CONSERVATION COMMISSION

MEETING PACKET

JULY 2016

Washington State Conservation Commission

Westport Chateau Hotel

PRELIMINARY BUSINESS MEETING AGENDA
THURSDAY, JULY 21, 2016

Time	Tab	Item	Lead	Action/Info
8:30 a.m.		**Call to Order** • Additions and/or corrections to the agenda	Chair Brown	
8:35 a.m. *10 min.*		**Introductions** • Sarah Spaeth – new Commission member • Bob Schroeter- new WACD Executive Director	All	
8:45 a.m. *30 min.*		**Tribal Presentation**		

********Public Comment will be allowed prior to each action item********

9:15 a.m. *5 min.*	**1**	**Consent Agenda** • Approval of the May 19, 2016 Business Meeting Minutes	Chair Brown	**Action**
		• Executive Director and Chair attendance: NACD SW Region Meeting Sept. 14-16 Sacramento, California	Mark Clark	**Action**
9:20 a.m. *75 min.*	**2**	**Budget** • Fiscal Year End Review	Eleanor Dovey/Mark Clark	**Info**
		• Current Year Budget Update	Eleanor Dovey	**Info**
		• Additional Grant Allocations Update	Eleanor Dovey	**Info**
		• 2017-2019 Budget Development Review ○ Review progress of decision packages	Ron Shultz	**Info**
10:35 a.m.		**BREAK (15 minutes)**		

********Public Comment will be allowed prior to each action item********

10:50 a.m. *70 min.*	**3**	**District Operations** • Implementation Monitoring Update/CREP	Brian Cochrane	**Info**
		• Mid-term Appointment Applications	Commissioner Cochran	**Action**
		• Proposed Election Changes	Bill Eller	**Action**
		• Good Governance	Ray Ledgerwood	**Info**
		• Center for Technical Development	Ray Ledgerwood	**Info**
		• Regional Manager Report	Stu Trefry	**Info**

12:00 pm *60 min.*	**LUNCH PROVIDED: Please RSVP to the Conservation Commission** • Recognition of appreciation to Commissioner Lynn Bahrych		

********Public Comment will be allowed prior to each action item********

1:00 p.m. *100 min.*	**4**	**Policy/Programs**		
		• Food Policy Forum	Ron Shultz	**Info**
		• Update on CAFO	Ron Shultz	**Info**
		• PHS Update	Ron Shultz	**Info**
		• What's Up Stream: Western Environmental Law Report	Ron Shultz	**Info**
		• Irrigation Efficiency Program Review	Jon Culp	**Info**
		• Fire Recovery Update	Mark Clark	**Info**
		• Firewise Update	Shana Joy	**Info**
		• Gap Analysis on Dairy Program	Perry Beale	**Info**
2:40 p.m.		**BREAK (15 minutes)**		

********Public Comment will be allowed prior to each action item********

2:55 p.m. *60 min.*	**5**	**Commission Operations**		
		• Communications Partnership Outreach Update	Laura Johnson	**Info**
		• WACD Resolutions		
		• Strategic Plan- Next Steps	Mark Craven/	**Action**
		○ Approval of Mission, Vision, Values	Mark Clark	**Info**
		• Update on June 11, 2016 Joint Commission		**Action**
		Meeting with Dept. of Fish and Wildlife	Mark Clark	**Info**
		• Tri State Meeting and Coordinated Resource Management Meeting and Tour	Mark Clark	**Info**
3:55 p.m.		**Executive Session to discuss personnel matters as allowed by RCW 42.30.110 (1)(i).**		
		Adjourn	Chair Brown	

Next Meeting: The Conservation Commission will have a tour and interaction dinner hosted by the San Juan Islands Conservation District on **Wednesday, September 14, 2016** with a Regular Business Meeting scheduled on **Thursday, September 15, 2016**.

Location:
Brickworks
Friday Harbor, WA

Please note that the times listed above are estimated and may vary. Every effort will be made, however, to adhere to the proposed timelines.

If you are a person with a disability and need special accommodations, please contact the Conservation Commission at 360.407.6200

TAB 1

DRAFT

Washington State Conservation Commission Regular Business Meeting
Goldendale, Washington
May 19, 2016

The Washington State Conservation Commission (Commission/SCC) met in regular session on May 19, 2016, in Goldendale, Washington. Chairman Brown called the meeting to order at 8:30 a.m.

COMMISSIONERS PRESENT
Lynn Brown, Chairman, Central Region
Jim Kropf, Vice-Chairman, WSU-Puyallup
Dean Longrie, West Region
Larry Cochran, Eastern Region
Daryl Williams, Member
Lynn Bahrych, Member
Perry Beale, Dept. of Agriculture
Michael Kuttel Jr., Dept. of Fish and Wildlife
Kelly Susewind, Dept. of Ecology (DOE)
Mark Craven, President, WA Association of Conservation Districts (WACD)

COMMISSION STAFF PRESENT
Mark Clark, Executive Director
Ray Ledgerwood, District Operations Manager
Ron Shultz, Policy Director
Stu Trefry, Southwest Regional Manager
Brian Cochrane, Habitat Coordinator
Jess Davenport, South Central Regional Manager
Sarah Groth, Fiscal Analyst
Laura Johnson, Communications Coordinator

PARTNERS AT THE TABLE REPRESENTED AT THIS MEETING
Lucy Edmondson, Environmental Protection Agency (EPA)
Roylene Rides at the Door, Natural Resource Conservation Service (NRCS)

GUESTS ATTENDED
Wendy Pare, Skagit CD, Elaine Harvey, Yakama Nation, Carolyn Kelly, Skagit CD, David Hall, Thurston CD, Mindy Pomerinke, Eastern Klickitat CD, Mark Nielson, Franklin CD, Dahlia Garret, Okanogan CD, Dan McCarty, Eastern Klickitat and Dept. of Ag, Anthony Dorsett, Dept. of Agriculture, Ginny Prest, Dept. of Agriculture, Conrad, NRCS, Shannon Bickhorn

Consent Agenda

Motion by Commissioner Longrie to approve the March 17, 2016 Business meeting minutes. Seconded by Commissioner Williams. Motion passed.

Agency Budget Update

Sarah Groth, SCC staff briefed members on the agency's financial activities. The agency is on track with spending and has spent funds as planned. Any returned monies from the districts will be re-allocated.

