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Endicott, WA 99125
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Washington State Department of Ecology
P.O. Box 47600
Olympia, WA 98504

Re: Public Comments on Proposed Nonpoint Pollution Control Plan

To Whom It May Concern,

I am submitting these comments as a Certified Crop Advisor working directly with producers across the Palouse region. The Palouse is not agronomically, hydrologically, or climatologically interchangeable with western Washington or higher-rainfall regions of the state. Any nonpoint pollution rule that does not specifically recognize this reality risks being ineffective at best and environmentally harmful at worst.

The Palouse consists of highly erodible loess soils, steep slopes, and an episodic rainfall pattern that does not resemble irrigated systems or perennial stream environments. Over the last several decades, producers in this region have made widespread adoption of conservation tillage, direct seeding, and diverse crop rotations. These systems routinely reduce soil loss by over 70 percent compared to historic operations and provide proven water-quality protection.

The regulatory framework proposed by Ecology relies too heavily on uniform templates and location-based land-use rules rather than outcome-based performance standards. In practice, this approach fails to recognize both the success of current systems and the risk of misapplying policy developed for substantially different landscapes.

Riparian mandates and buffer strip requirements are a clear example. The following language must be included:

Riparian Management Zones should not be required on cropland with ephemeral and intermittent streams in the Palouse region where Conservation Tillage (Chapter 1) and Conservation Crop Rotation (Chapter 2) BMPs are applied and documented.

Ephemeral and intermittent drainage features in the Palouse:

- Are often dry for most of the year
- Do not support riparian habitat
- Function as runoff pathways only during short precipitation events

- Do not operate as perennial aquatic systems

Treating these features as permanent streams is scientifically inaccurate and misapplies standards designed for wet-climate basins to dryland systems where they do not apply.

BMP implementation in the Palouse should be evaluated based on outcomes such as:

- Residue retention
- Soil loss reduction
- Ground cover percentage
- Field-level erosion assessments
- Demonstrated conservation practices

It should not be dictated by:

- Arbitrary buffer widths
- Blanket setback distances
- Static mapping systems
- Rules developed for different rainfall regimes

An overly prescriptive approach paradoxically increases risk by disrupting residue flow patterns, creating unmanaged weed corridors, concentrating runoff, and reducing the feasibility of continued conservation adoption.

I respectfully request that Ecology include a Palouse-specific framework that:

- Explicitly excludes ephemeral and intermittent streams from mandatory riparian requirements when BMP performance is met
- Uses outcome-based evaluation rather than uniform prescriptions
- Recognizes existing conservation systems
- Allows adaptive management rather than fixed land-use templates

If Washington's goal is truly water quality protection, then policy must follow agronomy and hydrology—not politics or mapping software.

The Palouse is already one of the most conservation-intensive dryland agricultural regions in the country. Any successful regulation must start by acknowledging that reality.

Respectfully,

Sam Kimmell, CCA
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