



Okanogan Conservation District

1251 S. Second Ave, Room 102

Okanogan, WA 98840

TO: The Record
SUBJECT: September 2, 2021; Board of Supervisors Meeting
LOCATION: Okanogan Conservation District Office, Okanogan, WA and Remotely via Microsoft Teams
FROM: Jess McDaniel, Administrative Assistant

PRESENT:

Ivan Oberg, District Chair – Present	Craig Nelson, Executive Director – Present
Albert Roberts, District Auditor – Present	Becky Drenner, Finance Director – Present
Lorah Super, Member – Phone	Jess McDaniel, Administrative Assistant – Phone
Steve Colvin, Member – Phone	Ricardo Angel, Natural Resource Tech – Phone
Gerri Oberg, Member – Present	Mike Baden, WSCC – Phone
Bob Clark, Associate Supervisor – Phone	

Meeting Call to Order: Ivan Oberg called the meeting to order at 6:01 PM. Ivan completed a roll call of Supervisors, Associate Supervisors, staff, partners, and the public.

Agenda Approval: Albert Roberts moved to approve the agenda as presented. Lorah Super seconded the motion and the motion passed unanimously.

Approval of Minutes: Lorah Super moved to approve the August 3, 2021, board meeting minutes as presented. Albert Roberts seconded the motion and the motion passed unanimously.

Treasurer's Report #820, which covers the checking account activity from August 4, 2021, to September 2, 2021, inclusive was presented for the Board's approval, the following checks/payroll direct withdrawals/electronic payments were approved for payment:

Checks – numbers 11801 – 11821 totaling 44,522.05. Check number 11776 was voided.

Two payroll direct withdrawals – numbers ACH4068 – ACH4088 totaling \$31,084.30.

Electronic payments – numbers EFT2908 – EFT2920 totaling \$24,773.02.

Deposits totaling \$61,896.37 were made.

Albert Roberts moved to approve Treasurer's Report #820. Steve Colvin seconded the motion and the motion passed unanimously.

Supervisor Reports:

Lorah Super – Lorah reported she thinks it is finally fall, which is nice. She added that there seems to be a hay shortage because she has had folks from Idaho and Montana looking for hay; although it does not seem to have affected prices in this area. Otherwise, Lorah has spent quite a

bit of time working with Craig, John Culp, and Ron Schultz regarding the origination of an agricultural water bank and the agency permutations of the funding resource.

Albert Roberts – Albert reported his area received over an inch of rain the other day, which was surprising. He added that the grass is starting to green up and the cows are happy again.

Ivan Oberg – Ivan reported fire-fighting efforts on the back side of Bonaparte Mountain. The crews are working to clean fire lines.

Steve Colvin – Steve reported it is dry in eastern Washington and the drought is a true drought, as it was in 1977, with crops only 30% of normal. Hay prices are running \$250-\$300 per ton and people are looking for any hay they can find. He went on to say that for Esther Bricques, crops are doing well. Grapes are about 2-2.5 weeks out. Steve concluded by stating he is pasturing this year instead of cutting hay.

Associate Supervisor Reports:

No Associate Supervisor Reports.

Staff Report:

Craig reported that staff are continuing to meet with landowners affected by wildfire last year and this year. Staff have seven Cost Share contracts in the system that total nearly \$250,000.00, with others likely to follow. Funding from the Conservation Commission is running low, but staff are doing their best to talk with folks who come or call in so that they are put on a waiting list for cost-share. If there are enough requests in our district, and others, Craig believes it would be wise for all staff to request the legislature to consider adding more funds to the program for next fiscal year. Craig also reported that he has already made a request to the Conservation Commission that those on the list for funding next fiscal year get approved to conduct cultural resources now so they can be done if funding suddenly becomes available in the spring, or the landowner can begin their project on July 1 next year and not have to wait a couple of months.

Craig went on to say that the Okanogan County Fair is next week. The District does have a booth, though only two staff members are willing to man the booth. Therefore, the plan now is to set up the booth and go a couple of times a day to restock materials and check on things.

Steve Colvin asked Craig about the purchase of new vehicles. Craig reported they were ordered a couple months ago but the order takes a while to process because the vehicles are produced at the factory.

Becky reported she has come back full time as of the middle of August. She is recuperating well and will still be in recovery mode for a month or two but is working full time, partly at home, partly in the office. With September here, she and Craig are going to start focusing on the budget for next year. Becky added that the district will also have an accountability audit later this month or early next month.

Review, Approve and Sign Contracts and Conservation Plans

SAO Interagency Data Sharing Agreement – Becky informed that the WA State Auditor’s Office will be conducting an accountability audit in October for the years 2018-2020. In preparation, the SAO has sent a data sharing agreement document for signature with the following explanation: “Under a bill passed by the Legislature this year, data sharing agreements (DSAs) will be required for all state and local governments sharing data. This includes the data SAO exchanges for audits. For reference, the legislation requiring DSAs is ESSB5432, “Concerning cybersecurity and data sharing in Washington state government.” The Office of the State Auditor has used DSAs with some state agencies, but less frequently with local governments. The good news is that these agreements will formalize all the steps taken to protect data, without requiring changes to SAO’s existing practices.” Lorah Super moved to authorize Ivan Oberg to sign the DSA with the Washington State Auditor’s Office. Albert Roberts seconded the motion and the motion passed unanimously.

