

KING CONSERVATION DISTRICT

Board of Supervisors Meeting Minutes

July 13, 2009

APPROVED

**Supervisors Present:** Bill Knutsen, Chair (by phone), Bob Vos, Vice Chair, Scott Wallace, Supervisor (by phone), David Irons, Supervisor, Preston Drew, Supervisor

**Associate Supervisors Present:** None

**Staff Present:** Jeffrey Possinger, Marla Hamilton Lucas, Jessica Saavedra, Brandy Reed, Jason Chambers, Josh Monaghan, Jay Mirro, Marcie Myers

**Guests Present:** Sara Hemphill, Sustainable Solutions, Susan Kaufman-Una, King County DNRP Resource Recovery, Nancy Hutto, King County Agriculture Commission, Bob Tidball, King County Agriculture Commission, Martha Parker, River Safety Council

Acting Chair Bob Vos called the meeting to order at 6:30 pm.

PRELIMINARY MATTERS:

The agenda was reviewed. As the meeting started late due to technical difficulties with the speakerphone, Presentation items #2 and # 3 were removed, as well as item #1 under Unfinished Business

**Irons Moved; Wallace Seconded, Passed unanimously a motion to approve the meeting agenda. (5 ayes, 0 nays)**

PUBLIC COMMENT:

There were two members of the public attending for the planned assessment public hearing and more expected so the introductions were delayed until later in the meeting. Possinger pointed out that there was an item regarding addressing public hearing guidelines under the Consent Agenda at item #6.

CONSENT AGENDA:

Item 09-112 (one of the Opportunity Fund applications) was withdrawn. Items 09-101 (grant) and 09-109 (public hearing guidelines) were removed. Possinger stated that the public hearing guidelines should remain in place, otherwise they would have to be addressed in new business, which was after the public comment period on the agenda. Vos stated that he wanted to handle them informally. Knutsen asked about the title of the removed grant- it was the Seattle Public Utilities Tolt Restoration project

Susan Kaufman-Una arrived at this time. It was decided that her presentation, #3 would be included in the presentation agenda after all.

PRESENTATIONS:

*“Promoting sustainable uses of natural resources  
through responsible stewardship”*

31 Reed introduced Kaufman- Una and her topic on the reclaimed water in use at the District's  
32 Wetland Plant Cooperative.

33 Kaufman-Una gave a short talk and distributed a handout on how the process works and the  
34 advantages of using reclaimed water. Drew mentioned that he thought the process would make  
35 sense if it was cost effective, that taxpayers shouldn't be paying for water to be supplied to  
36 farmers. Discussion ensued about instream flow.

37 KCD is on the mailing list for workshops. Reclaimed water can be used for heating and cooling,  
38 getting the water to the sites so it can be used is an issue.

39 There was no general public comment.

40 The Board revisited the consent agenda again. Drew wanted to remove 09-113 from the consent  
41 agenda and move it to new business.

42 **Irons Moved, Drew Seconded, Passed unanimously a motion to approve the consent**  
43 **agenda. (5 ayes, 0 nays)**

44 Josh Monaghan and Jay Mirro gave a presentation and distributed a handout on the District's  
45 Farm Planning program and Nutrient Management Services. They gave some statistics about the  
46 number of plans completed and waiting to be completed. The planning staff is trying to do more  
47 follow up work to increase implementation of prescribed farm plan activities. Discussion ensued  
48 regarding activities permitted under a farm plan versus activities under a permit related farm  
49 plan. A presentation about the District's Dairy Planning program will be made at the next  
50 meeting.

51 REGULARLY SCHEDULED ITEMS:

52 Possinger provided the Executive Director Report. He stated that 10 restoration projects are done  
53 per year and there are 30 maintenance projects as well. BASE project data (survey of alluvial  
54 fans- handout) will be coming out soon. Water quality monitoring is included in the NRM  
55 budget (handout). There will be a discussion regarding the 2010 budget and the assessment  
56 proposal later in the meeting. A letter from King County was received during the comment  
57 period that isn't consistent with the conversations that have been held with county staff, more  
58 work will have to be done to get KC staff up to speed.

59 Chair Knutsen reported that although Irons was more informed on the issue, he wanted to  
60 mention that assurance was needed from Earth Economics that they would not go to Olympia to  
61 propose changes to the assessment rules before they would receive a contract for work.

62 Vos said he's been involved with the Green River group addressing flooding issues, it has been a  
63 good discussion and the meetings have been occurring at 2 week intervals. Auburn has concerns  
64 but has not identified someone to address them; this may happen at the next meeting. The city  
65 has sent a letter to King County asking for help with the situation.

66 Wallace had nothing to report, he's on medical leave.

67 Irons had discussions with Doug Osterman regarding the Earth Economics grant request. He  
68 asked for consideration of calling Suburban Cities and to get a clarification of the situation.  
69 Karen Carasco of Suburban Cities doesn't remember the Cities going to Olympia regarding the  
70 assessment.

