

KING CONSERVATION DISTRICT

Board of Supervisors

Meeting Minutes

May 8, 2002

1 **Supervisors Present:** Scott Wallace, Vice-Chair, Lynn Sullivan, Secretary/Treasurer, Max  
2 Prinsen, Member.

3 **Associate Supervisors Present:** none

4 **Guests Present:** none

5 **Staff Present:** Geoff Reed, Brandy Reed, Marla Hamilton Lucas

6 **NRCS Staff Present:** Pedro Ramos

7 Meeting called to order at 6:10 PM with Scott Wallace, Vice- Chair, presiding.

8 G. Reed mentioned that he had a couple of additional agenda items to be added at the end of the  
9 meeting.

10 Minutes were reviewed and Sullivan asked that line 103 be changed from “Sullivan mentioned”  
11 to “Sullivan wondered” and add additional language about the return of grant monies to the  
12 district even though there is a breach of contract being not feasible.

13 **Prinsen moved, Sullivan seconded, Passed unanimously a motion to approve the April 10<sup>th</sup>**  
14 **meeting minutes subject to the changes as noted above.**

15 Hamilton Lucas presented the list of April 2002 checks for Board review.

16 **Sullivan moved, Prinsen seconded, Passed unanimously a motion to approve the checks**  
17 **numbered 6524 to 6581 for a total of \$ 68,608.29.**

18 Hamilton Lucas presented the Balance Sheet and Income Statement. She noted that with 67% of  
19 the year remaining, total budget remaining was 71%. Grants are now being billed quarterly rather  
20 than every 2 quarters. Wages are at 69% of the expense budgeted for the year. Auto repairs are  
21 over budget considerably due to the replacement of the engine in the yellow truck.

22 **Sullivan moved, Prinsen seconded, Passed unanimously a motion to approve the April 2002**  
23 **financial statements.**

24 B. Reed presented the Maple Valley non-competitive grant application. The project is a contract  
25 to produce photos for an inventory of aquatic areas around the city. Wallace wondered if this  
26 project would produce the same types of aerial photos that are produced by the county. B. Reed  
27 was not sure if the photos could be used interchangeably, plus the county photos are not taken  
28 that often. Discussion ensued regarding the interpretation of aerial photos. B. Reed noted a

29 difference in the amount requested and the budget amount shown in the application, and will ask  
30 about it.

31 **Sullivan moved, Prinsen seconded, Passed unanimously a motion to approve the Maple**  
32 **Valley non-competitive grant application subject to clarification of the difference between**  
33 **the funds requested and the budget detail in the application.**

34 B. Reed presented a follow-up to the Snoqualmie Watershed Forum non-competitive grant  
35 application submitted last fall. The application was for a feasibility study to determine which of  
36 three projects to select for funding. The Board wanted an application for the chosen project,  
37 which is a restoration project on the Raging River. One of the other questions regarding the  
38 application is the matter of funding a project where KCD money is only a part of the total cost,  
39 and the other funding sources have not yet been finalized. B. Reed said that the other funding  
40 would be coming from the Salmon Recovery Board funds and King County Rural Drainage  
41 funds.

42 KCD funding will spent over the entire time period of the project, thus ensuring that the funding  
43 results in a completed project, instead of allowing the KCD to be spent first, and if the other  
44 funding does not materialize the project is not completed, wasting the KCD funding. The project  
45 ranked high on the Capital Improvements Project list for the County, also on the SRF board  
46 funding list.

47 Wallace asked about the Rural Drainage funding being used for a river restoration project, not  
48 rural drainage work. He felt that the funding should be coming from river funds, that there could  
49 be a tax levy for this. G. Reed commented that the Rural Drainage funds do cover restoration  
50 projects like this, but need to be allocated for restoration.

51 Prinsen noted that the project ranked first, but doesn't discuss funding sources. Wallace  
52 responded that drainage funds are to remove water from land, not fund river improvements. He  
53 wanted more information on the project. A discussion of river hydrology ensued. Wallace noted  
54 that any flood control benefits from the project were not explained in the application.

55 B. Reed asked if the question was to make sure that the effects of the project are well explained  
56 in the application. A feasibility study was done, so the community knows about the project and  
57 supports it. G. Reed asked if we could get a copy of the feasibility study. Wallace wanted to  
58 know the length and width of the project. More discussion ensued regarding the suitability of the  
59 project. It was decided to save approval of the non-competitive grant application until the June  
60 board meeting. More discussion ensued regarding hydrological and funding issues related to this  
61 application.

