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SUBJECT: KING CONSERVATION DISTRICT TASK FORCE UPDATE

STAFF CONTACT: Joyce Nichols, Intergovernmental Relations Director, CMO, 452-4225; Nav Ota, Utilities Director, 452-2041; Alison Bennett, Utilities Policy Advisor, 452-2808

POLICY ISSUE: The King County Council took action on November 13, 2012 to approve a two year assessment for the King Conservation District (KCD) and conditioned the use of revenues from the rates on the terms contained in an Interlocal Agreement between King County and the KCD. Implementation of the Interlocal Agreement included a Conservation Panel (elected officials)/Task Force (staff) effort intended to provide policy advice to the King County Council and the KCD Board regarding priorities and natural resource/conservation programs in the county.

NEEDED FROM COUNCIL

No formal action is required at this time. Council may wish to provide feedback and direction on issues taken up to date by the Conservation Panel and Task Force. Staff anticipates future Council briefings to provide additional information.

BACKGROUND:

The King Conservation District (KCD) is a natural resources agency authorized by Washington State. Its mission is to promote the sustainable use of natural resources through responsible stewardship, originally in rural areas, but now expanded to include natural resources projects in cities. Prior to 2013, the KCD also provided funding for King County's watershed forums (WRIAs) that allowed the WRIAs to leverage other funds to implement salmon recovery habitat projects. However, the WRIAs are now funded by the King County Flood Control District, not the KCD.

Staff last briefed Council on this topic on April 22, 2013, and the agenda materials are included as **Attachment A**. Those materials include extensive background on the KCD, the current Conservation Panel/Task Force process and principles that staff has used as guidance in the Task Force meetings. Councilmembers Davidson and Stokes are serving as Bellevue's representatives on the Conservation Panel.

As a reminder, the current 2013 KCD rates were approved by the King County Council last fall, resulting in a residential per parcel rate of \$5.18 per year which is collected as part of the

property tax in King County. Some examples of the current types of programs supported by the KCD include:

- **Farm Management Services** – farm and livestock owners have access to a variety of services, including farm management planning and technical assistance to address site-specific natural resource stewardship concerns.
- **Landowner Incentive Program** – promotes stewardship of natural resources on private property by providing cost-share funding to assist landowners in implementing natural resource management practices planned in association with the KCD's technical service programs, such as farm plans.
- **Conservation Projects** – the KCD provides project implementation assistance to private landowners to protect water quality, soil erosion prevention, and fish and wildlife protection and enhancement.
- **Education and Outreach** – support for farmers markets and other agricultural education workshops and materials.
- **Member Jurisdiction Grant Program** – grants are awarded for natural resource improvement actions, best management practices and conservation projects.

Bellevue receives funding from the KCD through its jurisdictional grants program. The amount is typically around \$75,000 per year, and these funds have been used to support various conservation activities in the City. Examples include Stream Team, storm drain marking, riparian restoration work, pollution source control education efforts, and the recent work on outlet channel maintenance for Phantom Lake. Under the old \$10 assessment, Bellevue property owners contributed about \$400,000 total per year to the KCD, so it is estimated that property owners contribute about half that under the new system of rates and charges.

Conservation Panel and Task Force

Beginning in May, the Task Force (staff) met six times on its own and three times jointly with the Conservation Panel (elected officials). The Conservation Panel/Task Force was given opportunities to share specific interests regarding conservation and natural resource programs in the County as well as specific concerns regarding the KCD. In mid-summer, the groups recognized that they were not going to be able to tackle the long list of items originally set forth in the MOU in the limited time allocated to the process. The MOU had envisioned final recommendations to be presented to the County Council and KCD by October 15, 2013 but no later than December 31, 2013.

By the final meetings to date, the group had focused on two primary items: (1) identify the top concerns from participants and ideas for resolving them, and (2) develop a short list of conservation and natural resource programs that deserve further regional consideration. In addition, in response to concerns raised by many participants, including Bellevue, the KCD Board sent a letter to the Conservation Panel/Task Force on August 14, 2013 that proposed a starting point for discussion of many of the issues (**Attachment B**).

Using Council's guiding principles on KCD, Bellevue representatives proposed three items for consideration. Under each item, information is presented that was raised during discussion of the item.