71 Drew had no report.

72 There were no Subcommittee Reports.

73 Hamilton Lucas distributed the Profit and Loss and Balance Sheet and gave the finance report.  
74 Currently the District is under budget mostly due to being understaffed as compared to the  
75 budget.

76 There was a discussion about the grant revisions proposed by the Washington Conservation  
77 Commission.

78 PUBLIC HEARINGS:

79 Public hearing was held at this time. Each person was instructed to speak for no more than 3  
80 minutes. Introductions were done at this time as well.

81 Nancy Hutto of the King County Agriculture Commission spoke first. She said that the  
82 Commission was preparing a letter of support with conditions for the assessment. She came to  
83 speak to help the newer members of the board understand the role of King County Staff in  
84 supporting thriving agriculture in the county.

85 She suggested that in the new assessment the cities should give some money to the King County  
86 agriculture program to support programs like Puget Sound Fresh. She said that the current  
87 assessment proposal does not show how the King County agriculture program would be  
88 supported. Drew asked if Hutto was a King County employee, she responded that she was a  
89 farmer and a volunteer on the commission. She expressed a need for stable funding for the  
90 commission and for new volunteers to get involved.

91 Bob Tidball of the Commission spoke next. He gave some background information on the  
92 Commission, and its role in supporting agriculture, including supporting allowing additional  
93 activities on farms to help farms remain viable. Discussion ensued on this point. Tidball stated  
94 that King County is leading the way in keeping farming viable. The Commission advises the  
95 King County Council and King County administration on agricultural issues. Drew asked if  
96 Tidball was lobbying to keep King County jobs and Tidball said that the farming community  
97 needed the King County agriculture staff. Drew responded that the County would need less staff  
98 if they had fewer regulations.

99 Vos called for an 8 minute recess. The meeting reconvened at 8:40pm.

100 It was decided to remove the first item under unfinished business.

101 Possinger began a discussion about assessment strategy with an update. The first goal is to listen  
102 to feedback about the current proposal and make sure we can answer specific questions from the  
103 comments.

104 Chambers distributed two handouts outlining what has been done. The Board needs to have a  
105 conversation about how the proposal will be discussed, as it is apparent the current level of  
106 details given by the Board has not been enough to answer questions about the proposal. It will be  
107 necessary to respond within the next three weeks.

108 As the Board has not wanted to call the proposal something such as “5,3,2”, it needs to articulate  
109 how the program will work and why it is being changed at this time. Irons stated that most of the  
110 argument is for legal reasons. Discussion ensued about the Attorney General and Prosecuting  
111 Attorney opinions obtained previously and what they mean. Irons expressed concerns about  
112 transparency and credibility.

113 The opinions provide impetus for changing how the grant program functions, but the Board  
114 wants to change the budget for the District over time.

115 District counsel will have a draft for review that will also be a tool to talk with stakeholders, and  
116 more discussion ensued.

117 Drew said that an allocation was ludicrous to him.

118 Knutsen said that he thinks the Attorney General opinion means the District is in control of its  
119 budget and it is electing to go in a different direction than in the past. The opinion is telling the  
120 District it can set its own budget.

121 Wallace said that a decision should wait until after the public hearings are closed. July is the  
122 comment period. He felt it was the right thing to meet with counsel and King County attorneys  
123 as well. Need to bring in the political side and protect other districts with assessments.

124 Vos was surprised the District hit the Boards guidelines about presenting the assessment without  
125 getting stakeholders to support the proposal. He suggested the legal aspect and what KCD wants  
126 to do with the money be emphasized.

127 Irons wondered if there was any reason the Attorney General opinion could not be sent out.  
128 Possinger said it needs a cover letter and was concerned about the two being separated.

129 Chambers asked about broad distribution, Irons said distribute it broadly. Additionally the Board  
130 realizes that this process is evolutionary. Possinger was concerned about differing from the  
131 Attorney General opinion.

Discussion ensued about how quickly the WRIA/MJ grant process would be changing and how to inform and assure stakeholders they would know about the changes before they would go into effect and how stakeholders will have input at the District's budget level, not at the King County level. (handout).

Irons said he liked the second option for a formal statement from the Board about the assessment. Drew thought a key point was that there was no allocation, no budget yet and he wanted to get an idea of the flow of the process. Possinger said he hadn't heard consensus from the Board on which option they wanted to pursue. Kuntsen supported option 2, Drew agrees. Hemphill thought the last bullet under option 3 could be added to option 2. The Board decided to do this.

**Irons Moved, Drew Seconded, Passed a motion to reopen public comment. (5 ayes, 0 nays)**

Martha Parker of the River Safety Council told the Board of their concerns about Large Woody Debris (LWD) on projects, and informed the Board of a new agreement to limit LWD on District/NRCS projects so that it doesn't interfere with navigation or public safety- it appears to be an interlocal agreement but it is unclear where it is. Vos stated he would turn the issue over to staff and thanked Parker for bringing it to the Board's attention.