62 B. Reed presented the letter she received in response to the board's request regarding the funding  
63 increase for the Tacoma Public Utilities non-competitive grant application discussed at April's  
64 board meeting. The letter stated that the reason for the increase in the grant request was that the  
65 1999 funding request omitted funding that was supposed to be included. She suggested the letter  
66 be included in the non-competitive grant application as an addendum.

67 **Prinsen moved, Sullivan seconded, Passed unanimously a motion to approve inclusion of**  
68 **the letter as an addendum to the application explaining the difference in project costs for**  
69 **the Tacoma Utilities non-competitive grant application.**

70 B. Reed said that the North Bend project funded with non-competitive grant money was  
71 progressing, and is nearly finished, however, one more time extension is needed. As the project  
72 has received one extension previously, the current extension request must receive approval from  
73 the board.

74 **Prinsen moved, Sullivan seconded, Passed unanimously a motion to approve extending the**  
75 **project completion date for the North Bend Flood Hazard Management Plan Cost Benefit**  
76 **Analysis to August 31, 2002.**

77 B. Reed gave an update on the non-competitive grant reporting policy. For example, the change  
78 requested by North Bend was submitted on the new change request form. The District's attorney,  
79 Eric Fremodt likes the approach. B. Reed wants feedback from the board and wants to finalize  
80 the policy. One complication is when the Watershed Forums (WRIA's) need to be involved in  
81 the amendments. It's not convenient for King County to be involved in this process, but Fremodt  
82 has advised District staff that certain amendments/changes need to go through a watershed forum  
83 approval process. There needs to be a threshold for revision approval. B. Reed will inform King  
84 County when the policy is final and insert an addendum in the District's non-competitive grant  
85 agreement policy.

86 Prinsen said he wanted to go to the meeting where the policy addendum is presented to King  
87 County. B. Reed said that the issue is not that the District has been indecisive, but that King  
88 County has not done what is expected under the non-competitive grant policy.

89 G. Reed said that Prinsen and B. Reed need to talk with Councilman Larry Phillips about any  
90 issues with the Watershed Forums and King County and non-competitive grant changes. Prinsen  
91 said it's the Districts prerogative to change the funding policy if it wished. B. Reed said that she  
92 didn't think the District grant reporting policies were onerous.

93 G. Reed presented an update on the assessment issues discussed at the previous board meeting.  
94 He distributed some preliminary information from the District's legal counsel regarding the State  
95 of Washington's claim that they were exempt from paying the \$5 per parcel assessment on  
96 forested, aquatic and open space lands. Fremodt could agree that a case can be made for  
97 forested lands being exempt, as they are specifically mentioned in the county ordinance, but no  
98 mention is made of aquatic or open space lands, and they receive benefits from the assessment.

99 As regards the Muckleshoot contention that they do not have to pay the assessment as they are a  
100 sovereign nation, additional follow up is needed. G. Reed said that he wanted to respond to the  
101 tribe even though a determination has not yet been made.

102 Next was the renewal (6 months, \$5,000) of the consulting contract with Sara Hemphill of  
103 Natural Resource Consultants. She gave the board an update on her activities with the AFW  
104 several months ago. No one at the District has her skill set in being able to present the District's  
105 point of view in the negotiations regarding buffer widths on farms. Wallace proposed the District  
106 write a letter to the Governor from the Districts and the Counties. The Counties ultimately have

107 control over land use, and Wallace felt that King County has not been involved to the extent it  
108 should be.

109 There is a meeting next week with Councilperson Cynthia Sullivan's staff.

110 **Prinsen moved, Sullivan seconded Passed a motion to approve renewal of KCD's contract**  
111 **with NRC/ Sara Hemphill for \$5,000.**

112 Discussion ensued regarding the amount of the contract, is it enough to cover Sara's work with  
113 AFW? Wallace said she has several other clients that are involved and have contracts with her.

114 G. Reed presented two Dairy Nutrient Management Plans for the Bentham and Storbo dairies.  
115 Wallace said he had reviewed the plans and signed them before the meeting.