- **Continue the work of the Conservation Panel and Task Force** – extend the effort and continue the work so the group can provide meaningful policy recommendations regarding

KCD structure, priorities, programs, and funding. The Conservation Panel would meet more often to accomplish this goal. The August 14 KCD Board letter could be used as a starting point for continued discussions. Issues to be addressed would include regional benefits, costs/benefits of existing programs, transparency, accountability, governance, and advisory committee structure/roles/responsibilities.

The group agreed to a transition strategy, with the Conservation Panel/Task Force continuing to meet between now and the end of the year to develop a plan to transition to a more formal advisory committee. Many of the representatives are interested in defining the membership of an advisory committee now. Bellevue proposed that there were many membership models to consider before settling on a final model at this point in time. It is unclear how this will be resolved. In all models discussed, Bellevue had a seat on the proposed committee.

- **Work on Process Modifications to the Current Grant Program** – maintain the current jurisdictional grant program as a direct allocation to each member jurisdiction as opposed to a competitive process. Streamline the existing grant review process by using other King County direct processes as examples (such as the Flood District’s subregional opportunity fund).

All city representatives have provided strong support for this item. However, the KCD has been hesitant to fully commit to the continued direct allocations due to “liability concerns.” The liability issue stems from the KCD Board’s concern that a lawsuit against the KCD, similar to ones in the past, may result in required reimbursement of ratepayer funds. KCD wants the cities to share in that risk if cities accept KCD grants. There are several current examples of regional entities providing direct allocation grants (such as the Flood District), and cities do not believe that there are any true legal impediments to continuing the direct grants nor do they believe that cities should share any of the KCD’s potential liability. Cities, of course, are always required to spend grant money in accordance with all legal requirements and meet all audit responsibilities. City staff have agreed to work with County and KCD staff on this issue in a small subgroup to attempt to work through the issue.

- **Begin Legislative Work to Modify the KCD Election Process** – the process should be modified to be transparent and consistent with the King County vote-by-mail process used for other elections in King County. This work can begin and proceed while the Conservation Panel continues to meet.

There are many issues associated with moving to a different election structure, including state law, cost and work currently underway at the state level on this same issue. Several different options were discussed, and the group committed to continuing the work and discussions, potentially in another small group format.

In addition to the above concerns and ideas for resolving those concerns, King County and KCD staff developed and presented a draft list of KCD programmatic opportunities based on ideas presented throughout the process by Task Force members. Bellevue and a few other city representatives were not comfortable moving forward with new programs for KCD given that the region has not resolved some of the underlying foundational issues with KCD, many of which are identified in Council’s guiding principles.

In addition, some of the new programs presented either were not programs that cities were interested in or were programs that cities were already doing on their own or working with

regional partners to accomplish similar goals. It was also clear from the discussion surrounding the programmatic opportunities that both KCD and other non-City stakeholder representatives were interested in a funding increase for the KCD to add programs rather than cutting any existing programs. Of the city representatives, Seattle has been the only city that has clearly indicated it would support some level of increase for new programs. The top new opportunities presented at the meeting were:

- Rural small-lot forestry and urban tree canopy enhancement services,
- Rural farmer plans, technical assistance, and regulatory support,
- Urban farmer plans, technical assistance, and regulatory support,
- Expanded landowner incentive program,
- Shoreline and riparian education and technical assistance, and
- Regional food system and sustainable agriculture.

Next Steps

The next Conservation Panel/Task Force meeting is scheduled for October.

No formal action is required at this time. Council may wish to provide feedback and direction on issues taken up to date by the Conservation Panel and Task Force. Staff anticipates future Council briefings to provide additional information.

ALTERNATIVES:

N/A

RECOMMENDATIONS:

N/A

ATTACHMENTS:

- (A) April 22, 2013 Council Materials
- (B) August 14, 2013 KCD Board Letter

Item No. 3(c)(1)(i)
April 22, 2013

- Action
- Discussion
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STAFF CONTACT: Joyce Nichols, CMO, 452-4225; Nav Ota, Utilities Director, 452-2041; Alison Bennett, Utilities Policy Advisor, 452-2808

POLICY ISSUE: The King County Council took action on November 13, 2012 to approve a two year assessment for the King Conservation District (KCD) and conditioned the use of revenues from the rates on the terms contained in an Interlocal Agreement between King County and the KCD. Implementation of the Interlocal Agreement includes a Conservation Panel made up of elected officials and a Task Force composed primarily of staff to review conservation program needs in King County and identify current and potential sources of funding for the programs. Bellevue has a seat on both groups, and meetings are scheduled to begin on May 8, 2013.

