



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

### 2001 RESOLUTIONS

| <b>Number</b> | <b>Status</b> | <b>Resolution Title</b>   |
|---------------|---------------|---|
| 01-01         | Passed        | Legislative Strategies for Rewriting Election Provisions for Title 89.08 RCW  |
| 01-07         | Passed        | Final Voting on the Elections Issues at the WACD Annual Convention should be accomplished by close of business on Tuesday, November 27, 2001.   |
| 01-11         | Failed        | Conservation Commission Responsible for Election Costs  |
| 01-17         | Failed        | Conservation Commission Membership/Make-Up  |
| 01-18         | Passed        | Electing District Representatives to the Conservation Commission  |
| 01-20         | Passed        | RCW 89.08 Reform  |
| 01-21         | Passed        | Reevaluation of grant-eligible Agricultural BMP's under the Department of Ecology Centennial Clean Water Fund grants program  |
| 01-22         | Passed        | Revision to Public Disclosure Act RCW 42.17.310(1)(h) and Exemption Dairy Waste Nutrient plans from public disclosure (#00-47 and #00-48)   |
| 01-23         | Passed        | Professional Engineer   |
| 01-24         | Passed        | Dairy Certification Resolution  |
| 01-25         | Failed        | Adding WRIAs 30 and 31 to the 16 Critical Basins for Irrigation Efficiencies.   |
| 01-26         | Failed        | Department of Ecology Match Requirements  |
| 01-27         | Failed        | Air Quality, Health & Safety Concerns in Relation to Dirt Roads and other High Traffic Non-Paved Areas  |
| 01-28         | Passed        | Tax Incentives for Straw Based Building Materials   |
| 01-29         | Passed        | Bio-Diesel Development and Tax Incentives   |
| 01-30         | Passed        | Permitting for Instream Projects  |
| 01-31         | Passed        | Secure Permanent Funding for a Professional Engineering Program   |
| 01-32         | Passed        | Change the Language in RCW 90.48.080 Water Rights – Environment regarding “discharge of polluting matter in water” to be less broad   |
| 01-33         | Failed        | Increase Stable Funding for Conservation Districts  |
| 01-34         | Passed        | Creation of a Washington State Emergency Conservation Program   |
| 01-35         | Failed        | The WACD request the Washington State Conservation Commission return its grant tracking system to the system previously used before the JLARC report  |
| 01-36A        | Combined      | WACD Educational Fund and Optional Education Fund Assessment  |
| 01-36B        | Passed        | WACD Educational Fund and Optional Education Fund Assessment  |
| 01-37         | Passed        | Consistent and Equitable Health Benefits for all District Employees   |
| 01-38         | Passed        | Employee Assistance Programs  |
| 01-39         | Passed        | WACD Area and State Meeting Timing  |
| 01-40         | Passed        | Guidance for Conservation Districts seeking Grant Funding   |
| 01-41         | Failed        | Legal Services for Conservation Districts   |
| 01-42A        | Combined      | Natural Resources Youth Camperships   |
| 01-42B        | Passed        | Natural Resources Youth Camperships   |
| 01-43         | Passed        | 2003 Soil and Water Conservation Society Annual Conference  |
| 01-44         | Passed        | Conservation Reserve Program Native Range Exchange  |
| 01-45         | Passed        | Establishment of a technical assistance, and financial assistance program for livestock operations that may be regulated by the US Environmental Protection Agency under the proposed Animal Feeding Operation/Confined Animal Feeding Operation regulation |



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

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|--------|-----------|--|
| 01-46  | Passed    | Flexibility by FSA County Committees and FSA State Committees to establish responsible rules for CREP that deal with regional and individual resource problems faced with implementing CREP plans. |
| 01-47  | Passed    | Continued Funding of the CREP Practice Incentive Payment (PIP)   |
| 01-48  | Passed    | Riparian Protection (not Restoration) for Arid Washington  |
| 01-49  | Withdrawn | Forest Riparian Easement Program   |
| 01-50  | Passed    | Cash Rent Farmers Negatively Affected by CRP Loophole  |
| 01-51  | Passed    | Ban Sale of Noxious Weed Seed  |
| 01-52  | Passed    | Compatibility of USDA Programs   |
| 01-53  | Passed    | Technical Assistance Funding for NRCS  |
| 01-54  | Failed    | Chemical Costs hindering Conservation  |
| 01-55  | Passed    | CRP Field Borders  |
| 01-56  | Passed    | Nutrient Management Guidelines for Confined Animal Feeding Operatinos  |
| 01-57  | Passed    | Offer Cost Share to Producers to Assist in the Transition from Summerfallow into Chemfallow and the Direct Seed System   |
| 01-58  | Passed    | Burnable Acres as a New Commodity  |
| 01-59  | Failed    | Funding for Feedlot Improvements   |
| 01-60A | Passed    | Funding for Agricultural Conservation Practices, Farmland Protection, and Economic Development   |
| 01-60B | Combined  | Funding for Agricultural Conservation Practices, Farmland Protection, and Economic Development   |



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-01

**Title: Legislative Strategies for rewriting elections provisions for Title 89.08 RCW**

1. Legislation to take all CD's back to 89.08 election process as a starting point, then give CD's the option to choose between Title 29 or 89.08. Source of funding required prior to electing Title 29 procedures.
2. Three elected and two appointed both 89.08 and Title 29.
3. No PDC disclosure requirement for 89.08 election only.
4. Maintain current assessment procedures (through County Commissioners). If a Conservation District chooses to hold an election then they shall have the option of self-assessment.
5. Eligible voters are registered with the District boundaries – with specific language exempting the 89.08 elections from complying with Title 29 rules. Title 29 requires registered voters.
6. Use Title 29 write-in candidate rules under 89.08 election option.
7. Four-year term of office 89.08 and Title 29.
8. Request legislation that would grandfather in supervisor positions that would be removed from their District boundaries with the change to voter registration designation.

DO PASS. Motion Paul Nee, Pierce CD. Second RE Cornelius, North Yakima CD



**WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS**

**RESOLUTIONS**

02, 03, 04, 05, 06, 08, 09, 10, 12, 13, 14, 16, and 19 were consolidated into Resolution 01-01.

DO PASS. Motion Butch Ogden, Cowlitz CD. Second RE Cornelius, North Yakima, CD.



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No.01-07\*

**Title: Final Voting on the Election Issues at the WACD Annual Convention Should be accomplished by Close of Business on Tuesday, November 27, 2001.**

**Problem:**

The 1999 legislative change to the definition of "district elector" fundamentally altered the way district elections could be run. The recent Attorney General's Opinion places conservation districts under election laws governed by RCW Title 29.

The amount of supervisors present for voting on Wednesday morning of the annual convention is substantially lower than the supervisor population on Tuesday. Travel constraints tend to be a major factor in the attendance reduction from Tuesday to Wednesday. Because the elections issue impacts each and every district, it is important to obtain as much input and representation from district supervisors as possible.

**Recommendation:**

That the South Central region urges WACD Board to alter the agenda for the 2001 annual convention to finish voting associated with the election issues by close of business on Tuesday, November 27, 2001.

**MOTION TO COMBINE #7 and #15. Motion Paul Nee, Pierce CD. Second RE Cornelius, North Yakima CD.**

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Paul Nee, Pierce CD.**

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\* Submitted by Franklin Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-11<sup>\*</sup>

**Title: Conservation Commission Responsible for Election Costs.**

**Problem:**

Title 29 requires Conservation District Supervisors to run on the general election ballot. Many Districts do not have the ability to pay for costly general elections. Some Districts may have a cost of incorporating district boundaries along with general election costs. This financial burden is not feasible under some District's current funding. Conservation Districts consists of five members, three are elected and the Washington State Conservation Commission appoints two. If Conservation District's are forced to be under Title 29 where will most of the Districts get the funds to pay for costly elections? This financial burden must be addressed and resolved in order for Conservation Districts to keep operating. The Washington State Conservation Commission must understand that most Districts are unable to fund a costly election and must seek answers of how Districts can keep operating.

