



WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

**2014 WACD Annual Meeting Resolutions**

| <b>Resolution</b> | <b>Title</b>   | <b>Author/District</b>   | <b>Committee Assigned</b>                 |
|-------------------|--|--------------------------|---|
| 2014-01           | Conservation District Long-Term Funding Opportunities  | WACD Executive Committee | Legislative Committee                     |
| 2014-02           | Supporting Full Funding for the Forest, Rangeland Health and Fire Resiliency Program                                   | Kittitas County CD       | Legislative Committee                     |
| 2014-03           | Supporting Full Funding for the Voluntary Stewardship Program  | Skagit CD                | Legislative Committee                     |
| 2014-04           | Support funding for key natural resource programs to assist the implementation of our work                             | Pierce CD                | Legislative Committee                     |
| 2014-05           | Supporting Conservation Commission Emergency Response Funding  | Okanogan CD              | Legislative Committee                     |
| 2014-06           | Washington Coast Marine Advisory Council   | Pacific CD               | Legislative Committee                     |
| 2014-07           | Right to Farm for Shellfish Farmers  | Pacific CD               | Legislative Committee                     |
| 2014-08           | Green Stormwater Infrastructure Implementation   | Snohomish CD             | Natural Resources Policy Committee        |
| 2014-09           | Green Stormwater Program   | Clark CD                 | Natural Resources Policy Committee        |
| 2014-10           | Management Systems   | Lincoln County CD        | Natural Resources Policy Committee        |
| 2014-11           | Control of Zostera Japonica on Public and Private lands  | Pacific CD               | Natural Resources Policy Committee        |
| 2014-12           | Changes to Washington State Department of Natural Resources State Owned Aquatic land (SOAL) Permitting/License Process | Cascadia CD              | District Operations & Education Committee |
| 2014-13           | Enabling Conservation on the Ground in a Timely, Efficient Manner Regarding Cultural Resources Review                  | Underwood CD             | District Operations & Education Committee |
| 2014-14           | Requesting Development of Rapid Permitting and Cultural Resources Reviews During                                       | Okanogan CD              | District Operations & Education Committee |

|         |   |                   |   |
|---------|---|-------------------|---|
|         | Emergencies   |                   |   |
| 2014-15 | District Overhead Operating Expenditures  | Foster Creek CD   | District Operations & Education Committee |
| 2014-16 | Ecology Centennial and 319 Grant Funding Agreements Timeliness of Payments                | Stevens County CD | District Operations & Education Committee |
| 2014-17 | Ecology Centennial and 319 Grant Funding Agreements Termination Due to Insufficient Funds | Stevens County CD | District Operations & Education Committee |



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**Resolution No. 2014-01**

**Title:** Conservation District Long-Term Funding Opportunities

**Problem:**

- The 2013 WACD Annual Meeting produced a resolution directing WACD to work together with the State Conservation Commission to develop a campaign for long-term conservation funding, and to report progress at the 2014 WACD Annual Meeting. In September 2014, three conservation districts requested that WACD undertake legislative action that allows an increase in the statutory cap for district local assessments or rates and charges as authorized under RCW 89.08.400.
- WACD's top priority for the 2015 legislative session is to advocate for passage of the state biennial budget package for conservation districts and the State Conservation Commission. Because WACD believes that action on assessments or rates and charges at this time may pose serious jeopardy to successful passage of the requested biennial budget, WACD intends to act on long-term funding options in the interim and during the 2016 session once the state biennial budget is in place, and as other budget opportunities may present themselves.
- WACD is committed to taking legislative and stakeholder action in a manner that improves opportunities *for all conservation districts* to secure needed local funding to supplement state appropriations and other sources. To-date, the request to act on assessments or rates and charges has not been adequately vetted by WACD membership, nor supported by leadership from local county governments, agricultural stakeholders, and others whose interests may be impacted by local funding issues.

**Recommendation:**

WACD shall work with the Legislature and the State Conservation Commission to incorporate greater opportunity for all conservation districts to participate in conservation district local assessments or rates and charges as authorized under RCW 89.08.400. WACD shall include, as appropriate, adjustment to the amount(s) and duration associated with assessments or rates and charges as part of a campaign strategy for long-term funding for conservation districts and the State Conservation Commission.