NEEDED FROM COUNCIL:

No formal action is required at this time. Staff is seeking feedback regarding proposed principles to guide staff engagement in regional discussions. Once the process begins in early May, staff anticipates future Council briefings to provide additional information and request feedback and direction.

BACKGROUND:

The King Conservation District (KCD) is a natural resources agency authorized by Washington State. Its mission is to promote the sustainable use of natural resources through responsible stewardship, originally in rural areas, but now expanded to include natural resources projects in cities. Prior to 2013, the KCD also provided funding for King County's watershed forums (WRIAs) that allowed the WRIAs to leverage other funds to implement salmon recovery habitat projects. However, the WRIAs are now funded by the King County Flood Control District, not the KCD.

Some examples of the current types of programs supported by the KCD include:

- Farm Management Services - farm and livestock owners have access to a variety of services, including farm management planning and technical assistance to address site-specific natural resource stewardship concerns.

- Landowner Incentive Program – promotes stewardship of natural resources on private property by providing cost-share funding to assist landowners in implementing natural resource management practices planned in association with the KCD's technical service programs, such as farm plans.
- Conservation Projects – the KCD provides project implementation assistance to private landowners to protect water quality, soil erosion prevention, and fish and wildlife protection and enhancement.
- Education and Outreach - support for farmers markets and other agricultural education workshops and materials.
- Member Jurisdiction Grant Program – grants are awarded for natural resource improvement actions, best management practices and conservation projects.

The KCD had a "special assessment" to support its activities from 1994 to 2012. Due to several lawsuits regarding the validity of the special assessment, an alternative system of rates and charges was adopted beginning in 2013. Although the KCD sets its own budget and programs, state law requires the KCD to submit its proposed rates and charges to the King County Council for approval prior to implementation of a new rate. Another outcome of the legal uncertainty with the KCD's funding was that the King County Flood District Board of Supervisors (the King County Council) voted to fund the WRIAs (watershed forums) temporarily in 2012 and then permanently in 2013 through an increase to the Flood District's levy rate.

The old \$10 per parcel KCD assessment was collected as part of the property tax in King County and was assessed on all existing parcels and any new parcels created. The \$10 included \$5 for the WRIAs. The new 2013 KCD rates were approved by the King County Council last fall, resulting in a residential per parcel rate of \$5.18 per year which is still collected as part of the property tax in King County. The rate applies in unincorporated King County and in all cities that are members of the KCD, including Bellevue. King County cities that are not members of KCD are: Enumclaw, Federal Way, Milton, Pacific and Skykomish. Currently, the only way for a jurisdiction to withdraw from the KCD is to pass a resolution requesting withdrawal approval from the KCD Board. If the KCD Board denies the request, a jurisdiction can appeal the denial to the State Conservation Commission. However, there are no adopted processes, procedures or criteria for how the State Conservation Commission evaluates such an appeal.

Bellevue will continue to receive funding from the KCD through its jurisdictional grants program at least for the next two years. The amount is typically around \$75,000 per year, and these funds have been used to support various conservation activities in the City. Examples include Stream Team, storm drain marking, riparian restoration work, pollution source control education efforts, and the recent work on outlet channel maintenance for Phantom Lake. In past years, Bellevue property owners contributed approximately \$400,000 per year total to the KCD, so it is expected that the KCD will collect about half of that from Bellevue property owners under the new system of rates that charges a residential parcel \$5.18 per year instead of the old \$10 per year assessment.

Conservation Panel and Task Force

When the County Council took action on November 13, 2012 to approve a two year assessment for the KCD, it conditioned the use of revenues from the rates and charges on the terms contained in an Interlocal Agreement between King County and the KCD attached to adopting Ordinance 17474.

The Interlocal Agreement establishes a multi-jurisdictional task force to:

- Investigate the availability of conservation and natural resource programs and services in King County,
- Identify the needs within the County, both met and unmet for such services and programs, and
- Identify the actual and prospective sources of funding to meet such needs.

