153 landowners have completed Voluntary Stewardship Checklists, 61 have developed individual stewardship plans, and 314 technical assistance requests have been completed in the field. These outcomes—and their associated environmental benefits—were achieved without regulatory mandates. Our success reflects the outcomes across the original 17 VSP counties and the additional counties that have since joined the program, including Wahkiakum County most recently.

Agricultural viability and food security are essential to Thurston County and the broader region. Producers are facing increasing economic pressure, and voluntary programs serve as an effective pathway to help them access technical assistance and implement practices that protect both their operations and the environment.

In summary, we urge Ecology to ensure that any enforceable expectations required to remain compliant with Clean Water Act/EPA standards are assigned to the implementing jurisdiction—not individual producers—and that the voluntary nature of BMPs is unmistakable. Clear, consistent language on this point will reinforce trust, support producer engagement, and uphold the collaborative spirit that has allowed VSP and other voluntary efforts to succeed.

Thank you again for the opportunity to comment and for your ongoing partnership.

Sincerely,



Ashley Arai, CPED Director