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**Resolution No. 2014-01 (continued)**

WACD shall lay groundwork with stakeholders in the interim, following passage of the state biennial budget, and shall pursue long-term funding opportunities during the 2016 legislative session. WACD shall involve all conservation districts in development of required stakeholder support. WACD shall report on progress and proposed legislative action at the 2015 WACD Annual Meeting.

**Presented by:** WACD Executive Committee

Approved by the Southeast Area Association on 10/21/2014.

Assigned To: Legislative Committee

SE 1, SC4, NE1 and NC6 (identical) merged and renamed 2014-01.



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**Resolution No. 2014-02**

**Title:** Supporting Full Funding for the Forest, Rangeland Health and Fire Resiliency Program

**Problem:**

During the last several decades wildland fires have burned thousands of acres state-wide. 2014 has been the worst fire season in state history. Costs associated with ongoing fire resource deployment, state fire mobilization, and destruction of valuable natural resource lands and associated critical habitat, as well as losses to homes and state and local infrastructure, has resulted in one of the costliest fire seasons on record.

Thousands of acres of our state's private forests are dead or dying due to the lack of technical and financial resources necessary to address issues such as infestations of pests including pine beetle. Thousands more acres are in unhealthy conditions due to overstocking and noxious weed infestations. This creates not only an extreme fire danger, but has resulted in the loss of thousands of acres of what was merchantable timber and the associated hundreds of jobs that a robust timber industry provides.

Thousands of acres of our state's range lands are infested with invasive species. This, too, serves as fuel for wildfire, and also creates decreased productivity of grazing lands with a resulting economic loss to the state cattle industry as well as the jobs associated with that industry. Cattle deaths due to fires of 2014 to date are estimated at 1000, with a conservative lost value of over a million dollars in current and opportunity revenue.

Thousands of homes have been constructed in the wildland urban interface – in the path of wildfire. Lack of defensible space and no ability to complete fuel reductions projects puts property – commercial and residential – at risk, as well as increasing greatly the threat to public and firefighter safety. As of August 2014, over 300 family homes had been lost to wildfire, with an estimated value of \$28 million. It is estimated that 45% of these were uninsured losses.

Privately held forest and range lands link to create a critical mosaic interaction zone which supports the vast majority of ESA listed species in Washington State. Unhealthy and burned riparian areas limit the habitat for pacific salmon. In 2012, 92,000 acres of critical ESA listed sage grouse habitat was destroyed by fire, and has yet to recover. Burned lands in poor ecosystem health are more vulnerable to flash flooding events and severe erosion – choking our waterways with silt and debris which results in additional critical salmon habitat degradation as well as additional private and state infrastructure economic loss.

It has been demonstrated that healthy landscapes, as well as prepared communities, are more resilient and survivable to wildfire. The cost of stewardship planning, best management practice implementation, and wildfire prevention is considerably less than the immediate and future costs of suppression (usually on a 1:10 ratio), economic losses, and long term ecosystem recovery.



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**Resolution No. 2014-02 (continued)**

Conservation districts currently have the knowledge, skills and abilities to bring a diverse group of people together to address these natural resource and community issues at the local level utilizing a voluntary incentive based approach. Lack of funding, however, has impeded progress.

The Conservation Commission has submitted a capital budget request for \$3,080,000 to fund the continuation and acceleration of these efforts across a greater landscape scale to maximize the desired outcomes of healthier and more productive landscapes and more fire resilient communities.

This resolution further acknowledges and supports priorities established for core funding for conservation districts and the Conservation Commission as established in the 2015-17 biennial budget request, or as later adapted by WACD during the 2015 legislative session. Good management efforts will not only save money, they will protect lives, structures, landscapes, and livelihoods.

**Recommendation:**

WACD support funding for the Forest, Rangeland Health and Fire Resiliency Program.

WACD support is conditioned upon the funding being new money that does not impact core funding for conservation districts or the Conservation Commission included in the 2015-17 biennial budget request.

This resolution further acknowledges and supports priorities established for core funding for conservation districts and the Conservation Commission as established in the 2015-17 biennial budget request, or as later adapted by WACD during the 2015 legislative session.