King County is proposing an initiative that includes a Conservation Panel made up of elected officials and a Task Force composed primarily of staff; Bellevue has a seat on both bodies. The Task Force is charged with researching information and providing policy advice to the King County Council and the KCD Board regarding priorities and funding for current and future natural resource and conservation programs provided in the region. The Conservation Panel will review Task Force recommendations and collaborate to develop the final report. **Attachment A** is a copy of the KCD and King County 2013 Task Force Memorandum of Understanding. This document outlines the overall goals for the effort, the membership of the groups, deliverables and timelines.

The Task Force recommendations are to be completed and presented to the Conservation Panel by July 25, 2013, if possible, but no later than September 1, 2013. The Conservation Panel will review and develop amendments, if necessary, to the recommendations and forward the results to the KCD and King County Council preferably before October 15, 2013, but no later than December 31, 2013.

The first meeting for both groups is currently scheduled for May 8. Final Task Force recommendations to the Conservation Panel is currently proposed for mid-July.

Staff has developed the following draft principles to guide participation in policy discussions. Because the Task Force has not begun meeting yet, staff anticipate bringing additional information and proposals to refine the City's interests in the coming months.

The principles below build off of existing Council direction provided in August of 2012. Principles marked with asterisks are new or modified from prior Council direction.

Guiding Principles:

- Bellevue supports the current jurisdictional grant program that provides a direct funding allocation to each member jurisdiction. Bellevue does not support converting this program to a competitive grant program.
- The total financial burden to an average Bellevue resident to fund KCD's conservation and natural resource programs, even if funded through a different mechanism, should either remain the same or be reduced from the current amount. ****(modified to delete reference to old \$10 parcel fee)***
- KCD should not enlarge its scope of programs or activities unless it reduces existing programs in a commensurate manner.
- KCD programs should not duplicate or supplant programs that are or have been funded by other agencies or organizations, including those previously funded by King County's general fund.

- The existing KCD Advisory Committee should include a significant representation from the jurisdictions that provide funding to the KCD.
- The KCD Board election process should be modified to be transparent and consistent with the King County vote-by-mail process now used for other elections in the County.
- In addition to KCD's rates and charges, the King County Council should approve KCD's work program and budget after review and recommendation by the King Conservation District Advisory Committee. **(new)*
- The Task Force and Conservation Panel should consider different governance structures that provide more accountability and transparency. **(new)*
- The City should consider supporting a legislative proposal for a state prescribed process and criteria that the State Conservation Commission must follow when evaluating an appeal to withdraw from a county conservation district. **(new)*
- If the KCD final governance structure, work program, budget and rates/charges do not substantially align with Bellevue's interests, the City should evaluate the benefits and costs of remaining a part of the KCD. **(modified to add "governance structure")*

No formal action is required at this time. Council may wish to provide feedback regarding the proposed principles and the upcoming regional discussions regarding the KCD and its programs. Staff will return to Council as the process unfolds to provide additional information and request feedback and direction.

ALTERNATIVES:

N/A

RECOMMENDATIONS:

N/A

ATTACHMENT:

- (A) King Conservation District and King County 2013 Task Force Memorandum of Understanding

**King Conservation District and King County
2013 Task Force
Memorandum of Understanding**

1. Enabling Ordinance:

King County Ordinance 17474 which authorizes a system of rates and charges for 2013-2014, in support of the King Conservation District (KCD), provides in Section III B. 5 for a multi-jurisdictional task force to

- *investigate the availability of conservation and natural resource programs and services in King County,*
- *identify the needs within the County, both met and unmet for such services and programs, and*
- *identify the actual and prospective sources of funding to meet such needs.*

The initial focus of such investigation is to be on the activities and programs authorized by Chapter 89.08 RCW. The Task Force will review and discuss the full menu of conservation and environmental programs and services available to County and District stakeholders. The Task Force and the Conservation Panel, as described herein, will make recommendations to the KCD Board and King County Council, as described below.

The ordinance describes other details for/of the Task Force, which details are reflected in this Memorandum of Understanding ("MOU").

2. King County and King Conservation District Goals:

The King County and KCD co-conveners agree to the following goals:

- Work in partnership and openly share information and analysis between both entities and with all participants in the Task Force and Conservation Panel;
- Prioritize the objectives in Section 3 of this MOU so that deadlines can be met;
- Include in the final recommendations options to address objectives that cannot be fully addressed during 2013;
- Identify the type, public benefit and regional priority of service gaps in conservation and natural resource programs in King County that could be filled by the King Conservation District;
- Identify sources of funding to fill such gaps;
- Reflect the consensus of Task Force and Conservation Panel members and, if needed, include minority reports in the final recommendations.

