

KING CONSERVATION DISTRICT

Board of Supervisors

Meeting Minutes

March 14, 2001

Supervisors Present: Scott Wallace, Vice Chair, Lynn Sullivan, Secretary/Treasurer, Max Prinsen, Member, Nancy Hansen, Member.

Associate Supervisors Present: Pat O'Hanley.

Guests Present: Kathy Taylor, Puget Sound Water Quality Action Team.

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

NRCS Staff Present: Pedro Ramos, District Conservationist.

Meeting called to order at 6:07 with Scott Wallace, Vice Chair, presiding.

The meeting agenda was reviewed and introductions were made.

Minutes from the February 15, 2001 board meeting were reviewed and no changes were suggested.

S (Sullivan), P (Prinsen) P a motion to approve the February 14, 2001 minutes as read.

Kathy Taylor from the Puget Sound Water Quality Action Team gave a presentation regarding the revised Water Quality management plan. The plan provides long range direction for restoring and protecting water resources. The major additions to the plan are goals and strategies for dealing with the listing of salmon species as threatened, the increase in introduced nuisance species, and performance management measurements. B. Reed asked for clarification of the use of the Washington State Conservation Commission's Puget Sound grant funds as they relate to the PSWQAT management plan. Taylor said that there has been flexibility regarding the issues addressed with the grant funds, and the direction the KCD is taking (wetland plant production, restoration and educational programming) is appropriate. She suggested that if the nursery could not use all of their production for projects in King County, it would be permissible to use the plants on a project in Commencement Bay in Pierce County, as the grant covers all of Puget Sound.

Marla Hamilton Lucas presented the monthly expenses for February.

P (Prinsen) S (Sullivan) P a motion to authorize the February check register for checks numbered 5805-5848 for a total amount of \$ 368,177.19.

Hamilton Lucas presented the monthly budget vs actual for the assessment funds and the balance sheet, and discussed some changes to the presentation of the budget vs. actual statement.

B. Reed addressed the four grant applications for the Green/ Duwamish watershed forum that were included in board packets for review prior to the meeting. The total of the amount requested for the grants was \$ 300,000. The first grant discussed was to fund a watershed coordinator. Hansen said that this position was separate from the forum coordinator, and would coordinate

projects. Wallace asked whom the position would report to, and Sullivan asked what funds the position would be responsible for. Hansen also questioned the \$36,000 (out of \$80,000) identified as funding from King County. B. Reed said she could get information but it would delay approval by a month, but since it had taken since November to get the application in, waiting another month would not appear to be a problem. Wallace suggested that the board give provisional approval based upon getting sufficient information to Hansen so she could determine what effect the grant would have, although she would be abstaining from voting on the application.

S (Sullivan), P (Prinsen) P a motion to provisionally approve the Green/Duwamish forum coordinator grant application, subject to sufficient information regarding the details of the position being forwarded to Hansen. Hansen abstained from voting.

The second grant was for \$50,000 to cover baseline technical research on juvenile Chinook survival, covering habitat degradation, loss of wetlands and fish barriers. Wallace asked if consultants would be hired to perform the work. B. Reed said that King County would assemble a team in March 2001 and do the work in April.

Discussion ensued regarding the difference between hatchery fish and wild fish.

Hansen said that the team would research what's been done before on juvenile survival.

S (Sullivan), P (Prinsen) P a motion to approve the Green/ Duwamish forum baseline technical research on juvenile Chinook survival grant application. Hansen abstained from voting.

The third grant was for \$75,000 to set up an "Opportunity Fund"- a mini grant fund for broader community based projects. Prinsen said that he would have to abstain from voting because he had received funding for Shadow Lake Bog. Hansen would have to abstain because it was a watershed forum project. As the two abstentions eliminated the quorum Wallace suggested that B. Reed poll Chairman Bill Niccolls for his vote on the issue at a later time.