WACD work with the Conservation Commission and stakeholders to advance this position with the Governor during his budget development, and with the Legislature in the 2015 legislative session.

WACD communicate this position to the Governor and legislators.

**Presented by:** Kittitas County Conservation District

Approved **as amended** by the South Central Area Association on 10/14/2014.

Assigned To: Legislative Committee

**SCI**, NW 2 and NC 3 merged and renamed 2014-02. The **South Central amendment** is included here. The committee should consider whether to include that in the final resolution.



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**Resolution No: 2014-03**

**Title:** Supporting Full Funding for the Voluntary Stewardship Program

**Problem:**

Agriculture is not exempt from the requirements of the Growth Management Act (GMA). This fact causes concern among many in the agricultural community that there will be increased regulation on agriculture to protect critical areas. To address this concern, agricultural leaders met with environmental groups and representatives of counties to negotiate a resolution. Discussions started in 2007 and in 2010 they produced the Voluntary Stewardship Program (VSP).

Passed into law by the legislature, the VSP is an alternative approach within GMA to addressing agricultural activities impacting critical areas. The VSP relies on existing voluntary, incentive-based programs to address these issues. There are 28 counties opting-in to the VSP. These counties are not required to implement VSP unless funding is provided. Due to the budget situation at the state funding for the planning phase of VSP has not been made available for the counties, except for two – Thurston and Chelan.

Under the statute, conservation districts may be the lead for organizing the VSP work group under VSP, and/or may be the lead for outreach to landowners. The decision on these roles is to be made by the county commissioners.

On August 1, 2015 the Conservation Commission is to certify to the state legislature and governor those counties receiving adequate funding to implement VSP. Counties without any funding by that date will be removed from the VSP and will have to return to the traditional GMA planning process. This will lead to potentially increased regulation of agriculture and litigation. We are already seeing litigation in a non-VSP county – Island – where the county GMA ordinance was successfully challenged as not being restrictive enough on agriculture.

The Conservation Commission has submitted a capital budget request for \$7,660,000 to fully fund the planning phase of VSP implementation. This proposal was made as a placeholder for pro-VSP stakeholder groups to continue to work with the Governor and legislature on funding. It's critical that these funds DO NOT come from other core conservation district funded activities included in at the Commission's 2015-17 biennial budget request.

**Recommendation:**

WACD support the full funding for the planning phase for implementation of VSP.

WACD support is conditioned upon the funding being new money that does not impact core funding for conservation districts or the Conservation Commission included in the 2015-17 biennial budget request..



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**Resolution No: 2014-03 (continued)**

WACD work with the Conservation Commission and VSP stakeholders to advance this position with the Governor during his budget development, and with the Legislature in the 2015 legislative session.

WACD communicate this position to the Governor and legislators.

WACD also supports similar critical areas implementation work by districts not included in VSP.

**Presented by:** Skagit Conservation District

Approved **as amended** by the Northwest Area Association on 10/7/2014.

Assigned To: Legislative Committee

**NW4** and SW5 merged and renamed 2014-03. The **NW amendment** is included here. The committee should consider whether to include that in the final resolution.



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**Resolution No. 2014-04**

**Title:** Support funding for natural resource programs to assist the implementation of our work.

**Problem:**

Conservation districts rely on a diversity of partnerships and funding to implement projects that protect and improve the health of the natural resources in our state. Conservation Commission funding and in some cases rates/charges or assessments are not enough resources alone to implement projects at scale or with significant meaning and thus districts rely on many other funding sources to accomplish important projects.

Programs and funding levels administered through key partner agencies are key to districts advancing our priorities.

**Recommendation:**

WACD shall work with the Legislature, Washington Conservation Commission, Conservation Districts, and other natural resource agencies to build and support the state natural resources operating and capital budget.

**Presented by:** Pierce Conservation District

Approved as amended by the Northwest Area Association on 10/7/2014

Assigned To: Legislative Committee



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**Resolution No. 2014-05**

**Title:** Supporting Conservation Commission Emergency Response Funding

**Problem:**

During and immediately following natural disasters, conservation districts are often ideally situated to provide critical assistance to landowners. Districts can be called upon to assist with public education and outreach during the emergency and participating in or even coordinating restoration efforts.