3. Task Force Objectives:

The co-conveners of the Task Force agree that the primary objective of the Task Force is to research factual information and provide policy advice to the King County Council and the King Conservation District Board regarding priorities and funding for current and future natural resource and conservation programs provided in the region. The scope of the research and policy advice will include but not be limited to:

- inventory list of available services;
- identified program needs;
- an evaluation of service and service levels provided and number of persons served;
- identification of available funding sources;
- issues relating to governance, service availability and equity;
- opportunities for synergy and leveraging of funds;
- review of the KCD rates and charges methodology;
- program costs and administration; and
- other issues as may be identified by the Task Force.

King County and the King Conservation District agree to prioritize the list above to the extent necessary so that the timeline agreed to in this MOU can be achieved. Commentary and recommendations from standing advisory groups relating to agricultural, silvicultural, community and environmental issues shall be solicited and considered.

4. Membership and responsibilities:

The Task Force will consist of twelve representatives as defined below including the two Co-chairs.

Co-chairs: The King Conservation District and King County will co-convene and lead the Task Force. The Task Force will include two representatives from King County, one appointed by the chair of the council and one by the executive. The King Conservation District board of supervisors shall appoint two representatives. One County representative and one KCD representative shall serve as co-chairs of the Task Force. Both co-chairs will also be members of the Task Force.

The co-chairs will work with the facilitator and technical staff to oversee, supervise and approve agendas and materials, including the final report and policy recommendations.

Members: In addition to the two King Conservation District and two King County members who will co-chair the Task Force, participation (membership) in the Task Force will include members representing Seattle, Bellevue, Sound Cities Association and rural landowners, named in the manner set out by the ordinance:

- Two representatives from King County, one appointed by the chair of the council and one by the executive (one will be a co-chair)
- Two representatives appointed by the King Conservation District (one will be a co-chair)
- One member named by the City of Seattle,
- One member named by the City of Bellevue,
- Three members named by the Sound Cities Association, one from each of the three geographic areas of north, south and east King County,
- Three members representing rural land owners, to be jointly appointed by the King County and King Conservation District representatives (by a majority vote)

thereof) as follows: one to be a member of the King County Agriculture Commission; one to be a member of the King County Rural Forestry Commission; and one to be a representative at large. These three citizens will both own rural land in King County and also have some familiarity with the matters before the Task Force.

Together with the co-chairs, the Task Force members will participate in meetings by physical presence or teleconference if circumstances require, be familiar with the background materials supplied by the staff leads from King County, the King Conservation District and/or the facilitator, engage in the discussion opportunities provided and in the development of findings and recommendations for the Task Force's recommendations. If representing a government or governments or Commission, the Task Force member will provide regular reports to that entity. The Task Force will strive to make decisions by consensus. However if consensus cannot be reached the facilitator may ask for minority report(s) to be included in the final report. The Task Force will agree to operating rules at their first meeting. The Task Force will provide their recommendations to the Conservation Panel and collaborate with the Conservation Panel as described in Section 6 of this MOU.

Term: Task Force members will be appointed on or before April 10, 2013 and will serve until December 31, 2013 or until the final recommendations are made to the King County Council and the King Conservation Board if that happens prior to December 31, 2013. Task Force members may be asked to continue beyond this date to address work program items that may need additional evaluation. In such a case, the final recommendations would include such condition.

Advisory Groups: Input from standing advisory groups relating to agricultural, silvicultural, community and environmental issues shall be solicited and considered.

Conservation Panel: A Conservation Panel of elected officials will review Task Force recommendations and collaborate to develop the final report as described in Section 6 of this MOU. The Conservation Panel will be comprised of nine elected officials representing the same jurisdictional stakeholders as the Task Force. Specifically members will be as follows:

- Two elected officials (or delegates) from King County, one appointed by the chair of the council and one by the executive (one will be a co-chair)
- Two Board members from the King Conservation District (one will be a co-chair)
- One elected official named by and from the City of Seattle,
- One elected official named by and from the City of Bellevue,
- Three elected officials named by and from the Sound Cities Association, one from each of the three geographic areas of north, south and east King County.