S (Sullivan), W (Wallace) P a motion to approve the Green/Duwamish Opportunity Fund grant application, contingent upon B. Reed polling Chairman Bill Niccolls for his vote to make a quorum. Hansen and Prinsen abstained from voting.

The final grant application was for Salmon Recovery Funding Board 2000 Sponsor matching funds. The money would be used as match on two acquisitions- Kanasket side channel and Big Spring Creek rearing habitat. Prinsen suggested we make sure Enumclaw knows how these acquisitions are being funded so as to help convince them to join the district.

P (Prinsen) S (Sullivan) P a motion to approve the Green/ Duwamish SRF Board matching funds grant application. Hansen abstained from voting.

B. Reed explained that the Sammamish Watershed Forum wanted to amend their agreement for 98-99 assessment funds. A habitat survey for the Sammamish tributaries for \$20,000 no longer needs to be funded, and the watershed forum wants to replace the project with a juvenile salmon survey- just a replacement project, and it meets the same funding requirements that the original

71 project did. Prinsen asked if the completion dates for the project would change, and B. Reed
72 responded that she thought so. Wallace asked for progress reports on this project.

73 **P (Prinsen) S (Sullivan) P a motion to amend the Sammamish Watershed Forum contract**
74 **to replace the original habitat survey project with a juvenile salmon survey. Hansen**
75 **abstained.**

76 B. Reed brought up an issue with the City of Black Diamond. They would like to use their
77 assessment funding to fund staff time for participation in WRIA 9. This approach will become
78 more common as cities sign interlocal agreements. Prinsen asked if participation in an ILA
79 requires payment of a fee, and if the funding principles for assessment dollars needed to be
80 revised to cover this issue. Discussion ensued regarding the financial hardships for a small
81 jurisdiction to join an ILA, and that there needed to be a policy about the size of the jurisdiction
82 allowed to use the funds in this manner. The board did not want larger jurisdictions using the
83 funding for ILA's, because they tend to use it to cover expense for staff time.

84 B. Reed suggested revising the application document. Discussion ensued between Prinsen and
85 Hansen regarding the difference between the city funds and the watershed funds-maybe the city
86 money is unrestricted. Wallace stated that if he were the City of Black Diamond, he would want
87 to use the assessment dollars to fund an interlocal agreement. Hansen said that she would allow a
88 city to use their assessment dollars to fund an ILA. Sullivan asked about the jurisdiction
89 threshold size, Prinsen said there must be a policy, and to implement the policy during the next
90 round of grant applications. G. Reed suggested that jurisdictions had been using funding for the
91 ILA's and that City of Black Diamond was being upfront about it. The board did feel that it was
92 important that jurisdictions like Black Diamond be able to participate in ILA's, even though they
93 are small and do not have adequate funds.

94 B. Reed felt that Black Diamond would have trouble filling out the application in its current
95 form. Hansen suggested that they make the pitch for funding the ILA. The board will qualify
96 how it is making its decision in the matter.

97 G. Reed reported on outside meetings, and passed out information on temporary water right
98 transfers that the Commission is asking CD's to help with as part of drought relief efforts. On the
99 legislative front, two bills dealing with CD elections have been passed out of committee and are
100 still in contention. The February 28 earthquake has thrown the Legislature into chaos, so it is not
101 clear what will be happening next. SB 1502 is still the bill the Conservation Commission wants
102 CD boards to support.

103 Pedro Ramos gave the NRCS report. He stated that EQIP had 12 bids submitted, and as they
104 were pretty much ranked in the middle, it was difficult to tell which ones would be funded. King
105 County Farmland protection grants have been made to 3 farms in Enumclaw.

106 The Fish and Ditch program was up for discussion next. G. Reed said that he and Ramos had
107 submitted letters with their comments regarding DDES code revisions for ditch cleaning. It was
108 anticipated that there would be decisions made regarding the code revisions by the next board
109 meeting. G. Reed said that he wanted the rules to be written in such a way as to be site specific
110 and flexible. Sullivan asked how the ditch cleaning would be regulated, Wallace said that a

111 permit from the county was required to clean a ditch, and that it made sense for different
112 procedures to be used for plateaus versus floodplains.