Districts need funding to draw from to fund staff and provide other resources that are critical to emergency response and recovery. Drawing from Conservation Commission Implementation grants or other restoration grant programs that are typically already tied to other projects is not always practical or possible.

**Recommendation:**

WACD form a task force with their partners to determine the feasibility of long term funding for emergency natural disasters and to promote districts emergency response abilities.

**Presented by:** Okanogan Conservation District

Approved as amended by the North Central Area Association on 10/15/2014.

Assigned To: Legislative Committee



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**Resolution No. 2014-06**

**Title:** Washington Coast Marine Advisory Council to include representative from WACD and WSCC Staff, adding two new seats.

**Problem:**

In the creation of the Washington Coast Marine Advisory Council natural resource agencies were included in the formation of the council, however WACD and WSCC were excluded in seating. When dealing with natural resource issues, WACD and WSCC are leaders in solving problems and need to be at the table that represents ¼ of Washington State.

Other agencies that already have seating on the council also are on the Conservation Commission and should not be double up, therefor the WSCC seat should be represented by WSCC staff.

When a similar resource group was created by the office of the Governor, the Marine Resource Advisory Council (MRAC), this problem did not occur.

**Recommendation:**

WACD and the Washington State Conservation Commission to work with the Washington State Legislature and the Governor's office to add two seats, one WACD and one WSCC Staff, on the WCMAC.

**Presented by:** Pacific Conservation District

Approved as amended by the Southwest Area Association 10/8/2014

Assigned To: Legislative Committee



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**Resolution No. 2014-07**

**Title:** Right to Farm for Shellfish Farmers

**Problem:**

Shellfish growers are not currently protected under the Right to Farm legislation, which leaves shellfish producers vulnerable to complaints or lawsuits against farm production. These complaints might be smell, lights at night, sound of on-land production, or stopping of access on privately owned shellfish beds. Shellfish farmers, as well as any other farming, have the right to continue farming even though new pressures by urbanization try to constrict their ability to run a farm. Although Shellfish is mentioned in the Right to Farm, shellfish farmers fall short on having the same rights as “traditional” agricultural activities.

**Recommendation:**

WACD work with the Washington State Legislature and the Washington State Conservation Commission to add/put on equal footing Shellfish Farming/Growing/Aquaculture into the Right to Farm legislation. Or the WSCC working with Counties to adopt a right to farm ordinance.

**Presented by:** Pacific Conservation District

Approved by the Southwest Area Association on 10/8/2014

Assigned To: Legislative Committee



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**Resolution No. 2014-08**

**Title:** Green Stormwater Infrastructure Implementation

**Problem:**

Stormwater is a critical state-wide issue that needs to be addressed, and Conservation Districts are uniquely situated to work with private landowners to address this resource concern. In order to achieve positive change in a cost-effective way, Conservation Districts need to increase their collaborative approaches and strategies to have a collective impact on water quality and water quantity in this state.

**Recommendation:**

WACD shall work with the legislature, Washington Conservation Commission, Department of Ecology, counties, and cities on the creation of regional Green Stormwater Infrastructure Implementation areas to support private landowner projects.

WACD shall work with the Washington Conservation Commission and Conservation Districts on common strategies to address engineering, design, and technical assistance support needs that leverage existing collaborative approaches.

WACD shall support legislative action to increase the funding for the implementation of Conservation District Green Stormwater Infrastructure Implementation projects.

**Presented by:** Snohomish Conservation District

Approved as amended by the Northwest Area Association 10/7/2014

Assigned To: Natural Resources Policy Committee

2014-NW1 merged with SC2 and renamed 2014-08. Committee should consider merging 08 and 09.



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**Resolution No. 2014-09**

**Title:** Green Stormwater Program

**Problem:**

Stormwater is a critical state-wide issue that needs to be addressed, and Conservation Districts are uniquely situated to work with private landowners and local governments to address this resource concern. In order to achieve positive change in a cost-effective way, Conservation Districts need to increase their collaborative approaches and strategies to address stormwater and to have a collective positive impact on water quality and water quantity in this state.