**Recommendation:**

That the Conservation Commission be financially responsible for the Conservation Districts election costs if title 29 is implemented. If the option bill is passed, a Conservation District who has opted to be under Title 29 election, before they opt to be under Title 29, must have a plan to finance elections.

**MOTION FAILED Motion Paul Stoker, Othello CD. Second Jim Carney, Pend Oreille CD.**

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<sup>\*</sup> Submitted by Othello Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-17\*

**Title: Conservation Commission Membership/Make-Up.**

**Problem:**

The Conservation Commission is a state agency that supports Conservation Districts. The Commission is made up of four state agency appointees, two governor appointees, the WACD president, and three regional Conservation District Supervisors. Historically, there has not been sufficient representation of supervisor's viewpoints on the Commission.

**Recommendation:**

That one of the governor appointee's qualifications should be that they are either a current supervisor, past supervisor, or associate supervisor.

**MOTION FAILED. Motion Paul Stoker, Othello CD. Second Keith Boss, North Yakima CD.**

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\* Submitted by Warden Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-18\*

**Title: Electing District Representatives to the Conservation Commission.**

**Background:**

Conservation district supervisors elect three members of the Conservation Commission for three-year terms. A landowner or operator of a farm is a requirement for at least two of the elected members. These elections are held at the Washington Association of Conservation District (WACD) Annual Meeting.

**Problem:**

The procedure for electing the Commission representatives could easily be improved. Representatives are frequently elected without the full body of WACD understanding their qualifications, where they stand on specific issues, and their leadership strengths.

**Recommendations:**

WACD develop/expand procedures for electing district supervisor representatives to the Conservation Commission. Procedures shall include, but not be limited to:

- ❑ Candidates shall provide a written resume of qualifications and experience to be distributed at the WACD Convention at least 4 hours prior to the election,
- ❑ Candidates shall deliver a speech, not to exceed 5 minutes, at the WACD Convention, and
- ❑ Candidates shall answer issue related questions posed by the body of WACD at the WACD Convention.

**DO PASS. Motion Paul Stoker, Othello CD. Second Keith Boss, North Yakima CD.**

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\* Submitted by Stevens County Conservation District





## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-20\*

**Title: RCW 89.08 Reform.**

**Problem:**

Washington State Conservation Districts have operated under RCW 89.08 since 1939. As districts have grown in size, some factors within that RCW are now dated. As addressed in Resolution 00-21 at the WACD convention last year, a task force that reviews all of RCW 89.08 should be established. Election procedures, terms of office for the supervisors, boundaries of the Conservation Districts, size of the district boards, cost share restrictions of district supervisors are examples of the issues that need to be addressed.

**Recommendation:**

A task force, composed of Washington State Conservation Districts Supervisors, WACD and appropriate Legislative Committee members review RCW 89.08, and prepare for presentation to all Conservation Districts.

**DO PASS. Motion Monte Marti, Snohomish CD. Second Doug Rushton, Thurston CD.**

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\* Submitted by South Douglas Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-21<sup>\*</sup>

### **Title: Reevaluation of grant-eligible Agricultural BMPs under the Department of Ecology Centennial Clean Water Fund Grants Program.**

#### **Status:**

Subsection (8) of WAC 173-95A-060 identifies projects and project elements that may be eligible or partly eligible for Centennial Clean Water Fund loans and grants. With regards to implementation of Best Management Practices, the following may be eligible:

- (b) Implementation of best management practices on private property, where the practice consists of demonstration of new, innovative or alternative technology not yet demonstrated in the Washington state department of ecology region in which they are proposed, and where a public easement (see below for definition) is given by the landowner;
- (c) Implementation of best management practices in the riparian zone on private property consisting of revegetation or fence construction and where a public easement is given by the landowner;
- (d) Implementation of best management practices on public property;
- (n) Riparian and wetlands habitat restoration and enhancement, including revegetation;
- (cc) Stream restoration projects or other bioengineering for water quality purposes

Installing enclosed conduits (pipes) for irrigation water (water quality benefit only) is an eligible BMP. The piping of open irrigation ditches eliminates the potential for pollution to enter the irrigation water delivery system while meeting landowner needs; however, the Department of Ecology has determined that it is a new, innovative or alternative technology. Therefore, they will award grants only once to demonstrate this BMP. In 2000 the Department of Ecology awarded a one-time demonstration project grant to Clallam Conservation District that involves replacing open irrigation ditches with pipe. Fencing of riparian zones and irrigation ditches is also an eligible BMP but not considered a new, innovative or alternative technology; thus, it is eligible subsequent to a demonstration project.

#### **Problem:**

Many miles of open irrigation ditch are in need of piping or fencing to prevent water contamination resulting from livestock access and storm water runoff. Fencing requires substantial loss of usable land and extensive annual ditch maintenance that can contribute sediment and herbicides to receiving waters such as streams and marine waters. Many landowners will not find the fencing alternative acceptable, especially after some landowners have received cost sharing for piping.

#### **Recommendation:**

WACD ask the Department of Ecology to reevaluate the list of grant eligible Agricultural BMPs and include piping of irrigation ditches as an allowable alternative to fencing. The Ecology Policy, C4-01-Section 7, along with excerpts from *Appendix P of Volume Two: Appendices of the Water Quality Financial Assistance for Fiscal Year 2001* are included below. Consideration of local needs and Conservation Commission grant and cost-share policies should be part of the review process.

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<sup>\*</sup> Submitted by Clallam Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

**DO PASS. Motion Nick Somero, Pacific CD. Second Steve Marble, Clallam CD.**

Resolution No. 01-22\*

**Title: Limited exemption from public disclosure.**

**Status:**

Districts are a public agency subject to disclosure of records.

**Problem:**

Similar to doctor-patient, lawyer-client and priest-penitent, Districts share a unique and special relationship with landowners who confide in them as conservation plans are developed. To assess the resource concerns of their land and offer solutions, District staff is voluntarily invited onto private property. They see the good, the bad, and the ugly.

Districts are also specifically enabled to conduct surveys, investigations and research relating to the conservation of renewable natural resources. This information greatly aids Districts in developing programs, convincing landowners and the public of the need, importance and success of implementing best management practices and reporting to funding needs to the legislature.

Landowner cooperation is pivotal to the success of these activities. Unfortunately, some landowners are reluctant to permit Districts to engage in conservation planning, research, monitoring on their property because specific result linked to their property must be disclosed to the public. They fear that this could, in turn, subject them to enforcement actions by the Washington State Department of Ecology, suits by third parties or condemnation by the general public.

**Recommendation:**

WACD should lobby the state legislature and governor for a limited exemption to protect disclosure of the names of cooperating landowners who voluntarily allow District staff on their property to conduct assessment, monitoring or research activities. Data could be reported so long as it was not linked to a particular individual or landowner.

**DO PASS. Motion Nick Somero, Pacific CD. Second Dave Stadelman, Upper Grant CD.**

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\* Submitted by Whatcom Conservation District



**WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS**



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-23\*

**Title: Professional Engineer.**

**Problem:**

About three years ago the Washington State Board of Professional Engineers and Land Surveyors notified the Washington Conservation Commission that Conservation Districts were violating Washington State law because district employees were doing engineering without supervision of a Washington State licensed Professional Engineer.