The Conservation Panel will be staffed jointly by the Task Force co-chairs. Their meetings will be facilitated by the same facilitator as hired for the Task Force. Conservation Panel members will commit to at least three meetings and to having knowledge and interest in the subject matter of the Task Force. The Conservation Panel

will collaborate with the Task Force to develop consensus support for a set of recommendations as described in Section 6 of this MOU to be forwarded in a final report to the King County Council and the KCD Board. If consensus cannot be reached, the facilitator may ask for minority reports to be included in the final report.

Term: Conservation Panel members will be appointed on or before April 10, 2013 and will serve until December 31, 2013 or until the final recommendations are made to the King County Council and the King Conservation Board if that happens prior to December 31, 2013. Conservation Panel members may be asked to continue beyond this date to address work program items that may need additional evaluation. In such a case, the final recommendations would include such condition.

5. Resources:

Facilitator: The King Conservation District and King County jointly shall provide for the retention and share equally the selection and payment of a professional facilitator for the Task Force and the Conservation Panel. The facilitator will be skilled in interest based negotiations and be familiar with or able to quickly achieve familiarity with the subject matter of Task Force. The facilitator will work directly with the co-chairs and co-lead staff to create agendas, accumulate/develop materials and ensure group processes that create and sustain a participatory environment, using best practices and ensuring a safe and collaborative environment for all participants. The facilitator's primary objective is to support the groups and ensure that deliverables described in Section 6 are provided to the Conservation Panel and to King County and the King Conservation District in the time frame required by the ordinance. The facilitator will be selected jointly by staff from King County and the KCD.

Participating Experts: The King Conservation District and King County jointly shall provide for the retention and payment of (as required) mutually agreed upon experts to provide perspective/context and background and briefings on relevant background information as required.

Technical Support: The technical support for the Task Force will be provided by King County and KCD staff, with one staff person from each government named co-lead staff. The support should include at least one staff person from each represented government with appropriate expertise in natural resources or public works issues.

Co-lead staff will maintain a current contact list for all participants and technical staff involved in the task force and a bibliography of all materials presented by or to the Task Force, including the Final Report and Policy Recommendations to be provided to the King Conservation District and King County at the conclusion of the work. All agendas and materials supplied to the Task Force are public documents.

Staff support: The Task Force shall be provided with staff support, as available within current resources, by the King Conservation District, King County and as offered by other Task Force participants.

Budget: The estimated budget for the Task Force, excluding the value of all donated time by the participants and technical staff, will be developed jointly by the King Conservation District and King County in conjunction with the selected facilitator. These expenses will be shared on an equal basis by the King Conservation District and King County. King County and the KCD acknowledge that the budget expenses provided for herein are to be paid under King County's current appropriation authority and under KCD Board approval. To the extent that the payment of expenses provided for herein would exceed such authorizations, the obligation to pay such expenses is null and void and of no further effect, unless further appropriation by the King County Council and approval by the KCD Board to pay such expenses is made.

6. Roles and Deliverables:

The Task Force work and recommendations shall be completed to final draft and presented to the Conservation Panel by July 25, 2013, if possible, but in any event no later than September 1, 2013.

The Conservation Panel will review, deliberate upon and collaboratively develop amendments to the recommendations, as needed, with the Task Force until a common set of recommendations is crafted. These recommendations will be forwarded to the KCD Board and King County Council to inform funding decisions for future KCD work programs and budgets as soon as possible and preferably before October 15, 2013 if possible, but in any event no later than December 31, 2013.

Both the Task Force and the Conservation Panel will use an interest-based process and strive to make decisions by consensus. Consensus is defined as, and will be achieved, when all parties agree they can live with a proposed recommendation even though it may not be their preferred ideal.

However, if consensus cannot be reached, the facilitator may ask for minority reports to be included in the final report. Should the Conservation Panel and the Task Force not reach consensus on all recommendations, both those agreed to and those with unresolved differences will be forwarded to the King County Council. An explanation of the reason(s) for any differences will be provided by the facilitator.