**Recommendation:**

WACD shall work with the legislature, Washington Conservation Commission, Department of Ecology, counties, and cities on the development of a stormwater program for private landowner projects implemented by conservation districts to assist jurisdictions in meeting their obligations. This includes work on common strategies to address engineering, design, and funding to support technical assistance needs that leverage existing collaborative approaches. WACD shall also support legislative action to increase the funding for the implementation of conservation district stormwater projects.

**Presented by:** Clark Conservation District

Approved as amended by the Southwest Area Association on 10/8/2014

Assigned To: Natural Resources Policy Committee

Committee should consider merging 08 and 09.



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**Resolution No. 2014-10**

**Title:** Management Systems

**Problem:**

The one or two option farm management plan system doesn't solve all soil and climate conditions.

**Recommendation:**

Lincoln County Conservation District supports all voluntary stewardship programs that protect natural resources.

**Presented by:** Lincoln County Conservation District

Approved by the Northeast Area Association on 10/22/2014.

Assigned To: Natural Resources Policy Committee



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**Resolution No. 2014-11**

**Title:** Control of Zostera Japonica on public and private lands

**Problem:**

Zostera Japonica is an aggressive non-native invasive plant listed as a class-c noxious weed by the Washington State Noxious Weed Control Board that is altering habitat in Washington estuaries. This plant is converting thousands of acres of natural habitat, and damaging public and private lands. Currently the only active group working to develop an effective control plan and associated tools are shellfish farmers; however, this invasive plant is also degrading other public and private resource lands. Uncontrolled, this noxious weed displaces other species, and degrades opportunity for public and private recreation.

**Recommendation:**

WACD and the Washington State Conservation Commission to support the control of Zostera japonica on public and private lands.

**Presented by:** Pacific Conservation District

Approved as amended by the Southwest Area Association 10/8/2014

Assigned To: Natural Resources Policy Committee



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**Resolution No. 2014-12**

**Title:** Changes to Washington State Department of Natural Resources (DNR) State Owned Aquatic Land (SOAL) permitting/license process.

**Problem:**

Washington State Department of Natural Resources (DNR) requires a Conservation License in lieu of the previous right of entry, easement or lease requirement for a salmon habitat restoration project occurring within waters of the State, below the Ordinary High Water Line. Although it is the obligation of DNR to evaluate and authorize activities under their jurisdiction, several aspects of the permit process and conditions placed on permittees are problematic and challenging for projects undertaken by and for public entities. Unexpected costs and requirements add not only budget concerns but also potential interference with narrow implementation windows and grant timelines. Specific examples include fee requirements, required maintenance, term length and required assurances.

Many projects sponsored by Conservation Districts provide natural resource benefits to the citizens of the State, in addition to any benefit to an individual landowner or entity. Improvements on or associated with public land generally become the property of the State or other public entity at the conclusion of the project. Therefore, the appropriate mechanism for authorization as well as the justification for fees should be reviewed. A recent permit issued to Cascadia Conservation District required a \$900 permit fee. Such fees are waived by other Washington State agencies for local government permit holders; for example, Washington Department of Fish & Wildlife's right of entry fee was waived for the same project.

An additional difficulty is presented when arbitrary terms are imposed for maintenance and monitoring activities. While it is important to ensure that projects are functioning as intended and that risks to the public are minimized, many funding contracts are limited in both duration and budget. Conservation Districts may have little funding, if any, to conduct these activities outside the implementation of the project. If the project is professionally engineered and constructed to specifications, the risk and liability to public property should already be minimized. Observation, monitoring, adaptive management planning and maintenance activities should be specific and limited in scope and duration to match the project goals, available funding and the requirements of other permits for the same project

**Recommendation:**

WACD and the Conservation Commission should work with DNR and other permitting agencies to develop appropriate modifications to the permit process for projects sponsored by and for public entities, particularly where there is public benefit, and support legislative action as needed to effect the changes. This group should pursue the reduction or elimination of the permit fee for public entities. Modifications to the maintenance component may include the



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**Resolution No. 2014-12 (continued)**

creation of a work group made up of appropriate representatives, rather than limited to DNR staff, to review installed projects and agree upon any maintenance activities or adaptive management proposals that may be needed. Further, the defined period for monitoring and/or maintenance to habitat or other resource improvement structures and projects should be consistent and supported by available funding.

**Presented by:** Cascadia Conservation District

Approved by the North Central Area Association on 10/15/2014.