The use of USDA-NRCS engineers for review and approval of designs was also a violation of state law since NRCS was a federal agency and districts were not part of Natural Resources Conservation Service but rather were an entity of the State of Washington. For these reasons, the Washington Conservation Commission had districts form clusters and hire professional engineers to oversee engineering activities by the districts in that cluster.

This past fiscal year, the Washington Conservation Commission was unable to secure full funding to fund the engineering positions for two full years, but rather only received enough money to fund these positions through the end of June 2002. It is now late 2001 and without some sort of assurance of continued funding of the professional engineer positions, the districts will begin losing the people in these positions as they begin to look for other permanent/stable employment. This will most likely begin happening shortly after the start of the New Year (2002).

The loss of an engineer would be extremely harmful to district programs, basically losing everything gained since the engineering program began. It would present district clusters with difficult problems to overcome. A couple of the main and most difficult problems would be:

- Loss of the ability to do engineering as long as there is no PE on staff
- Losing an engineer due to uncertain funding would lead to the need to hire a replacement which would in turn set a cluster back for several months because the replacement engineer would need to learn the climate of the position and all of the interface and other particulars that are unique to these positions given the daily interaction with NRCS and state agencies that are critical to a district's engineering program.

**Recommendation:**

That the WACD seek funding to assure Conservation Districts a continuing Engineering program.

**DO PASS. Motion Nick Somero, Pacific CD. Second Sharon Call, Kitsap CD.**

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\* Submitted by South Yakima Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-24\*

**Title: Dairy Certification Resolution.**

**Problem:**

The Washington State Dairy Nutrient Management Act RCW 90.64 requires every licensed dairy producer in Washington to submit a Dairy Nutrient Management Plan for approval to the local Conservation District (CD) by July 1, 2002.

The Washington State Dairy Nutrient Management Act RCW 90.64 requires every licensed dairy producer in Washington to have the approved Dairy Nutrient Management Plan certified by the local CD and dairy producer as implemented by December 31, 2003.

These Dairy Nutrient Management Plans are being used by dairy producers to help protect and conserve our natural resources and to meet the requirements of the Nutrient Management Act, The Clean Water Act, and to comply with Federal, State and local laws regarding water quality standards.

The Dairy Nutrient Management Plan and the planning efforts are never ending, dairy producers may desire or be required to update plans to protect and conserve the farm resources or our natural resources and the environment. New technology, farming practices, and farm operations change at different rates, requiring flexibility and innovation in the dairy planning.

Many of the dairy producers have achieved "certified" status and are now ineligible for state cost-share assistance to improve, enhance, or update their Dairy Nutrient Management Plans.

**Recommendation:**

That the South Yakima Conservation District requests that the Washington Conservation Commission revise their policy on cost sharing for producers with "certified" Dairy Nutrient Management Plans. Allowing cost sharing to dairy producers with "certified" Dairy Nutrient Management Plans will further improve the ability of these dairy producers to protect and conserve our natural resources now and in the future.

**DO PASS. Motion Nick Somero, Pacific CD. Second Fred Colvin, Thurston CD.**

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\* Submitted by South Yakima Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-25\*

**Title: Adding WRIAs 30 and 31 to the 16 Critical Basins for Irrigation Efficiencies.**

**Problem:**

Recent legislation has authorized conservation districts in sixteen salmon critical basins to assist farmers and ranchers with irrigation efficiency improvements.

Portions of Water Resource Inventory Areas 30 and 31 are located in Klickitat County. These WRIAs are not included in the Sixteen Salmon Critical Basins but federal ESA listed species are present in both watersheds. The quality of habitat for these species varies depending upon which sub-basin they are located in, but all streams are in need of improved water conditions. Mid-Columbia Steelhead are listed as Threatened under the federal Endangered Species Act and they exist in several streams and rivers in both WRIAs. In addition, Coho Salmon in the Klickitat River are identified as Depressed in the Washington State Salmon and Steelhead Stock Inventory report (SASSI).

Although there is not a great deal of irrigated farmland in Klickitat County, there is a need to conserve water for the important habitat that exists here. In addition, farmers and ranchers here have been asking for financial and technical assistance to convert from their current irrigation systems to more efficient ones.

**Recommendation:**

That WACD seek legislative assistance to expand eligibility for the Water Irrigation Efficiencies program to WRIAs 30, 31, 33 and 36.

**MOTON FAILED. Motion Nick Somero, Pacific CD. Second Dave Stadelman, Upper Grant CD.**

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\* Submitted by Central and Eastern Klickitat Conservation Districts



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No.01-26\*

**Title: Department of Ecology Match Requirements.**

**Problem:**

Various Conservation Districts across the state have experienced difficulties interpreting Department of Ecology match requirements for their grant programs. The most current "Administrative Requirements for Ecology Grants and Loans" (Yellow Book) published by the Department of Ecology lacks the detail necessary to adequately understand match requirements as Ecology headquarters staff voices them. The requirements are unclear, inconsistent and often not fully disclosed not only to grant applicants and recipients, but also to Ecology Project Managers. It is imperative to the operation of Conservation Districts that match requirements are clear and easily understood in order to prevent unanticipated financial hardships associated with losing match items.

**Recommendation:**

That Washington Association of Conservation Districts work with the State Legislature to require the Department of Ecology to develop clear, concise and consistent match requirements that are fully disclosed to both grant applicants and grant recipients as well as understood by Ecology staff statewide.

**MOTION FAILED. Motion Nick Somero, Pacific CD. Second Dave Stadelman, Upper Grant CD.**

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\* Submitted by Kittitas County Conservation District





## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No.01-27\*

**Title: Air Quality, Health, and Safety Concerns in Relation to Dirt Roads and other High-Traffic Non-Paved Areas.**

**Problem:**

Heavily traveled dirt and gravel roads or other high-traffic non-paved areas can create significant yet localized air quality and health concerns in addition to reducing visibility thus creating traffic safety dangers. While the Department of Ecology has enlarged their air quality program to address agricultural burning and PM10 emissions from agricultural areas, there has been very little focus on identifying or assisting in the implementation of programs to decrease the direct and immediate impact to residents adjacent to these high traffic areas.

**Recommendation:**

That WACD lobby the Department of Ecology to begin developing programs that would provide financial and technical assistance to control dust emissions from high-traffic non-paved areas.

**MOTION FAILED. Motion Nick Somero, Pacific CD. Second Ollie Call, Kitsap CD.**

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\* Submitted by Franklin Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-28\*

**Title: Tax Incentives For Straw Based Building Materials.**

**Problem:**

The utilization of straw based building materials will be a major issue in the near future. With the continued phase out of field burning, the disposal of the vast amounts of grass and cereal grain residue that is generated each year will be a daunting and expensive task. Value added products generated from cereal grain and grass straw will help ease the financial strain on our agriculture operations as well as provide quality-building products manufactured from annually renewable resources. In order to help generate new markets for these products that compete directly with major timber companies and their well established products, tax incentives are needed to help offset the cost of product and market development.

**Recommendation:**

That the WACD direct the WACD Executive Director to work with districts and state legislators to draft, sponsor and pass legislation that would exempt any and all straw based building materials and that portion of finished products made with straw based building materials, from state sales, B&O and excise taxes.