Director Clark referred members to the chart listed in their packet showing proposed appropriation for FY17. No major adjustments from last year.

Commissioner Craven, WACD President, mentioned the funding that comes from the Commission is a considerable amount and they are working with the annual meeting committee to provide sessions and more involvement. WACD also appreciates SCC's support for in providing some funding to have a tribal training with NRCS in August.

Motion by Commissioner Longrie to approve the next fiscal year budget items on page (see Attachment A) of May Commission packet as presented. Seconded by Commissioner Beale. Motion passed.

<u>Northwest Engineering Cluster</u>

Director Clark led the discussion asking the Commission to revisit the cluster concept. Several letters from participating districts were received. The primary issues raised are the lack of a current engineering cluster agreement governing the cluster, regular meetings and communication to prioritize the engineer's work has not been occurring.

Director Clark provided some background and a draft letter he intends to send to these districts for response. The engineering clusters statewide receive $75,000 each fiscal year in seed funding to help pay for professional engineering oversight and guidance for district projects. This funding is meant to ensure that districts are not constructing projects without a licensed engineer's stamp; something that came to the attention of the Washington State Engineering Board some time ago and prompted the cluster engineer model still being utilized today. The SCC funding is not intended to pay all of the costs of a cluster engineer and is suggesting the participating districts secure supplemental funding to keep a qualified engineer onboard. We are urging each of the participating districts to work together to fulfill rather than relying upon the district hosting the engineer to find these additional funds.

Motion by Commissioner Longrie to approve letter drafted by Director Clark in response to the NW Engineering Cluster. Seconded by Commissioner Susewind. Motion passed. (See Attachment B)

<u>Irrigation Efficiencies Program Technical Allocation</u>

Motion by Commissioner Longrie to approve the staff recommendations provided on Commission handout for an adjusted allocation of technical assistance to districts for the Irrigation Efficiencies Grants Program. Seconded by Commissioner Williams. Motion passed. (See Attachment C)

<u>Okanogan CD Interagency Burned Area Emergency Response (iBAER) Letter</u>

Craig Nelson, Okanogan CD, district manager, spoke of the letter written by his board of supervisors to the Commission requesting the SCC to lead and coordinate the efforts of the Interagency Burned Area Emergency Response team. Currently, the Okanogan CD are the leads however, the SCC would be the most appropriate to lead and provide the resources to counties rather than the district. Staff capacity is a concern. The district is still willing to provide assistance in coordinating these efforts.

Motion by Commissioner Cochran for the State Conservation Commission to provide interagency Burned Area Emergency Response Team leadership and coordination per the Okanogan Conservation District letter (page 31 of May meeting packet). Seconded by Commissioner Beale. Motion passed. (See attachment D)

Firewise

In the 2016 legislative session, the legislature appropriated one-time funding of $1,000,000 to the Conservation Commission for conservation districts to implement Firewise. A team of assigned staff developed a proposed process for allocations of the funds. The proposed guidelines are provided in the meeting packet.

The SCC regional managers recently met with the DNR staff to explore ways to strengthen our partnership around the Firewise opportunity.

Motion by Commissioner Craven to authorize allocation of the funding consistent with the Firewise programmatic guidelines described on pages 32-36 of Commission packet. Seconded by Commissioner Longrie. Motion passed. (See attachment E)

2017 Budget Development

Ron Shultz, SCC policy director provided the Commissioners with potential decision packages with a recommendation for staff to move forward. They reviewed the handout that provide a brief summary of the current decision package listed on pages 1 and 2 of handout and proposed new decision packages listed on pages 3-7 of handout. Funding areas broken into groups of similar resources. Mr. Shultz said there could be more merging of funding topics within some of these groups. Staff recommendation is to keep current packages on pages 1-2 separate (no grouping) because they each have constituents.

Motion by Commissioner Susewind to approve the list "Potential Decision Packages for 2017-19 Biennium" handout for budget preparation to be further refined by staff. Staff is to explore the best way to address these and entities with whom we need to coordinate. Seconded by Commissioner Bahrych. Motion passed. (See attachment F)

Deep Furrow Drill

Chris Herron, Franklin Conservation district supervisor presented with Dr. William Schillinger of WSU Dryland Professor. Project began in 2009. They had two proposals come forward and the committee awarded $100K to both projects. The final went to the "winner". Since both candidates moved forward, the committee are exploring who will do testing and evaluation on the project. Dr. Schillinger recommended getting funding to do scientific testing. He initially envisioned one year of testing, but drought means they don't have much residue in the fields. Bottom line, they need two years of testing because we need residue. There is one outside of Ritzville. Needs to work in till fallow and no till. Operator till fallow leaves all residue on top. five acres of undercut fallow and five acres till fallow. This year will not be challenge from residue stand point. Produced slightly under 50 bushels last year. We want to test in challenging situations. This year is shaping up to be that. Crop isn't' harvested yet, but looking

really good. High likelihood that they'll have some challenging conditions to set up this year for residue height. Not unrealistic in Adams County to go 80+ a bushel. Two year proposal. One site for this year, which won't be challenging for residue, testing with wheat.

Mr. Herron said the committee would try to come up with half of the funding needed. Adams Co. CD, wheat growers from surrounding counties will share the cost. Testing grounds moved out to 17 due to drought. They are requesting $7500 for this biennium, $7500 next biennium – total of $25K for two years of field planning to finish this biennium, but not able to award final $125K until next biennium. Requesting carry-forward for next biennium.

Motion by Commissioner Longrie to support this project as described in Deep-Furrow handout for up to $7,500 for FY17 and $7,500 for FY18, subject to legislative appropriation. Seconded by Commissioner Craven. Motion passed.

<u>What's Up Stream Campaign and Report</u>

The Commissioners reviewed some of the campaign materials including several letters and articles that have been released in the last couple months to the What's Up Stream campaign and controversy surrounding it. They also discussed a recent report by the Western Environmental Law Center on agricultural pollution in Puget Sound. The content criticizes incentive and enforcement programs. Focus is Puget Sound and brings in eastern WA issues. SCC review found errors in citation (reference to ag inputs, misinterpretation of events (characterization of three director meetings not including the tribes), and poor recommendations (e.g. 600 foot buffers).