Facilitator Deliverables:

- A process, developed through a coherent set of agendas, that provides an appropriate level of research and technical detail on the topics described in Sections 2 and 3 of this MOU (responsibility of Facilitator);
- Opportunities in those agendas for meaningful input by the Task Force and Conservation Panel members (responsibility of Facilitator);and
- A final report (a responsibility of the Facilitator with support from the technical support staff provided by King County and the King Conservation District as identified in Section 5). The final report will include sections on

- o A summary of the research considered and discussions of Task Force and Conservation Panel members, in support of focused Findings of Fact,
- o A common set of Policy Recommendations arising out of those Findings of Fact,
- o If requested by the facilitator minority report(s) including any recommendations that are not forwarded and why.

7. Meetings and Schedule:

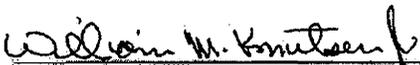
Task Force: The Task Force will be appointed by April 10, 2013. The Task Force will hold 3-4 hour long meetings at least twice monthly beginning before or by May 1, or as soon as possible. Additional meetings will be convened as needed to address comments from the Conservation Panel, or as required. The Task Force and Conservation Panel will hold at least three meetings or parts of meetings jointly.

Conservation Panel: The Conservation Panel will be appointed by April 10, 2013. The Conservation Panel will hold at least three meetings, with one on or before May 1, jointly with the Task Force and two following meetings to consider and discuss interim reports and Final Report recommendations directly with the Task Force. The Conservation Panel will hold additional meetings as needed to finalize consensus recommendations for the King County Council and the KCD Board and submit such recommendations in writing as soon as possible after July 25 and, in any event, no later than December 31, 2013.

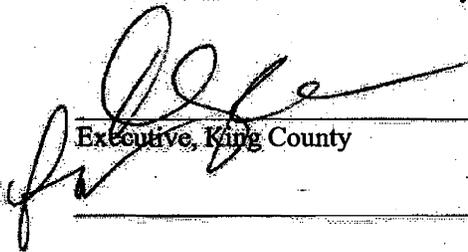
Minutes for all meetings will be posted on the King County and KCD website within five business days of each meeting.

Agreement:

This Memorandum of Understanding is agreed to this 1st day of April, 2013.



 Chair, King Conservation District



 Executive, King County

(On behalf of Executive, King County)



King Conservation District

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 Phone (425) 282-1900 • Fax (425) 282-1898 • e-mail: district@kingcd.org

King County/King Conservation District Task Force

August 14, 2013

Dear Task Force Members,

The King Conservation District Board of Supervisors met on August 12th, 2013 to discuss the Objective 3 concerns raised by the Task Force and the Conservation District's recommended approach to resolving each concern raised by Task Force members. We provide this letter to you as a KCD statement of intent and proposed starting point for our discussions of the Objective 3 concerns. We look forward to working with you during the few short weeks we have remaining to either address each concern or develop a recommended approach for addressing it.

Lack of evidence that private land management leads to regional benefit – We at KCD recognize the need to do a better job explaining the regional benefits created by private land stewardship while making the case to both elected officials and citizens that public dollars invested in private land stewardship are good long term investments. The KCD is committed to meeting with the leadership of each and every city in the next year to discuss both how everyone in the region benefits from private land stewardship and what specific stewardship opportunities exist within the boundaries of each jurisdiction.

Too much energy and time in two-year process – The KCD cannot agree more with this concern. The KCD proposes a 5 to 10 year contractual arrangement with the County and participating King County cities that clarifies roles, responsibilities and a common long term vision. We hope the Task Force process is the starting point to developing the long term vision and contractual relationship for moving forward together.

Siloed problem solving / lack of inter-jurisdictional coordination - KCD proposes reconvening an advisory body. Regardless of recollections of past practices, please know every member of the Board of Supervisors feels strongly that the membership of the advisory body be appointed by the group or agency they represent and not the Board. The advisory body would be convened for the following purposes:

ESTABLISHED 1949

Board of Supervisors

Chair
 Bill Knutsen

Vice-Chair
 Jeanette McKague

Auditor/Secretary
 Max Prinsen

Member
 Kit Ledbetter

Member
 Eric Nelson

Executive Director

Sara Hemphill

1. Review proposed budgets and related decisions and provide suggested recommendations to the Board of Supervisors prior to submission of budget to the King County Council.
2. Assist KCD Board of Supervisors in understanding the inter-jurisdictional perspectives and needs for natural resource conservation within the King County region.
3. Provide opportunity for more transparency and accountability, with substantive input from participating jurisdictions, special interests, and the general public on the programs, revenues, and budgets of the King Conservation District.

