

KING CONSERVATION DISTRICT

Board of Supervisors

Meeting Minutes

August 23, 2004

1 **Supervisors Present:** Max Prinsen, Chairman; Scott Wallace, Vice Chairman; Matt Livengood,
2 Treasurer/Auditor; Richard Gelb, Member; Bobbi Lindemulder, Member (arrived 7:20).

3 **Associate Supervisors Present:** None

4 **Guests Present:** Sara Hemphill

5 **Staff Present:** Brandy Reed, Joshua Monaghan

6 **NRCS Staff Present:** None.

7 Chairman Prinsen called meeting to order at 7:13 am.

8 Chairman Prinsen provided an overview of the meeting agenda, the purpose of which is to
9 review the August 18, 2004 draft of the Critical Areas Ordinance Agriculture Rule, to comment
10 on the draft Agriculture Rule directly with KC DNRP WLRD Agriculture Program staff prior to
11 transmittal of the Rule to the King County Council, and to provide Critical Areas Ordinance and
12 Agriculture Rule comments directly to the King Council.

13 Discussion commenced on the Critical Areas Ordinance decision tree models and how they may
14 or may not relate to the King Conservation District Farm Management Planning process. J.
15 Monaghan noted that the decision tree models are to be provided so that landowners can develop
16 farm plan independent of a preparing agent. R. Gelb raised concerns about not fully
17 understanding whether the decision tree models have the potential to negatively impact the
18 District's workload. M. Prinsen offered that since King Conservation District Farm Management
19 Plans are provided free of charge, it is unlikely the District will loose business to the decision
20 tree models.

21 S. Hemphill suggested the Board of Supervisors consider the fact that the decision tree models
22 are not vetted, that they represent an unknown farm planning process, that there is no guarantee
23 of a quality product when using the decision tree models as there is with the nationally tested and
24 regionally administered planning process guided by NRCS, and that there is no opportunity with
25 which to compare consistency between KCD Farm Management Plans and plans developed
26 using the decision tree models. The Board should consider the need to guarantee in cases where
27 plans are developed using the decision tree models that NRCS FOTG standards are utilized
28 consistent with NRCS guidelines.

29 R. Gelb noted that potential cooperators will want to know the benefit they will receive from
30 working with the District versus using the decision tree models. J. Monaghan pointed out that
31 the decision tree models are a more limited and therefore strict approach to farm planning, even
32 though they utilize NRCS FOTG standards. J. Monaghan likes the idea of contributing to the
33 review of their efficacy in order to establish whether plans developed using these models actually

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

34 reach conservation goals. It was agreed that the District should contribute to reviewing the
35 models on the front end of implementing the CAO as well as during the monitoring stages in
36 order to establish that decision tree outcomes are congruent with NRCS conservation goals the
37 final version of the Agriculture Rule.

38 The Board reviewed the KC DNRP WLRD memo addressing the “notice on title” issue. Four
39 notice on title options were considered, these included one option stating no notice on title, two
40 options stating notice on title in the form of farm management and/or resource management
41 plans, and one option stating notice on title in the form of a Critical Area being present on the
42 site and conditions may apply. All agreed that should a notice on title be required, it should be
43 worded in such a way as to not stigmatize Farm Management Plans. The Board also noted that a
44 notice on title should only apply to farm plans developed to obtain permits, that “allowable
45 activities” such as grazing in an existing pasture within 25 feet of a stream or wetland should not
46 trigger notice on title.

47 With regard to the registration/approval section of the draft agriculture rule, the Board endorsed
48 the general process outlined, but directed to staff to provide specific comments on ambiguous
49 text.

50 The Board returned to the “notice on title” issue once again. B. Lindemulder pointed out that she
51 and many of her farming peers would not be inclined to work with the District on a Farm
52 Management Plan should a notice on title be required. Additionally, she offered that even if the
53 notice on title provision was deleted from the final Agriculture Rule, many of her farming peers
54 would consider the Critical Areas Ordinance a sufficient deterrent to working with the District.

55 Based on this and the previous discussion, the Board agreed to endorse a “no notice on title”
56 position with respect to the Critical Areas Ordinance and Agriculture Rule. As an alternative,
57 the Board endorsed utilizing the Permits Plus database system and IMAP system for tracking
58 farm plan related permits and allowable activities. The Board also agreed that should the County
59 insist on a notice on title, the Board would be willing to endorse a notice on title that reads as
60 follows:

61 **“This property contains a critical area(s). Specific conditions may have been applied**
62 **through regulations, tax incentives, or site management plans. Contact...for more**
63 **information.”**

64 The Board directed staff to work with S. Hemphill on the drafting of a letter to the King County
65 Council addressing the Boards comments and concerns about the Critical Areas Ordinance and
66 the Agriculture Rule. The Board also directed staff to compile its comments on the Agriculture
67 Rule and submit them to the KC DNRP and DDES CAO Policy Committee. Staff was also
68 directed to revise references in the Agriculture Rule to WDFW Management Recommendations
69 for Washington’s Priority Habitats and Species as well as to the registration/approval section of
70 the document.

71 S. Wallace requested that District Legal Counsel review the District/KC contract for CAO
72 related services prior to signing.

73 **The meeting was adjourned at 8:40 am.**

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Authorized Signature

_____ Date

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Summary of Motions

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The meeting was adjourned at 8:40 am.