The commission discussed the negative impact these items have had on overall landowner engagement in Puget Sound, and the broader implications of agriculture's perceptions of their work.

Motion by Commissioner Longrie for SCC staff to craft a response to What's Up Stream campaign and Pollution in Puget Sound report for review by Commission members. Seconded by Commissioner Craven. Motion passed.

<u>Conservation District Elections</u>

Stu Trefry, SCC staff recommendated to certify and announce the official winners of all 45 elections. 35 out of 45 were automatically elected.

Motion by Commissioner Longrie to certify and announce the official winners of all 45 conservation district elections (as recommended by staff on page 42 of meeting packet). Seconded by Commissioner Cochran. Motion passed.

Motion by Commissioner Craven to approve the corrected Conservation District Elections Results Table (p 44) to show John W Floyd for Pend Oreille elected. Seconded by Commissioner Longrie. Motion passed. (see Attachment G)

Eastern Region Appointed Supervisor Apps- Commissioner Cochran

Commissioner Cochran, elected eastern representative vetted the applications for his respective area. All non-contested but one. He spoke about each applicant.

Motion by Commissioner Cochran to appoint all the non-contested supervisor applicants in Eastern Region (p 47: *Lincoln County, Alan Stromberger, Pine Creek, Jeffrey Pittman, Spokane, Gerald Scheele, Stevens County, Connie Bergstrom, Walla Walla County, Pat McConnell)* and to appoint Gary Luft to the Whitman Conservation District Board. Seconded by Commissioner Craven. Motion passed.

Central Region Appointed Supervisor Apps: Commissioner Brown

Commissioner Brown, elected central area representative reviewed the applications.

Motion by Commissioner Kropf to appoint all the non-contested supervisor applicants in the Central Region (p 46: *Cascadia, Josh Koempel; Foster Creek Kelsey Tanneberg; Grant County, Richard Lietz; Kittitas County, Bill Boyum; Okanogan, Lorah Super; and South Douglas, David Linville*). Seconded by Commissioner Cochran. Motion passed.

Vice-Chair, Kropf served as chair while Commissioner Brown made motions for his area.

Motion by Commissioner Brown to appoint Richard S. Moore to the Franklin Conservation District Board of Supervisors. Seconded by Commissioner Bahrych. Motion passed.

Westside Appointments

Commissioner Longrie, elected west side representative vetted the applications for his area and recommended the following:

Motion by Commissioner Longrie to appoint Matthew Heins (Clallam), Jason Ragan (Mason CD), Victor Niemcziek (Pacific CD), Dean Wesen (Skagit), Mark Craven (Snohomish CD), and Jason Will (Wahkiakum CD) to the Conservation District Boards for which they applied. Seconded by Commissioner Cochran. Motion passed.

Motion by Commissioner Longrie to appoint Brian Sullivan to the Pierce Conservation District Board of Supervisors. Seconded by Commissioner Craven. Motion passed.

Motion Commissioner by Longrie to appoint David Hall to the Thurston Conservation District Board of Supervisors. Seconded by Commissioner Craven.

Motion by Commissioner Bahrych to table the previous motion (Thurston CD appointment) until after executive session. Seconded by Commissioner Longrie. Motion passed.

Motion by Commissioner Bahrych that we go to executive session for purposes of evaluating the qualifications of an applicant for public employment consistent with RCW 42.30.110. The executive

session will end at 3:43 pm today. Only Commission members will remain. Commissioner Williams seconded. Motion passes.

Motion by Commissioner Bahrych to bring the Longrie motion to the table. Seconded by Commissioner Craven. Motion passed.

Motion by Commissioner Longrie to appoint David Hall to the Thurston Conservation District Board of Supervisors. Seconded by Commissioner Craven. Motion failed.

Motion by Commissioner Bahrych to appoint Eric Johnson to the Thurston Conservation District board of supervisors. Seconded by Commissioner Williams. Motion passed.

Commissioner Longrie encourages applicants who were not recommended today to serve as associate supervisors. They all expressed interest.

CREP Technical Assistance (TA)

Brian Cochrane provided background on the CREP TA. CREP TA is provided to eligible CREP districts to pay for district staff time, travel, training, and some equipment for activities that are directly related to implementing riparian restoration under CREP. In the Commission packet, Mr. Cochrane made recommendations for FY17, which would also be following the same process as last year.

Motion by Commissioner Craven to approve FY 2017 CREP TA as presented on the May 19, 2016 CREP TA memo. Seconded by Commissioner Longrie. Motion passed. (see Attachment H)

Strategic Planning

Motion by Commissioner Longrie to ask SCC staff to prepare a draft strategic plan based upon the May 18, 2016 planning session to be presented at the July Commission meeting. Seconded by Commissioner Williams. Motion passed.

Chair Brown adjourned the meeting at 4:37 p.m.

Attachment A

	SCC Proposed Allocations for Operations, Grants, & Contracts	
	Appropriation FY17	
	General Fund & Other Funds	
	7,298,000	
SCC Operations	Proposed FY17	% of Total Appropriation
SCC Salaries & Benefits	1,583,875	21.70%
Goods & Services	706,977	9.69%
Travel	236,979	3.25%
Equipment	5,500	0.08%
Subtotal SCC Operations	2,533,331	34.71%
SCC Grant Programs & Contacts	Proposed FY17	% of Total Appropriation
Implementation Grants ***Commission Approved 3/2016 Meeting***	3,828,929	52.47%
Engineering Grants	675,000	9.25%
TSP Grants	350,000	4.80%
Technical Training Group	248,000	3.40%
District Services	138,500	1.90%
WACD	65,000	0.89%
WADE Training	20,000	0.27%
Envirothon	10,000	0.14%
Ag Forestry	5,000	0.07%
Subtotal SCC Grant Programs & Contracts	5,340,429	73.18%
TOTAL	7,873,760	107.89%
Difference Between Appropriation & Proposed Budget	575,760	7.89%
Anticipated Reimbursements	576,000	7.89%
Total with Anticipated Reimbursements	7,297,760	100.00%
Difference Between Appropriation & Proposed Budget w/ Anticipated Reimbursements	240	0.00%
LiveStock TA	667,955	

Attachment B

STATE OF WASHINGTON
CONSERVATION COMMISSION
PO Box 47721 • Olympia, Washington 98504-7721 • (360) 407-6200 • FAX (360) 407-6215

May 13, 2016

San Juan Islands Conservation District Chair, District Manager
Skagit Conservation District, Chair, District Manager
Whatcom Conservation District, Chair, District Manager
Whidbey Island Conservation District, Chair, District Manager

Dear NW Engineering Cluster Districts;

The State Conservation Commission (SCC) has received and reviewed the letters and supplemental information provided by San Juan Islands, Skagit, Whatcom, and Whidbey Island Conservation Districts with respect to the Northwest Engineering Cluster. As I understand it the primary issues raised are the lack of a current engineering cluster agreement governing the cluster and regular meetings and communication to prioritize the engineer's work are not occurring. First, I would like to revisit the reason why the SCC provides funding for cluster engineers.