**DO PASS. Motion Nick Somero, Pacific CD. Second Jerry Scheele, Spokane CD.**

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\* Submitted by Spokane County Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-29\*

**Title: Bio-Diesel Development and Tax Incentives.**

**Problem:**

The development of seed oil based diesel fuel is currently well under way in many parts of the United States. Bio-diesel has been tested by universities and private industry for many years and is now a viable alternative to petroleum-based diesel. Several cities in the US currently run their transit and marine vehicles on bio-diesel with better than anticipated results. With Washington State being one of the suitable growing areas for canola and other oil seed crops, there is great potential for our producers to provide the crop base for oil seed crushing plants and bio-diesel refineries. Competing with the large oil companies is going to be difficult. Currently, Federal and State governments subsidize the production of ethanol through grants and tax incentives. Bio-diesel needs the same support for research, development and marketing.

**Recommendation:**

That the WACD direct the WACD Executive Director to work with districts, state and federal legislators to draft and pass legislation that would provide appropriate tax incentives and government grants and subsidies to support the development and marketing of the bio-diesel industry in Washington.

**DO PASS. Motion Nick Somero, Pacific CD. Second Jerry Scheele, Spokane CD.**

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\* Submitted by Spokane County Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-30\*

**Title: Permitting for Instream Projects.**

**Problem:**

Conservation districts are conducting more instream projects that require permits from multiple agencies. Biological Opinions (BO) from National Marine Fisheries Service (NMFS) and Hydraulic Project Approvals (HPA) from Washington Fish & Wildlife Service (WDFW) are often extremely difficult to obtain. The law imposes time requirements of agencies for issuing approval or denial of permits. These timelines are frequently being overlooked, many times to extremes. For example, WDFW is to respond to applications within 45 days; it has taken up to a year to receive some of these permits. In one instance, the permit was finally denied after about 2 years of trying to get responses from NMFS and WDFW. This problem is causing a great deal of trouble for those who are operating under grant time constraints. It also wastes valuable staff time when employees must follow up on applications over such a long period of time. Credibility with the public has suffered because implementation has been continually delayed on projects. Currently, the law requires timelines for the permitting agencies to meet but does not provide any recourse for applicants if agencies don't meet their timelines. These agencies impose many requirements for project implementation. If their requirements are not met, fines are imposed. It is time that they are held accountable for issuing timely permits or suffer penalties for not meeting them.

**Recommendation:**

That WACD work with the permitting agencies to enforce adherence to permitting timelines or request that the legislature provide adequate recourse for applicants if the agencies do not meet their deadlines.

**DO PASS. Motion Nick Somero, Pacific CD. Second Dave Stadelman, Upper Grant CD.**

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\* Submitted by Chelan County Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-31<sup>\*</sup>

**Title: Secure permanent funding for a Professional Engineering Program.**

**Problem:**

About three years ago the Washington State Board of Professional Engineers and Land Surveyors notified the Washington Conservation Commission that Conservation Districts were violating Washington State law because district employees were doing engineering without supervision of a Washington State licensed Professional Engineer.

The use of USDA-NRCS engineers for review and approval of designs was also a violation of state law since NRCS was a federal agency and districts were not part of Natural Resources Conservation Service but rather were an entity of the State of Washington. For these reasons, the Washington Conservation Commission had districts form clusters and hire professional engineers to oversee engineering activities by the districts in that cluster.

This past fiscal year, the WCC was unable to secure full funding to fund the engineering positions for two full years, but rather only received enough money to fund these positions through the end of June 2002. It is now late 2001 and without some sort of assurance of continued funding of the professional engineer positions, the districts will begin losing the people in these positions as they begin to look for other permanent/stable employment. This will most likely begin happening shortly after the start of the New Year (2002).

The loss of an engineer would be extremely harmful to district programs; basically losing everything gained since the engineering program began. It would present district clusters with difficult problems to overcome. A couple of the main and most difficult problems would be:

- Loss of the ability to do engineering as long as there is no PE on staff.
- Losing an engineer due to uncertain funding would lead to the need to hire a replacement which would in turn set a cluster back for several months because the replacement engineer would need to learn the climate of the position and all of the interface and other particulars that are unique to these positions given the daily interaction with NRCS and state agencies that are critical to a district's engineering program.

**Recommendation:**

The Washington Conservation Commission seek and find, ideally through the legislature, funding to assure Conservation Districts a continuing Engineering Program on a permanent basis rather than a grant cycle basis.

**DO PASS (Combined with Res.23). Motion Paul Nee, Pierce CD. Second Kelly Neimi, Cowlitz CD.**

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<sup>\*</sup> Submitted by Whitman Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-32\*

**Title: Change the language in RCW 90.48.080, Water Rights – Environment regarding “Discharge of polluting matter in waters” to be less broad.**

**Problem:**

The current language in RCW 90.48.080 is being used by the Department of Ecology (Ecology) in evaluating livestock feedlots for potential pollution contributions. The language also states that determining violations will be left to the discretion of Ecology. The combination of vague language and lack of guidelines has created an atmosphere of confusion and distrust among cooperators and left many questions unanswered. For example, other industries are allowed to pollute and raise water temperatures. Also, the standard used in the TMDL process is more flexible than that used in evaluating feedlots. The TMDL process prescribes a certain level of activity in watersheds, but certainly not “zero discharge”.

**Recommendation:**

WACD will work with Ecology ~~and the legislature~~ to rewrite RCW 90.48.080 to reference the water quality standards set forth in Chapter 173-201A WAC Water Quality Standards for Surface Waters in the State of Washington for each respective surface water class to provide consistent evaluation and recommendations across the state.

**DO PASS AS AMENDED. Motion Nick Somero, Pacific CD. Second Chris Heitstuman, Palouse CD.**

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\* Submitted by Asotin County Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-33\*

**Title: Increased Stable Funding for Conservation Districts.**

**Problem:**

Washington conservation districts, for the most part, have a very limited amount of stable funding for district staff and administration. The approximately \$10,000 basic funding and the \$40,000 per year implementation grant funds are the only dependable sources for most districts and only a small part of the implementation monies are available for staff or administrative funding. This level of state support for conservation districts was established several years ago and districts are being asked to carry an ever-increasing load of responsibilities for enhancing Washington's renewable resources and meeting the requirements of the federal ESA and Clean Water Act.

Staff of three renewable resources related legislative committee participated in the year 2000 Coordinated Resource Management Executive Group tour in Cowlitz Conservation District last September. They heard loud and clear of the continuing struggle of the districts to maintain competent staff over time to continue their highly successful Coordinated Resource Management (voluntary, locally-led, resource driven) program for watershed restoration and enhancement which has been largely grant funded. An outcome of this message and the significant on-the-ground successes observed on the tour; two bills were introduced in the 2001 legislative session directed at providing an additional source of stable funding for conservation districts. These efforts were initiated by the legislature, but neither went forward out of committee.

**Recommendation:**

The WACD take advantage of the renewed interest by legislators to increase stable funding for conservation districts and make this a matter of priority in the Association's legislative strategy for the 2002 legislative session.

**MOTION FAILED. Motion Nick Somero, Pacific CD. Second Paul Nee, Pierce CD.**

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\* Submitted by Okanogan Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-34\*

**Title: Creation of a Washington State Emergency Conservation Program.**

**Problem:**

Currently, federal and state agencies have minimal technical and financial assistance for private landowners following natural disasters upon smaller watersheds. Current assistance often arrives too late or provides only for structure replacement. Assistance is rarely provided for soil stabilization and other broad application measures after major disturbances, which often create potential for continued degradation.

Every year one or more areas of Washington State is affected by natural disasters that can have long-term negative effects upon whole watersheds. Soil stabilization and technical assistance to landowners may prevent degradation to water quality and salmon habitat.

**Recommendation:**

WACD work with the Washington State Conservation Commission and the Washington State Department of Emergency Management to find qualifications to allow smaller disaster areas to qualify for emergency aid.