Cascadia CD Interlocal Agreement – Becky informed that the purpose of the agreement is to secure efficient use of available expertise and resources by sharing staff and financial support to accomplish common goals. Currently, archaeological services are needed to complete cultural resources investigations, and occasionally financial management or technical assistance is needed to support ongoing programs. Steve Colvin approved the Cascadia CD Cooperative Agreement, authorizing Ivan Oberg to sign it. Albert Roberts seconded the motion and the motion passed unanimously.

Reid and Margaret Wilson-Fire Recovery Cost Share – Ricardo informed that the Wilson property project was submitted to WSCC to request cost share funds to replace fencing damaged by wildfires that occurred during the summer of 2020 in Okanogan County. The 14,423 feet of agriculture inclusion fence is intended to control and contain livestock to reduce wildlife and human conflicts. Request is for a 75:25 cost share. Maximum amount of cost share requested would be \$48,175.82. Craig added that this is Phase 1 for this landowner. They have additional fencing that will need replacing, but this is the limit they could commit to so they will likely finish it up next fiscal year with Phase 2. Albert Roberts moved to approve the Wilson Fire Recovery Cost Share contract and authorize Craig Nelson to sign it when funds become available. Steve Colvin seconded the motion and the motion passed unanimously.

Shirley Allemandi-Fire Recovery Cost Share – Ricardo informed that the Allemandi project was submitted to WSCC to request cost share funds to replace fencing damaged by wildfires that occurred during the summer of 2020 in Okanogan County. The 10,360 feet of agriculture inclusion fence is intended to control and contain livestock to reduce wildlife and human conflicts. Request is for a 75:25 cost share. Maximum amount of cost share requested is \$39,368.00. It is important to note that Shirley is in contact with the Long-Term Recovery Group to seek assistance to cover the 25% match. Lorah expressed concern about prioritizing fire recovery funding. Craig clarified there was 1.5 million dollars available to districts on a first come, first served basis so when down to the last few dollars there could be prioritization. Until then staff will continue to submit projects. The District is using the NRCS cost share standards. Lorah Super moved to approve the Allemandi Fire Recovery Cost Share contract and authorize Craig Nelson to sign it when funds become available. Steve Colvin seconded the motion and the motion passed unanimously.

Christy Allen-Fire Recovery Cost Share – Ricardo informed that the Allen project was submitted to WSCC to request cost share funds to replace fencing damaged by wildfires that occurred during the summer of 2020 in Okanogan County. The 4,655 feet of agriculture inclusion fence is intended to control and contain livestock to reduce wildlife and human conflicts. Her property is located up off Cameron Lake Road and was affected by the Cold Springs Fire of 2020. Request is for a 75:25 cost share. Maximum amount of cost share requested is \$13,080.55. Steve asked where it follows on the road on the north, is there a gate or a cattle guard there? Ricardo answered there is one present and wasn't affected by the fire. Albert Roberts moved to approve the Allen Fire Recovery Cost Share contract and authorize Craig Nelson to sign it when funds become available. Lorah Super seconded the motion and the motion passed unanimously.

Joe Cannon-Fire Recovery Cost Share – Ricardo informed that Joe Cannon was affected by the Cold Springs Fire in 2020. A request was submitted to WSCC for \$14,030.95 in cost share funds to rebuild 5,475 feet of fence. Joe has his own company called Castor Populus, LLC and would like to hire his company to rebuild the fence and get reimbursed 75%. Currently, he is the only employee in his company. Staff were looking for specific guidance with regards to Mr. Cannon hiring his company as the fencing contractor for the project. Mike Baden informed there is language in the grants manual stating requirements, such as the landowner/contractor needing to acquire two other bids for the project, as well as submitting receipts with itemized invoices. Mike will send Ricardo and Craig the grant manual for them to look over. Albert Roberts moved to approve the Cannon Fire Recovery Cost Share and allow him to hire his own contracting business, conditional upon the administrative and regulatory details. Lorah Super seconded the motion and the motion passed unanimously.

Save Water Save Energy Contract – Ricardo informed that the new Save Water Save Energy (SWSE) contract was received and needs signature. It is for the rate period beginning October 1, 2021 and runs through September 30, 2023. The contract is for \$12,000.00. Lorah Super approved the Save Water Save Energy contract, authorizing Ivan Oberg to sign it. Steve Colvin seconded the motion and the motion passed unanimously.

NRCS Report

Sarah sent out a report, which was forwarded on to everyone.

Partner Reports

Mike Baden reported fire recovery has been his focus, asking staff to keep in contact with folks and their needs as things move forward. Mike informed that the Commission will be considering being the lead on conservation elections and will be discussing the recommendations submitted by the elections committee as well as those added by districts. Mike added that the Commission will also be considering the slightly revised cultural resources policy in response to a relatively new governor's order. The Commission meeting has been moved to virtual due to increased COVID concerns. Mike also gave a shout out to Craig for keeping up to date with COVID protocols and policies. Mike completed his report with a reminder that elections training is coming up on September 23 at 9:00 AM and that at least one person from each district must participate in the training.