Jurisdictional Grant Program – The KCD recognizes the important role the grant program has played in funding city and County natural resource conservation efforts. We also recognize many cities and the County look forward to utilizing these cash investments and partnerships. The Board of Supervisors is willing to support a long term arrangement where the grant program administered by the KCD would continue to exist consistent with state law and recent court decisions.

Need to balance interests – The King Conservation District recognizes there is a broad range of interests to balance with limited resources. We also recognize that because of the Jurisdictional Grant Program and current funding levels, we operate with significantly less revenue per capita than any of the other neighboring conservation districts in urban counties. Revenues have also been strained by footing the costs for defending against recent lawsuits. The point we are trying to make is that we can reprioritize and balance interests, but please recognize the KCD at existing funding levels is a very small pie and cut too many ways will not adequately serve anyone. We propose addressing the funding question as part of the negotiation of a longer term contractual agreement as we also attempt to balance interests and multiple objectives.

Election process – The KCD, along with a few of its fellow conservation districts, has long supported the concept of retooling the Conservation District election process. There is a cadre of legislators and counties in accord with this issue. We look forward to working with legislators, King County, King County cities, the Washington Association of Conservation Districts (WACD), and other interests in proposing a thoughtful alternative to the way the Conservation District's election and appointment process is currently configured.

Demonstrating KCD value within cities – The KCD wants to work directly with each of the King County cities prior to the next ILA negotiation to better understand the perspectives of the Cities. We think establishing direct working relationships will help the KCD more effectively focus resources and bring direct value to every community in King County. We also want the opportunity to make the case that investments in working lands and other natural resource properties outside cities also benefit all King County citizens.

Duplication or supplanting of services – Through the Task Force process we have identified existing services and unmet needs. These tools reveal where potential duplications may occur. Conservation District dollars are scarce. They are more flexible in that they can be invested on private lands and across jurisdictional boundaries. We agree these dollars need to be targeted where they get the biggest bang for the buck and avoid duplication or supplanting of existing programs.

Shrinking funds – Every jurisdiction and governmental entity is experiencing shrinking funds and increasing costs related to natural resource conservation, especially in the arena of shorelines and clean water. There are potential opportunities using King Conservation District services and programs to provide stewardship and landowner education programs that otherwise would be required by SMA and CWA. There are also opportunities to develop programs across jurisdictional boundaries that are more efficient and offer better economies of scale, especially for small jurisdictions. More work needs to be done to explore cost saving opportunities. We hope the Task Force will recommend further exploration of cost saving opportunities.

Clear understanding of the roles and responsibilities of the parties. The Board of Supervisors is very supportive of the need for a clear understanding of roles and responsibilities for everyone. Agreement on a process that is inclusive of everyone's interests while clarifying the roles and responsibilities is an essential part of any long term inter-local agreement.

Thank you for your consideration of the KCD recommendations and proposed pathways for moving forward on Objective 3 concerns. We look forward to addressing these concerns to the satisfaction of all parties around the table. We are committed to building the trust relationships needed to move forward together on a long term vision. We hope you will see the wisdom of doing the same.

Sincerely,



Bill Knutsen

Chair, Board of Supervisors

cc: Task Force members

Alison Bennett, City of Bellevue
Siri Erickson-Brown, Local Roots Farm and King County Agriculture Commission
Sara Hemphill, King Conservation District
Michael Huddleston, King County
Bobbi Lindemulder, Rural At-Large
Scott MacColl, City of Shoreline and Sound Cities Association
Kathy Minsch, City of Seattle
Eric Nelson, King Conservation District
Carolyn Robertson, City of Auburn and Sound Cities Association
Dick Ryon, King County Rural Forest Commission
Nicole Sanders, City of Snoqualmie and Sound Cities Association
Christie True, King County

Conservation Panel Members

The Honorable Jim Berger, Mayor, City of Carnation
The Honorable Richard Conlin, Councilmember, City of Seattle
The Honorable Don Davidson, Councilmember, City of Bellevue
The Honorable Reagan Dunn, Metropolitan King County Council

The Honorable Chris Eggen, Deputy Mayor, City of Shoreline
Fred Jarrett, Deputy County Executive, King County
The Honorable Kate Kruller, Councilmember, City of Tukwila
Kit Ledbetter, King Conservation District
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