**DO PASS. Motion Nick Somero, Pacific CD. Second Ollie Call, Kitsap CD.**

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\* Submitted by Okanogan Conservation District





## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-35\*

**Title: The WACD request the Washington State Conservation Commission return its grant tracking system to the system previously used before the JLARC report.**

**Problem:**

The Washington State Conservation Commission recently revised their grant reporting and tracking system to require reporting of activities by objective and task. This has caused a large increase in time required by all staff members, but especially financial staff to record transactions and activities for vouchering and other administrative functions related to grants. This exacerbates the problem created by the State auditor requiring Districts to track expenses, time and other items by administration, marketing, or general operations.

This change in grant reporting and tracking has come at a time when there is less money available for administering grants. The Commission is allowing less and less for administrative expenses, yet grant administration requires more time.

**Recommendation:**

WACD request that the Washington State Conservation Commission simplify their requirements for grant reporting, vouchering, and activity tracking to decrease the amount of time necessary to administer grants.

**MOTION FAILED. Motion Nick Somero, Pacific CD. Second Dave Stadelman, Upper Grant CD.**

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\* Submitted by Okanogan Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-36A\*

**Title: WACD Education Fund and Optional Education Fund Assessment.**

**Problem:**

As of 2000, the statewide audit staff has deemed the giving of camper scholarships by conservation districts illegal. Most conservation districts agree that youth camps are an asset in furthering each district's plan for youth education and enriching the lives of local youth interested in natural resources and conservation. To help extend the efforts of conservation districts to provide educational opportunities to local youth, districts have suggested that working directly with the WACD to further the conservation district's mission of youth education may be a workable resolution to the issue.

**Recommendation:**

\_\_\_\_\_ Conservation District recommends the establishment of a new WACD Education Fund to support the following youth activities: Envirothon, Land Judging, Forestry Contest, and the Natural Resources Youth Camps.

- Establish an Education Committee appointed by WACD President to provide recommendations for distribution of the Education funds.
- Establish an Optional Education Fund Assessment for CDs

**COMBINED IN COMMITTEE – DID NOT COME TO FLOOR**

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\* Submitted by Benton Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-36B\*

### **Title: WACD Education Fund and Optional Education Fund Assessment.**

#### **Problem:**

As of 2000, the statewide audit staff has deemed the giving of camper scholarships by conservation districts illegal. Most conservation districts agree that youth camps are an asset in furthering each district's plan for youth education and enriching the lives of local youth interested in natural resources and conservation. To help extend the efforts of conservation districts to provide educational opportunities to local youth, districts have suggested that working directly with the WACD to further the conservation district's mission of youth education may be a workable solution to the issue.

#### **Recommendation:**

Establishment of a new WACD Education Fund to support the following youth activities:

- Envirothon
- Land Judging
- Forestry Contest
- Natural Resources Youth Camps.

Establish an Education Committee appointed by WACD President to provide recommendations for distribution of the Education funds.

Establish two Optional Education Funds for voluntary dues whereby conservation districts may voluntarily give to the WACD Education Fund. One option would be to contribute to the Western Washington Natural Resources Youth Camp Education Fund and/or another option would be to contribute to the Inland Empire Natural Resources Youth Camp Education Fund.

Dedicate 100% of the Optional Education Fund voluntary dues dollars to support the two Natural Resource Youth Camps.

**DO PASS. Motion Nick Somero, Pacific CD. Second Dave Stadelman, Upper Grant CD.**

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\* Submitted by Upper Grant Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-37\*

**Title: Consistent and Equitable Health Benefits for All District Employees.**

**Problem:**

Conservation Districts in Washington State are not able to offer employees a health benefit package that is affordable and consistent from District to District within the state. To attract, and retain, professional employees, it is imperative for Conservation Districts to be able to offer health benefits commensurate with the public sector, without compromising and impacting District budgets from excessive insurance rates.

**Recommendation:**

That WACD and WADE work together to develop an equitable, and affordable, health benefit package for all Districts to offer their staff. This should include working with the Washington State Insurance Commissioner and the National Association of District Employees to allow admission of coverage by national health insurance programs within Washington State. A report of findings, with options, is to be delivered at the 2002 WACD convention.

**DO PASS. Motion Nick Somero, Pacific CD. Second Jim Carney, Pend Oreille, CD.**

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\* Submitted by Benton Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-38\*

**Title: Employee Assistance Programs.**

**Problem:**

The recent and tragic terrorist activity in our country brings to light the need for all organizations, big and small, to have appropriate counseling services available for their employees. Many organizations, including the state of Washington, provide these services through the Employee Advisory Service. However, State of Washington services are not available for subscription by local Conservation Districts, even though other state programs are available to Conservation Districts. For example, Conservation Districts are able to purchase State medical benefits and participate in the Public Employee Retirement System. While employer sponsored employee assistance programs are available from a number of firms that provide this service, it is more cost effective for groups of employers to contract with a single provider. Consequently, it would be beneficial for Conservation Districts desiring to provide an employee assistance program to its employees, to do so through the State of Washington Employee Advisory Service.

**Recommendation:**

It is recommended that the Washington State Conservation Commission investigate the feasibility of Conservation District participation in the State of Washington Employee Advisory Service. If not feasible, then the Commission shall investigate other means to provide cost effective employee assistance services to local Conservation District employees.

**DO PASS. Motion Nick Somero, Pacific CD. Second Doug Rushton, Thurston, CD.**

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\* Submitted by Thurston Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-39\*

**Title: WACD Area and State Meeting Timing.**

**Problem:**

The present timing of the area and state meetings do not allow ample time to adequately prepare WACD proposed legislative bills to move forward in a timely manner. As the present timing only allows one and a half months to organize WACD's legislative agenda prior to the beginning of session. Also there is a lack of time to build alliances, coalitions and actively lobby legislators for a better-organized campaign.

**Recommendation:**

That WACD create a task force to investigate changing the State meeting timing and report back at the 2002 State meeting.

**DO PASS. Motion Nick Somero, Pacific CD. Second George Mahoney, Clark CD.**

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\* Submitted by Pierce Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-40\*

**Title: Guidance for Conservation Districts seeking Grant Funding.**

**Problem:**

Those conservation districts that do not have assessment funds are constantly pursuing grant Funds to accomplish their annual plans of work. Conservation districts are managed by local landowners and do not always know all of the particulars included in the final outcome of the information from these grants. Many of these grants are issued by agencies that are regulatory in nature.

**Recommendation:**

That WACD send a letter to all conservation districts instructing them to be careful in the findings of their studies so as to not include findings that are agency policy rather than fact. This may come back to harm the grassroots landowners that support the conservation district.

**DO PASS. Motion Nick Somero, Pacific CD. Second Jim Carney, Pend Oreille CD**

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\* Submitted by Pend Oreille Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-41\*

**Title: Legal Services for Conservation Districts.**

**Problem:**

Conservation districts are in need of legal assistance for a variety of reasons. For instance, a grant project may require construction work and hiring a contractor. However, the funding sources often do not include legal fees as allowable expenses. Districts do not have staff that is trained to write contracts, leaving them open for possible legal problems down the road. Many districts do not have the funding to hire attorneys to develop contracts; therefore, they continue to do the best job possible with limited resources. During the course of District business, questions arise on the best course of action to pursue or the appropriate response to a problem. In these situations, it would be helpful to be able to consult with an attorney for legal guidance. Some of the problems Districts have faced could have been avoided if this type of assistance were available.

**Recommendation:**

That WACD work with the Conservation Commission to provide legal services to districts. This could be in the form of an attorney who would be on retainer for districts to use as needed for contract reviews and advice.