Assigned To: District Operations & Education Committee



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**Resolution No. 2014-13**

**Title:** Enabling conservation on the ground in a timely, efficient manner regarding cultural resources review.

**Problem:**

Under GEO 05-05, state funded capital projects must undergo cultural resource review prior to implementation. For most larger project work which requires planning and permitting, the timeline required for cultural resources review is feasible, and most conservation districts have procedures in place to accommodate this level of cultural resources review.

However, a unique benefit to working with conservation districts is that they are currently able to respond quickly to pressing natural resource needs such as livestock exclusion or range fence repair, or planting in areas that are susceptible to erosion. The timeline required for cultural resources review as outlined in the initially proposed WSCC policy on this topic will greatly slow the responsiveness that conservation districts provide and reduce or eliminate the incentive for private landowners to work with districts on small-scale projects. Not only is there a built-in review period (30 days) for DAHP and tribal review of EZ-1 forms, as well as another review period (30 days) if cultural resource surveys are required, but there will be a likely bottleneck at the point of WSCC staff who are tasked with reviewing and processing the EZ-1 forms for each project throughout the state. The workload and time required for this will be overwhelming for WSCC staff and frustrating for districts, cooperators and landowners who want to accomplish conservation work.

Private landowners will likely be much less willing to work voluntarily with conservation districts under this policy. Conservation districts depend on volunteer landowners to accomplish our work, and this policy will provide a reason not to work with districts. In addition, being non-regulatory, conservation district staff should not be put in the position of representing DAHP and the rules and regulations in place surrounding cultural resources. Many district staff have not been trained on cultural resources and the legal ramifications for private property owners of discovering a historic or pre-historic artifact or site on private property. Justifiably, private landowners have many questions, and district staff are not prepared to answer them accurately, let alone present information in a persuasive light to convince landowners to proceed with a project that will include cultural resources review. Districts need support from WACD, DAHP and WSCC to provide accurate information that is tailored for private landowners' unique concerns. The result of GEO 05-05 and WSCC's proposed policy is that landowners will be much less likely to work with districts and our ability conduct our work effectively will be greatly diminished.



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**Resolution No. 2014-13 (continued)**

**Recommendation:**

WACD should support a task force or similar effort involving statewide representatives of district staff and supervisors negotiating with WSCC, DAHP, and willing tribes to find solutions that will allow districts to successfully respond to conservation needs in a timely manner while still protecting cultural resources. Solutions may involve the following:

- Programmatic exemption for certain accepted best management practices that are minimally ground disturbing, such as planting of tree seedlings, hand-pulling weeds, and installing fence posts.
- Streamlined review of certain accepted best management practices that are minimally ground disturbing (similar to WDFW's Habitat Enhancement streamlined review for Hydraulic Project Approvals).
- Develop a procedure where districts can access archaeological and historic data and map information in order to pre-assess the likelihood of cultural resources being present on a project site (currently available, but little known and technically challenging due to the sensitivity of data).
- Depending on likelihood of cultural resources being present on a project site, programmatic allowance of certain ground-disturbing activities as long as the project sponsor implements a monitoring program to identify cultural resource disturbance and an inadvertent discovery plan that lays out appropriate procedures in case a cultural resource is inadvertently disturbed during project implementation.

Furthermore, the term "ground disturbing activities" needs to be more clearly defined. This term can be interpreted variably, and will only lead to confusion and misinterpretation if not further defined. The term can be especially problematic when working on previously disturbed ground or repairing existing practices.

Finally, WACD should work with DAHP to develop accurate and concise information for landowners explaining the origins and ramifications of GEO 05-05. Conservation district staff need accurate information to help landowners understand how this process works and to help persuade cooperators to partner with districts on ground-disturbing projects.

**Presented by:** Underwood Conservation District

Approved by the South Central Area Association on 10/14/2014.

Assigned To: District Operations & Education Committee



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**Resolution No. 2014-14**

**Title:** Requesting Development of Rapid Permitting and Cultural Resources Reviews During Emergencies

**Problem:**

During the immediate response to the Carlton Complex fires, landowners began removing debris from streams to prevent culverts from plugging up, there was a need to install emergency response rain gages and temporary flood diversion dikes.