**UNFINISHED BUSINESS:**

The Board turned its attention to AI 09-047, a grant returned to the board without recommendation. The project is to build raingardens in an interchange and monitor effectiveness in dealing with runoff in a heavy use traffic area. The grant is to pay for a consultant to figure out what data to collect and how to collect it.

Drew moved to disapprove the grant application.

Knutsen moved, Wallace seconded, a motion to approve the application. Irons asked Knutsen to explain why he was supporting the approval of the application, and Knutsen said he thought the data gathered would be useful to others in dealing with runoff. Wallace thought it was consistent with KCD activities, using raingardens to filter runoff and provide education about addressing runoff concerns. The grant was for \$25,000 for a total project cost of \$ 64,834, which was deemed high by the engineering consultant.

Drew objected, as he feels that the surface water fee is high and this project should be paid for out of that funding instead of KCD funds. Irons said he didn't care for the project but would approve it. He felt that this project looked different than normal because it was in an urban area. Drew felt that Bellevue wastes money at the expense of better projects.

**Knutsen moved, Wallace seconded, Passed a motion to approve the grant application AI 09-047. (3 yea, 1 nay, Vos abstained)**

**NEW BUSINESS:**

Reed presented the board action brief about the reclaimed water contract for the Wetland Plant Cooperative. She gave a short history of the project and explained why a contract needed to be executed. There is no fiscal impact to the district if the contract is approved.

**Drew moved, Wallace Seconded, Passed unanimously a motion to approve the execution of a contract with King County for reclaimed water for the Wetland Plant Cooperative. [AI 09-110] (5 yea, 0 nays)**

The planned discussion of the 2010 budget was moved to the July 27<sup>th</sup> meeting.

There was lively discussion regarding the costs of the Seattle Public Utilities Tolt Invasive Removal project. Several board members thought the cost was excessive and it was suggested that District staff come to the board with a presentation on the costs of doing this type of project. Drew offered to meet with SPU and evaluate the use of heavy equipment on the project. Reed gave the board additional information about the project and how the conditions of the site drive the costs.

**Drew moved, Irons seconded Passed a motion to table the project. [AI 09-101] (3 yea, 1 nay, Vos abstained)**

Saavedra was directed to bring more information to the Board about the project.

The Board addressed the public hearing guidelines deferred from earlier in the meeting. Vos thought 3 minutes per speaker was too short and discussion ensued. Possinger made changes at his laptop for further consideration at the meeting.

Drew asked Reed about the Opportunity Fund grant to the Tulalip Tribe to remove a fish passage barrier. Drew wanted specifics on the type of materials to be used on the project as he was concerned about costs and felt the project could be completed for a lot less money.

**Knutsen moved Irons Seconded, Passed a motion to approve the Tulalip Tribe fish passage project. [AI 09-113](3 yea, 1 nay, Vos abstained)**

Possinger reviewed the changes he made in the public hearing guidelines.

**Irons moved, Drew seconded Passed a motion to approve Resolution 09-004 which establishes Public Hearing Guidelines as presented. [AI 09-109] (5 yea, 0 nays)**

Possinger asked for meeting feedback. Vos appreciated the patience with his managing the meeting and is looking forward to Knutsen's return. Knutsen said it was 2:00 am where he was in the Eastern Time zone. Irons thought it was a good engaging meeting. Drew said he got outvoted. Possinger thought it was a really meaningful meeting. Reed said she is learning more about better anticipating Board questions about grants. Chambers thought there was good feedback on how to answer stakeholder questions on the assessment proposal.

Vos thanked the staff for their hard work and adjourned the meeting at 11:10pm

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

\_\_\_\_\_  
Date

### Summary of Motions

**Irons Moved; Wallace Seconded, Passed unanimously a motion to approve the meeting agenda. (5 ayes, 0 nays)**

**Irons Moved, Drew Seconded, Passed unanimously a motion to approve the consent agenda. (5 ayes, 0 nays)**

**Irons Moved, Drew Seconded, Passed a motion to reopen public comment. (5 ayes, 0 nays)**

**Knutsen moved, Wallace seconded, Passed a motion to approve the grant application AI 09-047. (3 yea, 1 nay, Vos abstained)**

**Drew moved, Wallace Seconded, Passed unanimously a motion to approve the execution of a contract with King County for reclaimed water for the Wetland Plant Cooperative. [AI 09-110] (5 yea, 0 nays)**

**Drew moved, Irons seconded Passed a motion to table the project. [AI 09-101] (3 yea, 1 nay, Vos abstained)**

**Knutsen moved Irons Seconded, Passed a motion to approve the Tulalip Tribe fish passage project. [AI 09-113](3 yea, 1 nay, Vos abstained)**

**Irons moved, Drew seconded Passed a motion to approve Resolution 09-004 which establishes Public Hearing Guidelines as presented. [AI 09-109] (5 yea, 0 nays)**