**MOTION FAILED. Motion Nick Somero, Pacific CD. Second Dave Stadelman, Upper Grant CD.**

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\* Submitted by Chelan County Conservation District





## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-42A\*

**Title: Natural Resources Youth Camperships.**

**Problem:**

As of 2000, the statewide audit staff has deemed the giving of camper scholarships by conservation districts illegal. Most conservation districts agree that youth camps are an asset in furthering each district's plan for youth education and enriching the lives of local youth interested in natural resources and conservation. To help extend the efforts of conservation districts to provide educational opportunities to local youth, districts have suggested that changing the law RCW 89.08 will allow conservation districts to award camperships or scholarships to youth to attend Natural Resources Youth Camps.

**Recommendation:**

\_\_\_\_\_ Conservation District recommends WACD to negotiate or lobby Washington legislators to change RCW 89.08 to include that a conservation district has the power to offer camperships or scholarships to Natural Resources Youth Camps and to conduct educational activities that educate the general public and youth regarding natural resource conservation.

\_\_\_\_\_ Conservation District recommends WACD to change RCW 89.08 to include that "the supervisors of conservation districts may designate an area, state and national association of conservation districts as a coordinating agency in the execution of the duties imposed by this chapter, and to make gifts in the form of dues, quotas, educational fund assessments, or otherwise to such associations for costs rendered, and may support and attend such meetings as may be required to promote and perfect the organization and to effect its purposes."

**COMBINED IN COMMITTEE WITH RES 42B.**

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\* Submitted by Benton Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-42B\*

**Title: Natural Resources Youth Camperships.**

**Problem:**

As of 2000, the statewide audit staff has deemed the giving of camper scholarships by conservation districts illegal. Most conservation districts agree that youth camps are an asset in furthering each district's plan for youth education and enriching the lives of local youth interested in natural resources and conservation. To help extend the efforts of conservation districts to provide educational opportunities to local youth, districts have suggested that changing the law RCW 89.08 will allow conservation districts to establish educational fund assessments towards camperships or scholarships to youth to attend Natural Resources Youth Camps.

**Recommendation:**

That WACD negotiates or lobbies Washington legislators to change RCW 89.08 to include that a conservation district has the authority to conduct educational activities that educate the general public and youth regarding natural resources.

That WACD recommends changes to RCW 89.08 to include that "the supervisors of conservation districts may designate an area, state, and national association of conservation districts as a coordinating agency in the execution of the duties imposed by this chapter, and to make gifts contributions in the form of dues, quotas, educational fund voluntary dues, or otherwise to such associations for costs rendered, and may support and attend such meetings as may be required to promote and perfect the organization and to effect its purposes."

**DO PASS. Motion Nick Somero, Pacific CD. Second Dave Stadelman, Upper Grant CD.**

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\* Submitted by Upper Grant Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-43\*

**Title: 2003 Soil and Water Conservation Society Annual Conference.**

**Problem:**

The Soil and Water Conservation Society (SWCS) is a non-profit scientific and educational organization. The Society serves as an advocate for the conservation profession and for science-based conservation policy while recognizing the interdependence of people and the environment. It is the grassroots efforts of its nearly 10,000 members in over 80 chapters, who help carry out the Society's mission. The Annual Conference generally consists of over 1000 international meeting participants.

The Inland Empire Chapter of SWCS will be hosting the 2003 Annual Conference to be held in Spokane, WA.

**Recommendation:**

WACD will assist, where possible, to support the 2003 SWCS Annual Conference. Support may include conference logistical support, field tours, exhibits, provide topics and speakers, and promote the Conference.

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Jerry Scheele, Spokane CD.**

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\* Submitted by Spokane Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-44\*

### **Title: Conservation Reserve Program (CRP) Native Range Exchange.**

#### **Problem:**

Whereas, healthy range and pasture need both rest and use to maintain natural health.

Whereas, native range is in need of rest to improve wildlife habitat, watershed capabilities, plant health, and forage production. Excellent wildlife attractant and habitat on CRP has declined with aging grass stands. Additionally, poor plant conditions have reduced watershed quality. Drought conditions have lead to an over use of native range. Current drought relief utilization on CRP is not practical as timing is poor and the rental rates are impractical.

#### **Recommendation:**

WACD and NACD will work with the federal agencies to do the following:

Therefore, a solution is to exchange Conservation Reserve Program (CRP) AUMs (Animal Unit Month) with native range AUMs on a calendar year basis. Suggested parameters are as follows.

- Those participating in the exchange must utilize their own CRP property.
- CRP owner would continue to receive annual CRP payments.
- The amount of land exchange would be dependant on AUMs not acreage.
- Native range could be exchanged every year but CRP could only be exchanged every three years.
- The exchange problem would continue for the life of CRP regardless of drought conditions.
- The landowner in conjunction with the Farm Service Agency (FSA) would develop a practical grazing plan better utilizing CRP.

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second John McLean, Foster Creek CD.**

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\* Submitted by Foster Creek Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-45\*

**Title: Establishment of a technical assistance, and financial assistance program for livestock operations that may be regulated by the US Environmental Protection Agency under the proposed Animal Feeding Operation/Confined Animal Feeding Operation regulations.**

**Problem:**

Washington State has a very large domestic livestock and beef cattle industry that includes industrial and individual producer feed lots. Many of these areas used for feeding have been historically located near sources of surface water to provide for livestock watering. Contamination of surface and ground water by these operations may occur where proper planning and Best Management Practices haven't been installed.

The United State Environmental Protection Agency has been working on and will soon finalize a strategy for addressing these types of operations. The strategy faces strong opposition from the cattle industry as well as NACD. No programs are readily available to assist these producers even though regulation may be coming soon.

Finally, technical and financial assistance does not exist on a level necessary to address this situation. The Dairy industry was given the opportunity to participate in a program that offered planning and engineering technical assistance and cost-share dollars to implement practices necessary to protect water quality.

**Recommendation:**

WACD work with the Washington State Conservation Commission and the Washington State legislature to develop a funding package similar to that received by the Commission for dairies. However, this funding will be used to pay for planning, engineering, and cost-share for BMP's to address surface and water quality concerns related to these operations.

*OKANOGAN COUNTY CATTLEMEN'S ASSOCIATION SUPPORTS THIS RESOLUTION AS PER: GARY LESAMIZ, PRESIDENT – OKANOGAN CO. CATTLEMAN'S ASSOCIATION.*

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Sharon Call, Kitsap CD.**

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\* Submitted by Okanogan Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-46\*

**Title: Flexibility by FSA county committees and FSA state committee to establish reasonable rules for CREP that deal effectively with regional and individual resource problems faced when implementing CREP conservation plans.**

**Problem:**

The current guidance in the USDA CRP manual was meant to deal with a broad range of resource issues across the nation. Unfortunately, not all areas of Washington have the same resource problems. A one-size fits all guideline will not work effectively within the CREP program. In some cases, implementing BMPs farther than 300 feet outside of the CREP acreage results in better management of the resource and less costs.

**Recommendation:**

WACD will work with state and county FSA committees and NRCS to establish flexible guidelines that deal with regional and individual problems faced when implementing CREP contracts.

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Larry Reeves, Asotin CD.**

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\* Submitted by Asotin County Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-47\*

**Title: Continued funding of the CREP Practice Incentive Payment (PIP).**

**Problem:**

Currently the CREP program provides cost-share at 100% for practice implementation. This is one of the factors that has made this program attractive to landowners and has increased the success of writing contracts. However, the 40% cost-share or PIP payment is only funded through September 30, 2002. Many landowners have signed contracts with the understanding that the PIP payment would be available to pay the remaining 40% of their implementation costs. Because of the high cost of practice implementation on remote acreage, the 40% cost-share is a significant amount of money. Also, due to the time involved in implementing all practices in a contract, some landowners may not have their contracts completed prior to September 30, 2002.