In some cases work was allowed to be done by notifying permitting agencies, while others have waited days, weeks, and now months for implementation because of a need to secure necessary permits and/or cultural resource evaluations.

Meanwhile, homes and lives are put at potential risk due to the lack of these structures, severe weather reporting platforms, and other activities not being installed or completed.

**Recommendation:**

WACD support the development of statewide permit streamlining or even forgiveness where an emergency has been declared by the Governor and human lives and/or homes are at risk.

**Presented by:** Okanogan Conservation District

Approved by the North Central Area Association on 10/15/2014.

Assigned To: District Operations & Education Committee



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**Resolution No. 2014-15**

**Title:** District Overhead Operating Expenditures

**Problem:**

Over the past couple of years, many districts that were co-located with NRCS have been forced to move out into their own offices.

The increase of costs to operate and maintain a district office are tremendous. Many districts are now having to pay rent and other costs associated with having your own office, rather than do on the ground projects.

Even though our overhead operating expenditures have increased, the district's ability to cover these costs has not. Granting agencies are decreasing the amount they allow for overhead.

Some districts may be forced to shut their doors due to increased operating costs. Some districts are in counties that will not support assessments.

**Recommendation:**

A request to WACD to identify districts with emergency rental challenges and create a dialog with the WSCC and NRCS to resolve those issues.

**Presented by:** Foster Creek Conservation District

Approved as amended by the North Central Area Association on 10/15/2014.

Assigned To: District Operations & Education Committee



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**Resolution No. 2014-16**

**Title:** Ecology Centennial and 319 Grant Funding Agreements Timeliness of Payments

**Problem:**

The Centennial Clean Water and 319 Grant Funding Agreements (agreements) currently contain no language that reimbursable payments will be made to a RECIPIENT in a timely manner if the documentation is in order.

Washington State Department of Ecology will not negotiate boiler plate contract language with individual RECIPIENTS.

Many Conservation Districts receiving the grants need timely payment to be financially stable and to maintain the trust of local cooperators.

There are specific deadlines for RECIPIENTS to make reimbursements and submit payment requests.

Some, but not all, Conservation Districts have a long history of waiting 60 to 90 days or occasionally as much as 120 days for reimbursement or notification there is an inaccuracy in a payment request.

**Recommendation:**

WACD and/or Conservation Commission request Washington State Department of Ecology to allow them to participate in the development and review of boiler plate language for grant funding agreements specifying reasonable, uniform timelines for either payment or notification of problems with the documentation.

If this coordination effort is unsuccessful, WACD should document both lack of uniformity and excessive delays in payment so that a successful effort may be launched in the future.

**Presented by:** Stevens County Conservation District

Approved by the Northeast Area Association on 10/22/2014.

Assigned To: District Operations & Education Committee



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**Resolution No. 2014-17**

**Title:** Ecology Centennial and 319 Grant Funding Agreements Termination Due to Insufficient Funds

**Problem:**

The Centennial Clean Water and 319 Grant Funding Agreements (agreements) currently contain no protection for the RECIPIENT for termination or modification due to insufficient funds.

New language added to 2014 agreements allows Ecology to terminate at any time with no notification and no assurance of reimbursement of any incurred expenses.

- A. ECOLOGY's ability to make payments is contingent on availability of funding. In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date and prior to completion or expiration date of this agreement, ECOLOGY, at its sole discretion, may elect to terminate the agreement, in whole or part, or renegotiate the agreement, subject to new funding limitations or conditions. ECOLOGY may also elect to suspend performance of the agreement until ECOLOGY determines the funding insufficiency is resolved. ECOLOGY may exercise any of these options with no notification restrictions.

**Recommendation:**

WACD and/or Conservation Commission request Washington State Department of Ecology (Ecology) to allow them to participate in the development and review of boiler plate language for grant funding agreements allowing some minimal protections for the RECIPIENT.

Such language should at a minimum require electronic notification even if effective upon Ecology's send time and date.

WACD and/or Conservation Commission coordinate collective negotiation of grant agreements for the districts concerning boilerplate language and legal standards.

**Presented by:** Stevens County Conservation District

Approved by the Northeast Area Association 10/22/2014.

Assigned To: District Operations & Education Committee