The engineering clusters statewide receive $75,000 each fiscal year in seed funding to help pay for professional engineering oversight and guidance for district projects. This funding is meant to ensure that districts are not constructing projects without a licensed engineer's stamp; something that came to the attention of the Washington State Engineering Board some time ago and prompted the cluster engineer model still being utilized today. The SCC funding is not intended to pay all of the costs of a cluster engineer and securing supplemental funding to keep a qualified engineer on staff falls to the participating districts in the cluster. This is a task that each of the participating districts should work together to fulfill rather than relying upon the district hosting the engineer to find these additional funds.

Also, I would like to point out that the cluster engineer should be assisted by conservation district staff in every way possible to ensure that the engineer's time is spent on tasks that truly require a licensed engineer's oversight and professional stamp. In more than one successfully functioning engineering cluster, conservation district staff assist the professional engineer by handling various tasks under the oversight of the engineer and dependent on staff capability. I understand that the quality of work done by the cluster engineer is not an issue in this situation and in fact, the engineer often exceeds the regular, available work hours funded by the SCC's investment on district projects.

San Juan Islands Conservation District has requested that ½ of the $75,000 provided by the SCC be directed to Whidbey Island Conservation District to administer for their two districts' engineering costs, leaving the remaining ½ of the funding to contribute to Skagit and Whatcom's engineering needs. Such a split would leave Skagit and Whatcom without a fully funded engineer

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position and may in fact result in the loss of the cluster engineer if long-term supplemental funding could not be found. The SCC continues to believe that the engineering cluster model is the most effective and efficient way to provide access to qualified engineers for conservation district projects.

The SCC recommends that San Juan Islands, Skagit, Whatcom, and Whidbey Island Conservation Districts continue to communicate and work together to negotiate an engineering cluster agreement for the upcoming fiscal year 2017. You may request facilitation assistance from Ray Ledgerwood or seek out a third-party mediator to assist you. Additionally, your regional manager is available to provide assistance as well. Pursuant to the Grant and Contract Procedure Manual for SCC engineering grants, no vouchers will be paid for FY 2017 until a signed cluster engineering agreement is received.

I understand that no engineering cluster is perfect and there will be bumps in the road. I am confident that resolution can be found to the issues that have been raised without splitting up the SCC funding.

Regards,

Mark Clark,
Executive Director

CC: Commission Members
Ray Ledgerwood, Regional Manager Coordinator
Shana Joy, Puget Sound Regional Manager

DRAFT

SAN JUAN ISLANDS
CONSERVATION DISTRICT
SAN JUAN COUNTY, WASHINGTON

San Juan Islands Conservation District
530 Guard Street
Friday Harbor, WA 98250
www.sanjuanislandscd.org
360-378-6621

May 2, 2016

Lynn Brown, Chairman
Washington State Conservation Commission

Dear ~~Commissioner Brown~~, Lynn

The San Juan Islands Conservation District (SJICD) is one of four districts in the Northwest Region Engineering Cluster. We have significant concerns with the current engineering cluster arrangement and would like to request that the administration of our shared funding be split in two, with Whidbey Island Conservation District (WICD) becoming the administrator for WICD and SJICD.

Under the current arrangement, Skagit Conservation District (the current administrator) receives $18,750 for overhead, another $11,250 to cover travel time and expense, and another $11,250 as their "share" of the engineering services. The rest of the districts received $11,250. This arrangement, which gives Skagit CD $41,250 and the rest of us $11,250 annually, has not been agreed to by WICD or SJICD. In addition, WICD and SJICD have requested detailed financial accounting for the past two years and have yet to receive it.

WICD and SJICD have attempted for two years to address this concern, with little cooperation from Skagit and Whatcom CDs. This, along with recent delay tactics from Whatcom Conservation District has put us in the position of asking the commission to modify the current agreement.

If allowing WICD to administer ½ of the cluster funding for our two districts is not approved by the Commission, we request that the San Juan Islands Conservation District simply be given ¼ of the $75,000 allocation for engineering expense. We have several qualified engineers in the San Juans that can provide us with the expertise we need, without the expense of travel from the mainland.

Thank you for your continued support and consideration of this request.

Sincerely,

Ron

Ron Zee, Chairman
San Juan Islands Conservation District

CC: Lynn Bahrych, Paul Blau, George Boggs, Mark Clark, Larry Davis, Wendi Hilborn, Shana Joy, Carolyn Kelly, Linda Lyshall

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P.O. Box 490 • Coupeville, WA 98239

April 27, 2016

WSCC Board Chairman Lynn Brown
P.O. Box 755
Ellensburg, WA 98926

Dear Chairman Brown,

The Whidbey Island Conservation District (WICD) is one of the four conservation districts in the Northwest Region Engineering Cluster which also includes San Juan, Whatcom and Skagit CD's. Skagit CD administers the engineering grant from WSCC for the cluster. WICD has completed excellent work on Whidbey Island utilizing access to our shared engineer, Tom Slocum. We greatly appreciate the WSCC Board and the WA State Legislature's efforts to fund the engineering program providing access to engineering by all districts across the state.

WICD has concerns, however, about how the Northwest Region Engineering Cluster grant is being administered. Since FY14 (beginning July 1, 2013), the cluster has been operating without an agreement specific to the activities of the engineering cluster. We feel that to most effectively and efficiently access and utilize our share (25%) of the cluster funding, we need a voice in how the funds are allocated and managed.