116 **Prinsen moved, Sullivan seconded Passed unanimously a motion to approve the Dairy**  
117 **Nutrient Management Plans for the Bentham and Storbo dairies.**

118 As of this time, 38 of 42 dairies in the county have approved nutrient management plans. There  
119 are 3 dairies that do not want plans done for the July 1 deadline. They will be subject to fines  
120 from the Department of Ecology.

121 Discussion ensued regarding the use appropriate of "critter pads" by dairies. A critter pad is a  
122 mound of fill with the top at a higher elevation than the 100-year flood level. It is placed in the  
123 flood plain so that a farmer's animals may have dry ground to stand on during flooding periods.  
124 One of the farmers in the Snoqualmie valley wants to cover a portion of his pad so he can expand  
125 his herd. Currently, no building is allowed in the floodway and since the pads are in the flood  
126 areas, no building is allowed on them either. Wallace asked the board if they would approve of  
127 him acting as a representative of the District in helping the farmer get a permit to build a pole  
128 type shed on the pad. The farmer in question has had a farm plan with the District for 30 years,  
129 and Wallace felt strongly that the District needs to support the farmer and our farm plan program  
130 by helping the farmer improve his operation.

131 Prinsen thought the proposed cover on the critter pad was acceptable, but he was concerned  
132 about stipulating that the building was temporary so the farmer could not gain "rights" to the  
133 building. He also said that there should be some give and take on the issue, that the farmer  
134 should have to install all best practices necessary for the cover. Sullivan was concerned that the  
135 farmer in question was trying to use the critter pad for other uses than what it was originally  
136 authorized for. She was not sure the District should be involved in this particular issue. Concern  
137 was also expressed about setting a precedent for covering critter pads. There are only 2 other  
138 active critter pads, and the program that allowed them to be build has ended, so there will be no  
139 more built. There was a discussion of the appropriateness of approving Wallace's request when  
140 two of the board members were not in attendance at the meeting. G. Reed suggested the proposal  
141 be revisited next month. More discussion ensued, and the following action was taken:

142 Sullivan was appointed acting chair to allow Wallace to bring an issue to the board.

143 **Prinsen moved, Sullivan seconded Passed unanimously a motion to support Wallace's**  
144 **endeavors to assist the farmer in his plan to put a roof over a portion of his existing "critter**

145 **pad” ensuring that all current conservation and farm plan principles of the King**  
146 **Conservation District and Natural Resources Conservation Service and the original intent**  
147 **of the “pad”, that there is enough space for all animals on the farm to use it during**  
148 **flooding, is preserved.**

149 G. Reed said that next month there would be a presentation to the board from City of Seattle  
150 regarding their grant program funded by KCD non-competitive grants.

151 B. Reed distributed the 2003 workplan, as this is the last board meeting before the plan must be  
152 delivered to the County council. She said that it’s very similar to what was approved last year,  
153 the main difference being the stronger language regarding the disposition of the interest earned  
154 on assessment balances. There is an emphasis on the production of farm plans, participation is  
155 the Fish and Ditch program, administration of the non-competitive grant program, and the still  
156 uncertain situation regarding the status of District elections. If the policies for use of the interest  
157 are in the workplan and the council approves the workplan, the interest would be available for  
158 district use. District legal council reviewed the workplan last year and approved it, we just added  
159 emphasis on the programs that would benefit from the interest.

160 Wallace suggested that “and government agencies” be added to the third bullet and “advice”  
161 added to the fourth. He said that specific policies give us more authority.

162 The due date for the workplan is June1, and will be presented to the Natural Resources sub-  
163 committee on June 20<sup>th</sup>.

164 Pedro Ramos gave the NRCS report. The Farm Bill was just passed and increases dramatically  
165 the amount of money available for conservation on farms. A discussion ensued regarding CRP,  
166 CREP and EQIP.

167 There will be a state NRCS reorganization next month. There is no indication of how this field  
168 office will be affected.

169 Sullivan asked for more useful detail on monthly staff reports. Discussion ensued regarding the  
170 use of the reports and how they might be modified to better meet board needs.

171 There being no further business,

172 **Prinsen moved, Sullivan seconded, Passed unanimously a motion to adjourn the meeting at**  
173 **8:48pm.**

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175

176 \_\_\_\_\_  
Authorized Signature

\_\_\_\_\_ Date

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**Summary of Motions**

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