113 Hansen mentioned that it would be possible to get a permit that would allow a take of salmon if
114 the method used for the ditch cleaning was also part of a study of different cleaning and
115 restoration methods and their effect on salmon. Under this permit, the County would assume any
116 liability under ESA. The design/method would have to be approved by NMFS. Not all ditches
117 that need to be cleaned would qualify for this treatment, and the experiment would have to be
118 scientifically rigorous. The CD would come up with a plan and submit to the County, and the
119 sticking point is that the CD doesn't want the plans to be boilerplate.

120 Wallace asked if Hansen could work with DDES to allow for some flexibility in their
121 regulations. Hansen responded that the situation is very difficult due to conflict at the highest
122 levels of county government regarding this issue. Ramos added that when he's attended hearings
123 on the ditch cleaning issue, 50% of the complaints have been about the current system not
124 working. Hansen said that it would be good if the CD could come up with a proposal and get
125 DDES to approve. Prinsen asked if the CD does the plan and there is a violation who is liable
126 under ESA? G. Reed said that the liability would not reside with the CD, that if we had
127 consultants who were fish biologists working with us that would lend credibility to our plans.

128 Hansen said that we have Rural Drainage Fee resources and that DDES can charge permit fees-
129 need to get the county comfortable with the level of liability under the program. It was proposed
130 that a meeting be held with DDES, Hansen, G. Reed and another board member to put pressure
131 on DDES and the County. Wallace suggested meeting with Ken Carasco, as he felt that Carasco
132 would take more of a middle of the road approach to the issue.

133 Prinsen asked who is responsible for the cost of ditch cleaning. Response was that the farmer is
134 responsible for the cost. There was further discussion of political considerations within the
135 county and using a consultant to increase the credibility of the CD and to reduce the CD's
136 liability for take under ESA.

137 Sullivan had a couple of questions regarding the checks to be signed at the meeting. B. Reed
138 provided clarification.

139 **P (Prinsen) H (Hansen) P a motion to adjourn at 8:20 PM.**

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Authorized Signature

Date

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Summary of Motions

145 **S (Sullivan), P (Prinsen) P a motion to approve the February 14, 2001 minutes as read.**

146 **P (Prinsen) S (Sullivan) P a motion to authorize the February check register for checks**
147 **numbered 5805-5848 for a total amount of \$ 368,177.19.**

148 **S (Sullivan), P (Prinsen) P a motion to provisionally approve the Green/Duwamish forum**
149 **coordinator grant application, subject to sufficient information regarding the details of the**
150 **position being forwarded to Hansen. Hansen abstained from voting.**

151 **S (Sullivan), P (Prinsen) P a motion to approve the Green/ Duwamish forum baseline**
152 **technical research on juvenile Chinook survival grant application. Hansen abstained from**
153 **voting.**

154 **S (Sullivan), W (Wallace) P a motion to approve the Green/Duwamish Opportunity Fund**
155 **grant application, contingent upon B. Reed polling Chairman Bill Niccolls for his vote to**
156 **make a quorum. Hansen and Prinsen abstained from voting.**

157 **P (Prinsen) S (Sullivan) P a motion to approve the Green/ Duwamish SRF Board matching**
158 **funds grant application. Hansen abstained from voting.**

159 **P (Prinsen) S (Sullivan) P a motion to amend the Sammamish Watershed Forum contract**
160 **to replace the original habitat survey project with a juvenile salmon survey. Hansen**
161 **abstained.**

162 **P (Prinsen) H (Hansen) P a motion to adjourn at 8:20 PM.**

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165 There being no more business before the board, the meeting was adjourned at 8:20 pm

166 *Action Items*