Prior to June 30, 2013, each of the N.W Region cluster districts signed a Memorandum of Agreement with Skagit CD annually defining the cluster operational procedures, roles and responsibilities for the engineering program. On October 25, 2012, the Puget Sound Conservation Districts entered into a PSCD Interlocal agreement that allowed staff sharing between the 12 Puget Sound Districts. At this time, Skagit CD (unilaterally) made a decision to use this PSCD Interlocal Agreement in place of the previous Memorandum of Agreement in order to satisfy their contract requirements between Skagit CD and WSCC. Since then, there has been no engineering cluster collaborative Board of Directors' oversight over the engineering program. We have not had meetings to plan and prioritize the cluster work, and we have not had consistent access, upon request, to the financial records related to funding for the engineer's position.

WICD has been meeting in good faith with Skagit, Whatcom and San Juan Conservation Districts, with the assistance of our WSCC Regional Manager - Shana Joy - in order to develop an agreement for operating the Northwest Region Engineering Cluster. The first request to begin

this process was made in May of 2014 by San Juan CD. We have yet to be successful in this endeavor.

We would like the WSCC Board to take the following action: **If an agreement between the districts cannot be successfully reached by June 15, 2016, the Northwest Engineering Cluster funding for FY17 will be divided into two allocations, 50% to Skagit and Whatcom CD to be administered by Skagit CD; and 50% to Whidbey Island and San Juan CD's to be administered by Whidbey Island CD.** In addition, we request that the WSCC Board consider allowing San Juan CD and Whidbey Island CD the option to hire local engineers when that option is the most cost effective, taking into consideration the cost of travel to the islands.

Thank you for your consideration of this request.

Sincerely,

Wendi Hilborn, Board Chair
Whidbey Island Conservation District

CC: Shana Joy, WSCC Puget Sound Regional Manager
Mark Clark, Executive Director, WSCC
Carolyn Kelly, District Manager, Skagit CD
Paul Blau, Chairman, Skagit CD
Linda Lyshall, District Manager, San Juan CD
Ron Zee, Chairman, San Juan CD
George Boggs, District Manager, Whatcom CD
Larry Davis, Chairman, Whatcom CD

Skagit Conservation District
2021 East College Way, Suite 203, Mount Vernon, WA 98273-2373
Phone: (360) 428-4313 - Fax: (360) 424-6172 - E-mail: skagitcd@skagitcd.org

May 4, 2016

Lynn Brown, Chairman
Washington State Conservation Commission

Dear Commissioner Brown:

As Manager of the administering district for the Northwest Region Engineering Cluster, I have been directed to provide clarification on a few issues raised in the letter submitted to you by Ron Zee, San Juan Islands Conservation District (SJICD), regarding the Cluster.

I'm sure you will remember the background behind district cluster engineers: the Washington State Engineering Board was concerned that conservation districts were illegally doing engineering work. Hence, funding was obtained to hire licensed professional engineers, and the clustering arrangement began.

We currently receive $75,000 per year from the WSCC to go towards paying the salary of our engineer. As an employee of the Skagit Conservation District (SCD), the balance of his salary is our responsibility. Under the current process, each of the four conservation districts in our cluster receives an initial allocation of engineering TIME at the beginning of the fiscal year, in order to insure that each district's highest priority projects have their engineering needs met. The "time/expense pot" is divided into fifths – with the last fifth designated to general program time that is expended by the engineer and spread across all districts, as well as to pay expenses such as supplies and travel. In addition, some of that remaining 20% is "banked" to allow the engineer latitude to complete projects for a district that might exceed their original time allocation. There is no "getting" of dollars by any districts. The SCD is allowed to charge overhead on salaries and benefits, in addition to being reimbursed for expenses just as on any other WSCC grant. Those are all costs of doing business. I have attached the most recent WSCC Engineering Grant accounting spreadsheet for your review.

Our partner districts are encouraged, however, to be creative in writing grants and working with other entities whereby they could receive extra engineering time by including it as a planned expense, and then compensating the SCD for extra hours.

Having said that, over the years, not each district has received an exact equal amount of time. Project needs ebbed and flowed. Some years a district received more time, some less. As per the attached spreadsheet, compiled by our engineer, you will note that, for example, through 3rd quarter FY 2016 SJICD actually utilized 158% of their allocation, Whatcom Conservation District (WCD) was higher as well, and Whidbey Island Conservation District (WICD) and SCD did not use as much.

I am not quite sure how or why or when this became an issue about dollars. It was always meant to be about filling a need and getting projects on the ground. As the spreadsheet also indicates, our engineer

Tom Slocum worked on many many projects within the limited time frame compensated by the grant. The grant in itself does not fully fund his entire salary, and we work with other partners on priority projects to fully fund this critical position. That too, is noted on the spreadsheet.

As to records management – Tom has provided each district with quarterly detailed information on the status of grant hours as per his workload reports, as indicated by the spreadsheet. Other than that, I don't know what type of detailed financial information the two districts involved would require. WSCC grant staff oversees our reimbursements and ensures all expenses are allowable. The State Auditor makes sure we are in full compliance with fiscal and programmatic rules and regulations.

It is unfortunate that it has taken time to get a new agreement finalized, but I would suggest that the problem of timeliness not be laid at WCD's door. When our cluster met in October 2015, the WICD and SJICD District Managers offered to provide a draft MOA of their creation, and WCD and SCD did not receive a draft until December 2015. At that time, all were in the middle of submissions and/or review of Near Term Action development for the Puget Sound Partnership and could not immediately respond. In addition, each district board meets at different times throughout a month, and review and recirculation of draft agreements can take quite awhile.

In regards to the cost-effectiveness of our engineering program and the expense involved, I attach for your information a recent job posting by San Juan Island County for a licensed engineer. Based on the experience required for that position, and the salary range, it appears our engineer is paid at the very low end of the scale at his current salary of $86,659.44.

We are proud of our engineering program and the services provided, and Tom Slocum, our engineer, is very highly thought of throughout the state. I am sure that any district would be hard pressed to find a licensed professional engineer for piece work at the nominal rate of $80.00/hour. However, if the WSCC chooses to allocate SJICD and/or WICD separate engineering funding to hire contracted licensed professional engineering assistance, we request, on behalf of SCD and WCD that the allocation of $75,000 continues to our two districts. You are only too aware of the volume of work associated with our salmon recovery, shellfish/clean water, and dairy/livestock programs as well as the increasing political, regulatory, and other antagonistic scrutiny that we and our producers are experiencing.