Public Comment:

There was no public present.

Old Business:

Water Bank Update – Craig reported that he sent comments back to Ron Shultz and Jon Culp. They are reviewing the comments but haven't responded yet. Craig reported that he feels the Commission is going to follow the exact letter of the legislation that stipulates the Commission is to enter into an agreement with Ecology to develop an Okanogan Agricultural Water Bank. Heretofore that has not been what we desired. Okanogan CD wants to be the lead for our own water bank. There are few advantages to the Conservation Commission being the lead for our locally controlled water bank. Our vision is that the CC would help develop the agreement between the District and Ecology.

In the interim there is an irrigator that has contacted us through their attorney about selling their senior water rights in the Upper Methow River Watershed. We would like to explore this with them in the coming weeks and potentially develop a purchase and sale agreement with them. That agreement would be contingent upon an agreed upon price, our ability to secure funds to purchase the water right, and potentially other conditions. Only with an actual purchase and sale agreement can the District begin direct negotiations with Ecology to develop an Agricultural Water Bank agreement. Initial estimates of the cost to develop and negotiate the purchase and sale agreement range from \$5,000 to \$10,000.

Lorah added that the legislature appropriated around 14 million dollars for two years to set up the water banking program, but that money was not earmarked to pay for the cost of setting up the water bank. The available funds are there to pay for the purchase of water rights to go into the water bank. The hope was that there would be funds available to help offset the cost of setting up water bank by paying attorney's fees and staff time because this is very much a first-of-its-kind type of program. Craig added that the District will likely request the funding agency do a modified grant to help cover the water bank origination costs. Craig also stated he would investigate the cost of a filing fee when addressing questions with Ron.

WACD North Central Area Meeting – Craig informed that October 19th was selected for the date to host the WACD North Central Area Meeting this year. WACD has asked us to consider hosting only a virtual meeting. A location has been secured that will accommodate a hybrid meeting if the board so chooses. Staff is looking for direction as to which style of meeting the board wishes to host. Craig expressed concern about commitment from in-person participants for catering purposes. A caterer would not be willing to cater for a small group because it would not be worth their time. However, if the District receives several commitments, and folks do not show up for whatever reason, the District is left with a bill. Steve added that with the increased numbers of COVID cases on the rise in the area, the meeting should be virtual. Albert asked whether it would be easier to host it virtual and Craig stated that it would be. Lorah added that she would like to see everyone in person, but it would likely be best to make it virtual. Steve Colvin moved to host the WACD North Central Area Meeting virtually and appointed Albert Roberts the host, with Lorah as the backup. Lorah Super seconded the motion and the motion passed unanimously.

New Business:

Donated Sick Leave Policy – Becky informed that the way the current policy is written, before staff can donate sick leave to an employee in need, the employee on leave must exhaust all their vacation leave as well as sick leave. If employees on medical leave could receive donated sick leave while still retaining some of their vacation leave instead of being required to exhaust those benefits, it would allow the employee to take a wellness day when needed after returning from medical leave. Becky went on to explain that suggested changes include the allowance of 80 hours of donation per pay period rather than only 40 and additional language such that leave could be donated when an employee in need has exhausted their sick leave and has 60 hours or less of vacation leave and that the employee donating leave must maintain a minimum of 40 hours of accrued sick leave after donation. Lorah Super approved the amended donated sick leave policy in the Policies and Procedures Manual. Steve Colvin seconded the motion and the motion passed unanimously.

WACD Resolutions – Craig informed that the District has until the October board meeting to finalize any resolutions for consideration at the WACD Area Meeting on October 19th. He added that if there are any policy issues members feel should be addressed, it should be discussed. Resolutions can be approved in the current meeting or at the October meeting.

Lorah suggested a resolution regarding the use of NRCS practice 808 to help producers with the purchase and deployment of biochar as soil amendment. This was brought to her attention when she heard about a biochar project in the Methow Valley that received funding from the legislature. Her concern is that the economics of biochar will never work without a market for the pyrolyzed product, so it would be nice if the NRCS 808 practice could be utilized for this purpose.

Craig suggested a resolution discussing new rules for cost share fencing replacement post disaster. Suggested changes would include language allowing fence to be repaired if materials are still useable rather than complete replacement as well as allowing cost share on public lands when the land is being leased by a private producer. Craig also suggested a resolution to continue to encourage the Conservation Commission to seek funding for risk assessments, fuels reduction, and home hardening.

Albert suggested a resolution dealing with fire boss liability whereby burn bosses are not liable for controlled burns that go wrong. He also suggested a resolution requiring agriculture producers to contribute to instream flows when selling their water rights to developers who intend on developing land within the boundaries of the irrigation district. Craig will collaborate with Albert Roberts and Dale Swedberg to work up the language for the last two suggested resolutions and will have all three suggestions ready to present at the next board meeting.

Ivan Oberg adjourned the meeting at 7:21 PM.