**Recommendation:**

WACD will work with NACD to lobby and county, state and national FSA to support for the continued funding of the PIP payment beyond ~~September 30~~ December 31, 2002.

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Jerry Hendrickson, Asotin CD.**

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\* Submitted by Asotin County Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-48\*

### **Title: Riparian Protection (Not Restoration) for Arid Washington.**

#### **Problem:**

The Forest Riparian Buffer Standard utilized by NRCS for Continuous CRP and CREP does not address reasonable riparian protection for the arid regions of Washington State. Revegetation is a component of Continuous CRP and CREP that discourages landowners (red tape), elevates costs (wells for irrigating trees?), and places our County FSA Committee on the hot seat as far as not approving projects because of likelihood of failure. Wasted technical time from NRCS when contracts are turned down is also an issue.

In the past, the Washington Conservation Commission facilitated a cost share program for the dairymen of the State of Washington when that livelihood came under DOE water quality scrutiny. Therefore, it would be expected of the Washington Conservation Commission to extend the same to the cattlemen of Washington as their livelihood has now come under the DOE camera lens.

#### **Recommendation:**

There is an overwhelming need for a cost share program that addresses simple fencing and grazing management of riparian zones.

WACD lobby the legislature for funding and work with the Conservation Commission and FSA to implement a riparian protection program that is more suited for the conditions of arid Washington.

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second George Mahoney, Clark CD.**

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\* Submitted by Columbia Conservation District





## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-49\*

**Title: Forest Riparian Easement Program.**

**Problem:**

Current rules for the Forest Riparian Easement Program exclude small farms under 20 acres in size. This makes parcels in suburban areas difficult to qualify.

**Recommendation:**

WACD will work with DNR to allow smaller continuous lots under separate ownerships be allowed to aggregate to meet the 20 acre minimum.

**WITHDRAWN FROM FLOOR**

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\* Submitted by Pierce Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-50\*

### **Title: Cash Rent Farmers Negatively Affected By CRP Loophole.**

#### **Problem:**

Producers under cash rent agreements that enroll leased land into CRP may be required to pay back all program payments plus penalties if the CRP contract is terminated, even if they are not involved in the decision to end the contract. For example, a tenant enrolls land into Continuous CRP and then the landowner decides to sell the land. The new owners do not want the CRP, so they convert the enrolled land back into production thus breaking the CRP contract. Under current regulations, the tenant who had no say in the decision to sell the land or break the contract is now responsible for paying back all program payments plus penalties because the CRP contract was in their name. This is currently a USDA "gray area" that has the potential to financially harm a great many farmers.

#### **Recommendations:**

That WACD and NACD work with FSA and NRCS to implement the following:

1. Potential tenants and landowners with cash rent agreements must be informed at time of CRP and CREP programs sign-up about this problem.
2. Tenant must have an agreement with landowner before sign-up to address land ownership changes, contract responsibilities, etc.
3. CRP and CREP contracts should go with the land, and whoever terminates the contract will be responsible for paying back payments and penalties.
4. Tenants who fall under this scenario must have appeal rights. Also, if the Tenant has fulfilled his duties under the contract he will be forgiven any payments and penalties up to the time the CRP or CREP contract is terminated.

**DO PASS. Motion Butch Ogden, Cowlitz CD. Dave Keister, Warden CD.**

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\* Submitted by Palouse Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-51<sup>\*</sup>

**Title: Ban Sale of Noxious Weed Seed.**

**Problem:**

Currently, the unregulated sale of noxious weed seeds as bird feed and other open market products contradicts and undermines the nationwide battle against noxious weed proliferation. On one hand, you have landowners and land managers being pressured to control the spread of noxious weeds on their property, with non-compliance bringing legal action and fines. On the other hand, you have backyard wildlife enthusiasts being encouraged to purchase noxious weed seeds to feed their feathered friends. After gorging themselves, the birds then fly off to spread the undesirable seeds to the four winds, thus causing more problems for landowners and land managers everywhere. This should not be allowed to continue.

**Recommendations:**

WACD should support legislative action to ban the sale of noxious weed seed and that WACD should forward this resolution on to NACD for pursuit of legislative action at the national level.

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Sharon Call, Kitsap CD.**

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<sup>\*</sup> Submitted by Palouse Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-52\*

**Title: Compatibility of USDA Programs.**

**Problem:**

Local, state, and federal cost-share programs are not always compatible in eligibility, dollars available, or environmental points (i.e. EQIP, CRP, CREP, SWCA, district cost-share). Growers need the ability to choose the best program options without penalty.

**Recommendation:**

WACD work with NACD, NRCS, and FSA at the state and national level to establish program policy, which will allow growers to use all programs for application of a conservation plan without dollar or environmental evaluation penalty.

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Chris Heitstuman, Palouse CD.**

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\* Submitted by Palouse Rock Lake Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-53\*

**Title: Technical Assistance Funding For NRCS.**

**Problem:**

NRCS technical assistance money (TA) is important to maintain an NRCS presence in the field to assist with the installation of conservation practices. Lately the TA money set aside for NRCS by the legislature for programs has come under fire, and attempts have been made to reduce the money set aside for TA.

**Recommendation:**

WACD and NACD work with the appropriate legislators for adequate levels of TA funding, and to ensure that the TA money goes to NRCS (the agency doing the technical assistance work!)

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Paul Nee, Pierce CD.**

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\* Submitted by Palouse Rock Lake Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-54\*

**Title: Chemical Costs Hindering Conservation.**

**Problem:**

Some United States farmers are not able to be on the leading edge of conservation due to excessive costs of chemicals to implement no-till or reduced -till farming. A reduction in the cost of chemicals would also reduce field burning as an aid to no-till.

**Recommendation:**

WACD work with the NACD to encourage the members of Congress to implement specific cost-share for the cost of chemicals to promote greater conservation and allow farmers to practice no-till today.

**Motion Failed. Motion Butch Ogden, Cowlitz CD. Second Sharon Call, Kitsap CD.**

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\* Submitted by Palouse Rock Lake Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-55\*

**Title: CRP Field Borders.**

**Problem:**

Some fields need additional protection from runoff as a last line of defense before pollutants leave the farm. Field grass borders, as a practice could do this, NRCS Technical Guide Code 386. This practice is currently being offered as a CRP option in many states but not in Washington.

**Recommendation:**

That WACD work with NACD and FSA in Washington State to add the field border practice (NRCS FOTG 386) to be used under the continuous CRP program.

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Dave Keister, Warden CD.**

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\* Submitted by Palouse Rock Lake Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-56\*

### **Title: Nutrient Management Guidelines for Confined Animal Feeding Operations.**

#### **Problem:**

- The environmental stewardship requirements placed on landowner in Washington State are increasing at a rapid pace.
- The animal feeding industry is being held to ever higher levels of environmental protection on their farms and ranches.
- Farming is under intense competitive pressure and escalating expectations for environmental performance which requires farms to maintain farm plans that can efficiently and frequently be updated and revised.
- The Natural Resources and Conservation Service is increasingly burdened with federal directives for inclusion in the farm planning process.
- It is financially and environmentally essential to farmers and ranchers in Washington to have long term stability in their best management practice requirements, practices that are not subjected to politically driven federal directives.

#### **Recommendation:**

The Washington Association of Conservation Districts (WACD) shall petition the Washington Conservation Commission (WCC) to establish, promulgate, and design Nutrient Management rules for Washington State for confined animal feeding operations as authorized by RCW 90.64.