I am hopeful that I have been able to provide clarity to some of the issues raised. If I can provide additional information or be of further assistance, please do not hesitate to ask.

Regards,

Carolyn Kelly
Manager

CC: Shana Joy, Mark Clark, Lynn Bahrych, Paul Blau, Wendy Pare, Ron Zee, Larry Davis, Wendi Hilborn, Linda Lyshall, Karen Bishop, George Boggs

16-05-PE

SKAGIT PROFESSIONAL ENGINEERING BUDGET

Grant Effective Dates: 7/1/2015 through 6/30/2016

Grant Award	75,000.00
Utilized Funds	71,632.84
Funds Remaining	3,367.16
% of Dollars Spent	95.5%

Advance Payment(s)	18,750.00
Reconciled To Date	18,750.00
Remaining Amount	0.00

	Program Index	Budget	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Int. Outcome 1 -															
		$68,115.00													
Salaries & Benefits	10200		4,784.93	6,078.87	809.74	6,403.48	6,544.89	6,355.94	8,355.66	7,206.88	6,366.43				52,906.82
Travel	10200			100.05		407.93		136.73	276.01	150.12	162.25				1,233.09
Goods & Services	10200		26.54	219.27	131.41	68.07	17.15	31.00	174.91	55.32	24.66				748.33
Overhead	10200		1,196.23	1,519.72	202.44	1,600.87	1,636.22	1,588.99	2,088.92	1,801.72	1,591.61				13,226.72
Int. Outcome 2 -															
		$6,885.00													
Salaries & Benefits	10200														
Travel	10200														
Goods & Services	10200			1,112.13	703.75	1,702.00									3,517.88
Overhead	10200														
		$75,000.00	6,007.70	9,030.04	1,847.34	10,182.35	8,198.26	8,112.66	10,895.50	9,214.04	8,144.95				71,632.84
District Voucher Payments			0.00	0.00	0.00	8,317.43	8,198.26	8,112.66	10,895.50	9,214.04	8,144.95				**$52,882.84**
Advance Payments	**10200**	**$18,750.00**	18,750.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**$18,750.00**
Reconciled			6,007.70	9,030.04	1,847.34	1,864.92	0.00	0.00	0.00	0.00	0.00				**$18,750.00**
Remaining Advance Payments			12,742.30	3,712.26	1,864.92	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		**$0.00**
District Voucher Totals by Program Index															
	10200	$75,000.00	6,007.70	9,030.04	1,847.34	10,182.35	8,198.26	8,112.66	10,895.50	9,214.04	8,144.95				71,632.84
		$75,000.00	6,007.70	9,030.04	1,847.34	10,182.35	8,198.26	8,112.66	10,895.50	9,214.04	8,144.95				71,632.84

Skagit, 16-05-PE Amendments

Amendment #	Description	Date	Amount	Outcome #	Program Index
0	Budget Revision for I.O. 1 jf	4/7/2016	$115.00	1	10200
0	Budget Revision for I.O. 1 jf	4/7/2016	($115.00)	2	10200
		Total Amendments	**$0.00**		

Northwest Conservation District Engineering Program
Quarterly Workload Forecast

Quarter: Spring FY 2016

Funding Source	Conser-vation District	Total Hours Avail. for FY	Project	Hours Forecast for Quarter	Cumul. Actual Hrs. (entire FY)	% of Avail. hrs used
FY 2016 PE Grant	**SJICD**	170	ORS stormwater engineering	0	81.5	
			Willis Woodside Farm manure	0	20.5	
			Bailey drainage TA	0	2.5	
			SJ Co. Land Bank/False Bay Crk*	0	126	
			Johnston/Helen's Farm	0	10	
			Warm Valley Farm	0	8.5	
			West Beach Farm	0	7.5	
			Sunnyfield Farm	5	6	
			Kellogg/Free Horse Farm	5	6.5	
		Percent of available hours used to date:			269	**158%**
	SCD	170	Skagit Watershed Cncl TWG	6	30.5	
			WDFW Skagit Forks TA	0	4	
			WWAA/DID15 Irrigation	0	2.5	
			NOAA TFI Technical committee	0	0	
			SFEG general TA	0	4	
			DD21 Nookachamps mitigation	0	1.5	
			FFFI technical committee	0	0	
			WWAA general TA	0	1.5	
			Halverson water well bid docs	4	8.5	
			Jepperson FFFPP followup	0	12.5	
		Percent of available hours used to date:			65	**38%**
	WCD	170	Appel Farm floodgate	10	216	
			Lummi DNR Smuggler's Slough	0	4	
			WLT Landingstrip Creek EQIP	0	22	
			NW Washington Fair stormwater	0	6	
			WLT Maple Creek monitoring	0	1	
			CAO TA to Dan Brocker	0	8	
		Percent of available hours used to date:			257	**151%**
	WICD	170	Greenbank Beach Club***	0	23	
			Ebeys NPS-1	0	12.5	
			WCLT/WSDOT Dugualla Preserve	0	0	
			WCLT Dugualla lagoon	4	4.5	
			Sher culvert upgrades	16	43	
			NSF Cornet Bay monitoring	0	15	
		Percent of available hours used to date:			98	**58%**
	Program**	150		40	104	69%
Total PE Grant		**830**		**90**	**793**	**96%**
Other Funding Sources						
SRFB Review Panel Contract	NA	540		240	292	54%
Greenbank B&BC SRFB Grant	WICD	60		60	4.5	8%
NSF SHARP marine shoreline	WCD/SCD	40		0	21.5	54%
Skagit County Clean Water District	SCD	50		0	47	94%
WDFW Skagit Forks SRFB MOA	SCD	50		30	21	42%
Okanogan CD BAER	OCD	100		0	104	104%
SJ Co. Land Bank reimbursement	SJICD	20		20		0%
Totals		**1690**		**440**	**1283**	76%

Notes
*Hours include work by both Tom Slocum and Chris Clark
** Program refers to timesheets, grant reporting, training, project development, presentations, and other engineering program work not directly related to a specific project
***PE hours provided on the Greenbank Beach Club SRFB project to meet the SRFB grant's 15% match requirement

San Juan County, Washington

Is recruiting for

County Engineer

$83,363 - $108, 230

Plus Excellent Benefits

Open until filled

First Review – April 22, 2016

The Area

San Juan County is located in the northwest corner of Washington State, a scenic ferry ride from the mainland. The area enjoys more sunshine throughout the year and about half the rainfall of Seattle, thanks to the rain shadow effect of the Olympic Mountains. The islands are one of the best places to see Orca whales in the world, and are an outdoor enthusiast's dream for fishing, crabbing and shrimping. Boating (both Sailing and power) are popular in the Islands. Many people yearning for a more casual and balanced pace of life make the islands their home.

The Community

San Juan County, Washington was established as a part of the Washington Territory in 1873. San Juan is the smallest of Washington's 39 counties, with approximately 175 square miles of land areas and a total population of 15,900, including the 2,180 residents of the Town of Friday Harbor.

Getting to the San Juan Islands requires transportation by either Air or Water – you must take a ferry, an airplane/seaplane or private boat. The largest Islands in the County are San Juan, Orcas, Lopez and Shaw, all of which are served by the Washington State Ferry system. Several daily commercial flights are also available to San Juan and Orcas Islands. The nearest population centers are Vancouver, B.C., Bellingham, WA and Seattle, WA.

In San Juan County, 176 of the islands are large enough to be named. The islands' geology, carved by glaciers thousands of years ago, varies from flat farmland to small mountains. With more than 408 miles of rocky, gravel and sandy waterfront, the County boasts more shoreline than any other county in the U.S.

Principal economic activities for the County are tourism, construction and agriculture. Much of the commercial activity in San Juan County takes place in Lopez Village on Lopez Island, Eastsound on Orcas Island and the Town of Friday Harbor on San Juan Island. Several hamlets and a few resorts also provide good and services. Sprinkled throughout the islands are a variety of specialty retail shops, boutiques and a remarkable variety of restaurant, outdoor and marine centers, art galleries and studios, famers markets and historical sites and museums.

There are excellent K-12 public school districts on San Juan, Lopez and Orcas. On San Juan,

many activities are offered at a branch office of Skagit Valley Community College and Washington State University Extension Office. The University of Washington also has a large presence on San Juan conducting Marine research and other activities.

Island Life

While the Islands are truly spectacular in their beauty, living here has its challenges. Summertime tourist activity and wintertime ferry schedule reductions requires planning ahead. Major shopping is often accomplished on the mainland. Offsetting the rural Island travel limitations, islanders have been remarkably generous in creating quality theatre and arts centers on each of the main islands.

The San Juan's are a politically active, involved and giving community, with over 80% voter turnout, all with differing views. San Juan County has more Not-for-Profit organizations per capita than any County in the State. The voter approved Land Bank program preserves environmentally special lands for public enjoyment. The new hospital on San Juan Island was made possible in part through significant private donations.

The County

The County seat is Friday Harbor, incorporated in 1909, and located on San Juan Island. The County Council has both legislative and administrative authority, executed through the County Manager. The Council has three members, elected countywide but with residency from each of the three main island groups for San Juan, Orcas and Lopez areas.

San Juan County Government, in its role as an extension of the state, provides a wide range of services for its citizens, including law enforcement, criminal prosecution, property assessment and tax collection, licensing, community development and planning, health and community services, parks and public works. The County employs approximately 226 FTE's and has a total budget of $63,728,170 ($22,042,367 million in General Funds) for 2016.

The Position of County Engineer

Within the Public Works Department, the County Engineer, also serving as the Deputy Director, oversees the largest single program within the County, the Road Division. For 2016, the Division budget is set at $13,692,771. The County Engineer serves in the legal capacity required by the Revised Code of Washington (RCW) and is considered the subject matter expert on Transportation within the County government, offering technical expertise both internally and externally. The Roads Division is comprised of both Engineering Staff and Operations personnel, fulfilling the duties of planning, designing construction and maintaining the County's transportation system. Somewhat unique to San Juan County is the need for Marine facilities. The Public Works Department owns and maintains several docks. The County operates only a single utility the Stormwater program. It is a separate program within Public Works and the County Engineer works closely with that group for road drainage.

The County Engineer is responsible for planning, budgeting and expending the dedicated County Road fund in accordance with Washington State Law. Several reports related to the appropriate expenditure of funds are required by the County Road Administration Board annually. Successful adherence to the correct expenditure is required to remain eligible for receipt of Gas Tax proceeds and some grant fund opportunities.

Challenges for the County Engineer

- As with many jurisdictions, infrastructure needs outweigh the available funds. As a result, heavy pressure for competing demands exists.
- For the next few years, a very aggressive Capital Program awaits delivery.
- The citizens of the County are often times divided as to support for a project or program.
- Many retirements within the Department (and Division) are anticipated within the next 5 years.
- Executing work in the Islands is challenging. With no State highway system, we are reliant upon marine transit to conduct most operations. Availability of construction materials and a competitive contracting community are both hurdles that need to be recognized.
- County Roads exist on 7 of the islands, only 4 of which are served by the State Ferry system.

Ideal Candidate

The County is searching for a balanced professional, one with excellent technical skills, combined with great interpersonal skills, ability to communicate to a variety of audiences, experienced working with budgets and presentations, and is not averse to quick decision-making.

We are seeking an open minded, service and solution oriented individual with the needs of the community at the forefront of their work. The County Engineer must be a collaborative and resourceful manager who both seeks input but can guide and discuss issues with staff and peers alike. The County Engineer must be able to professionally interact with private contractors, various consultants and utility interests. The position directly supervises 6-7 professionals, with indirect oversight of 34 staff. The County Engineer reports directly to the Public Works director, and acts as the Director when assigned.

Experience, Education and Qualifications

- Requires a Bachelor's Degree in Civil Engineering or equivalent degree and a current registration in the State of Washington as a licensed professional engineer (P.E.), and
- A minimum of five years' experience (10 years desired) working as an engineer in the transportation field (road/bridge design, traffic engineering, transportation planning) with increasingly responsible experience in civil engineering and at least three years (five years desired) serving in a supervisory capacity.
- Experience working as a licensed professional engineer for a public sector employer.
- Understanding of County Surveyor duties and responsibilities.