The rules at a minimum covering the following<sup>1</sup>:

- Revising State standards
- Design and construction standards for projects intending to protect water quality
- Field nutrient management protocols to encourage the recycling of nutrients
- Minimum farm plan elements designed to protect the ecological health of private and public resources and the economic health of animal feeding operations.
- Determining when the design criteria of the farm plan has been exceeding resulting in the need to revise, update or re-certify the plan by the Conservation District.

The WCC shall work with the WACD, the Washington State Department of Ecology, the NRCS, the State Legislature, and the affected industries to ensure the orderly promulgation of these rules and the resources necessary to carry out the provision of the rules.

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Fred Colvin, Thurston CD.**

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\* Submitted by Thurston Conservation District





## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-57\*

**Title: Offer cost-share to producers to assist in the transition from summerfallow into Chemfallow and the direct seed system.**

**Problem:**

"Cleaned" tilled summerfallow is a major concern in Whitman County and other dryland cropping areas of eastern Washington. Summerfallow is an accepted practice in the dryland regions even though it is subject to wind and water erosion.

Airborne sediments cause air quality and safety concerns to both the farmers and the general public when along any major roadway. Sheet, rill, and ephemeral gully erosion impair water quality. Highway departments spend a great deal of time and money removing sediment from drainages.

The current Alternative Conservation Systems, in many cases, have failed to decrease erosion on "cleaned" tilled summerfallow fields.

**Recommendation:**

Washington Association of Conservation Districts to work with the Washington State Department of Ecology and Washington Natural Resources Conservation Service to develop a cost-sharing program that would encourage chemical fallow and direct seed systems.

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Jim Druffel, Palouse CD.**

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\* Submitted by Whitman Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-58\*

**Title: Burnable acres as a New Commodity.**

**Problem:**

Burning is a viable tool when used properly. It is a very reliable method for the removal of heavy residue and weed infestations. Equipment limitations, crop rotation and economics all play a part in the use of this necessary tool.

Under a current MOU between Ecology, WAWG, and SOS, emissions will be reduced by 50% at a rate of 7% per year over the next 7 years. The emission reduction is being traced by a reduction in the number of burned acres (the only measurement available at this time for the tracking of emissions). Due to the increased pressure and demand to decrease air pollution, the focus of the tool's need has been diverted into the courts and out of the control of those who are under agreement to abide by the MOU and reduce the amount of acres burned.

At present time, there is no balance. The entities that do not rely on this tool for their livelihood are the individuals taking the livelihood away from those who put bread on their tables. Those farmers that are voluntarily reducing, making changes to their individual farm plans to accommodate the masses do not receive any rewards. They only offer up the opportunity to suffering possible economic hardships, attempting to conform without the ability to accommodate the price tag of the necessary farm equipment costs and rotation variables. The benefit goes to the entities restricting his livelihood.

If these burnable acres were divided up on a percentage basis and sold as a commodity, the general public as well as the farmer would benefit. If a farmer that does not have a need or a desire to burn could sell his allotted acreage to another farmer or the general public, both he and the purchaser would benefit.

**Recommendation:**

Washington Association of Conservation Districts appoint the Whitman County Ag Burn Task Force as the committee to develop and propose a pilot program to Washington State Department of Ecology a program that would allow burnable acres to be a new commodity.

Area Director to report the progress of the committee to the WACD Officers and Directors meeting.

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Jim Druffel, Palouse CD.**

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\* Submitted by Whitman Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No: 01-59\*

**Title: Funding for feedlot improvements.**

**Problem:**

The Department of Ecology (Ecology) has targeted feedlots as potential water quality problems. In SE Washington, with the topography and associated water quality concerns, relocating feedlots to other sites in some cases is the best option. Whether moving a feedlot or improving an existing site, the cost to meet the standard of enough holding capacity for a 24-hour, 25 year storm outlined in the EPA guidance is astronomical and in some areas unreasonable.

**Recommendation:**

WACD will work with the legislature to provide funding for feedlot improvement projects.

**DO NOT PASS. Motion Butch Ogden, Cowlitz CD. Second Larry Reeves, Asotin CD.**

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\* Submitted by Asotin County Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 01-60A\*

### **Title: Funding for Agricultural Conservation Practices, Farmland Protection, and Economic Development.**

#### **Problem:**

Washington farmers are under extremely difficult economic pressure:

- Bitter and often unfair global competition, high local labor costs, and other economic factors place American farmers at a terrible competitive disadvantage in the world economy.
- Growing environmental regulation protective of salmon and water quality is steadily increasing the cost of doing business as a farmer in Washington, yet public funding for cost share and technical assistance to agricultural landowners has remained wholly inadequate to the need.
- Much of the farm production of the state of Washington is now grown on land whose market value for uses other than farming is substantially greater than its market value for agricultural production thus artificially inflating the land investment costs borne by its owners.

These collapsing markets, increasing environmental costs, and inflating land costs, among other factors, are driving farmers out of business and land out of farm production.

In addition to the economic, social, cultural, and food production benefits provided by our region's farmers, active farms are also an environmental benefit to society. Farms protect water quality, recharge aquifers, reduce flooding, create fish and wildlife habitat, conserve water, and can be managed to enhance these values. Once farmland is developed, however, these values, and the opportunities to manage for them, are greatly diminished or lost entirely. Providing funding so farmers can receive cost share and technical assistance to defray environmental costs, so they can sell agricultural conservation easements at market value and still keep their land in production, and so they can receive economic development and marketing assistance, would keep farmers in farming and land in agriculture and would provide a substantial environmental benefit to society.

#### **Recommendation:**

The Washington Association of Conservation Districts will support a combined public program of assistance to the agriculture industry that includes all of the following:

1. Funding for cost share and technical assistance to help agricultural landowners pay for conservation practices on their land,
2. Funding for conservation easements to allow agricultural landowners to be paid the non-agricultural market value of their properties and still remain in farming, and
3. Funding for agricultural economic development and marketing to help the Washington agriculture industry improve its competitive position in local and in world markets.

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\* Submitted by Pierce Conservation District



## WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

**DO PASS. Motion Butch Ogden, Cowlitz CD. Second Fred Colvin, Thurston CD.**

Resolution No. 01-60B\*

**Title: Funding for Agricultural Conservation Practices, Farmland Protection, and Economic Development.**

### **Problem:**

Washington farmers are under extremely difficult economic pressure:

- Bitter and often unfair global competition, high local labor costs, and other economic factors place American farmers at a terrible competitive disadvantage in the world economy.
- Growing environmental regulation protective of salmon and water quality is steadily increasing the cost of doing business as a farmer in Washington, yet public funding for cost share and technical assistance to agricultural landowners has remained wholly inadequate to the need.
- Much of the farm production of the state of Washington is now grown on land whose market value for uses other than farming is substantially greater than its market value for agricultural production thus artificially inflating the land investment costs borne by its owners.

These collapsing markets, increasing environmental costs, and inflating land costs, among other factors, are driving farmers out of business and land out of farm production. In addition to the economic, social, cultural, and food production benefits provided by our region's farmers, active farms are also an environmental benefit to society. Farms protect water quality, recharge aquifers, reduce flooding, create fish and wildlife habitat, conserve water, and can be managed to enhance these values. Once farmland is developed, however, these values, and the opportunities to manage for them, are greatly diminished or lost entirely. Providing funding so farmers can receive cost share and technical assistance to defray environmental costs, so they can sell agricultural conservation easements at market value and still keep their land in production, and so they can receive economic development and marketing assistance, would keep farmers in farming and land in agriculture and would provide a substantial environment benefit to society.

### **Recommendation:**

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3. Funding for agricultural economic development and marketing to help the Washington agriculture industry improve its competitive position in local and in world markets.



**WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS**

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\* Submitted by Thurston Conservation District