Compensation

- $83,363-$108,230 annual salary DOQ
- Paid vacation
- Paid holidays
- Sick leave accrual
- Comprehensive Medical insurance with vision and prescription drug benefits
- Dental insurance
- Washington State PERS Retirements
- The County currently contributes to employee's Health Savings Account or HRA each year.

Application Materials desired by:

The incumbent County Engineer is retiring in early June. Ideally the selected candidate will have 1- 2 weeks of turnover. While this is an "Open until filled" process, first review of applications is scheduled for April 22, 2016.

MEMORANDUM OF AGREEMENT
AMENDMENT #1
BY AND BETWEEN
SKAGIT CONSERVATION DISTRICT
AND
SAN JUAN ISLANDS CONSERVATION DISTRICT

The above mentioned agreement is amended as follows:

A. The term of the Agreement has been extended to June 30, 2015.

This amendment shall be effective as of July 1, 2012.

IN WITNESS WHEREOF: SKAGIT CONSERVATION DISTRICT AND SAN JUAN ISLANDS CONSERVATION DISTRICT have signed this amendment.

San Juan Islands Conservation District
Friday Harbor, Washington

Shannon Hoffman
by ~~Peter Walmsley~~, Chair
Shannon Hoffman

Skagit Conservation District
Mount Vernon, Washington

Janet E. McRae
by Janet McRae, Chair

RECEIVED
JUL 19 2012
SKAGIT
CONSERVATION DISTRICT

Skagit Conservation District
2021 East College Way, Suite 203, Mount Vernon, WA 98273-2373
Phone: (360) 428-4313 - Fax: (360) 424-6172 - E-mail: skagitcd@skagitcd.org

May 5, 2016

Lynn Brown, Chairman
Washington State Conservation Commission

Dear Commissioner Brown:

As Manager of the administering district for the Northwest Region Engineering Cluster, I have been directed to provide clarification on issues raised in the letter submitted to you by Wendi Hilborn, Chair, Whidbey Island Conservation District (WICD).

Ms. Hilborn is correct that we have been operating without a current Memorandum of Agreement (MOA). We at Skagit Conservation District (SCD) realized that at the beginning of the current fiscal year and began to institute plans to remedy the situation. Due to everyone's extremely busy schedules it took us several months to get all participating representatives together, but we did meet in October 2015.

What is in question is when our last MOA expired. Please see attachments which demonstrate that our MOA with Whatcom Conservation District (WCD) expired on June 30, 2015, and that our MOA with San Juan Islands Conservation District (SJICD) was extended by amendment and did not expire until June 30, 2015. Our record of actions from the SCD Board meeting in July of 2012 indicate that the WICD MOA was amended at the same time as SJICD, but I apologize that I cannot readily find the hard copy in the files. However, in the spirit of expediency I wish to address the concerns raised while we search files.

There appears to be a misunderstanding regarding the use of the Puget Sound Conservation District Interlocal Agreement in substitute of a new Engineering MOA. The SCD recognized we could not use that in perpetuity in lieu of a MOA. What it did allow us, however, was the ability to provide a SCD employee, Tom Slocum, to work outside SCD boundaries in the interim of the development of a new agreement, and SCD would be in compliance with applicable RCWs.

As I stated in my letter to you dated May 4, 2016, the SCD has worked to address the WICD and SJICD concerns regarding the MOA. But again, I will stress, that at our October 2015 Engineering Cluster meeting, the WICD and SJICD Managers volunteered to craft the first version of a new MOA, and it was not shared with WCD or SCD until December 2015. Subsequent versions of same have been circulated for review and revision. We held an additional meeting to discuss the MOA further, but to my knowledge the latest version as prepared by Shana Joy with suggested edits by WCD and SCD received no responsive comments from the other two districts.

As to financial records requests and consistent access, our Engineer has sent regular updates to each cluster district regarding how his time was being allocated across the cluster (please refer to attachment). It must be realized that the WSCC Engineering Grant pays for only a portion of the Engineer's salary. If the other districts wished to see a numerical accounting of how much additional funding the SCD secured to provide fiscal stability to this position, that was not made clear to either myself or my Board of Supervisors. However the other funding sources the SCD has secured to enable to keep Tom on as a full time employee were indicated in

the spreadsheet, as well as funding sources from partnering districts, which made it possible for Tom to accomplish additional work for those districts. I am not understanding how all SCD records of all SCD grants and contracts which underwrite Tom's salary as an SCD employee, outside of the cluster arrangement, are germane to the discussion.

In regards to planning and prioritizing the cluster workload - yes, it would have been best to have met more frequently. However, the scope of what our discussion would encompass could be open for debate, in regards to oversight of the program and planning and prioritizing. I would mention two things for your consideration. First I would reiterate that Tom is only funded partially to provide service to the Engineering Cluster. In order to have him be available to us all for the past 15+ years, it has been the responsibility of the SCD to backfill the position with additional funding sources, independent of the WSCC Engineering Grant. Those other funding sources have contractual requirements which must be met as well. In spite of the numerous calls upon his time, I think it must be recognized and applauded that he has done an outstanding job of meeting the plethora of needs of four very diverse conservation districts. (Again, please refer to the spreadsheet, which documents the number of projects he has attended to.)

My second point is that at the SCD Tom is considered an extremely capable employee with professional level skills and has been afforded the respect to be treated as such. He has been vested with quite a bit of independent responsibility to manage an extremely large work load. I, or anyone else, would be hard pressed to find fault with how he has accomplished this within the context of "available time, money, and energy." He has consistently tried to meet everyone's top priority needs in a timely fashion.

We at the SCD are proud of the service Tom has provided not only to the Engineering Cluster, but across the state over the years. We also recognize that there is always more work to do than time available. Increasing engineering capacity has been a high priority for many of the conservation districts across the state.

It is apparent that others do not concur. I will reiterate as stated in my letter of 5/04/16 "If the WSCC chooses to allocate SJICD and/or WICD separate engineering funding to hire contracted licensed professional engineering assistance, we request, on behalf of SCD and WCD, that the allocation of $75,000 continues to our two districts. You are only too aware of the volume of work associated with our salmon recovery, shellfish/clean water, and dairy/livestock programs as well as the increasing political, regulatory, and other antagonistic scrutiny that we and our producers are experiencing."

If I can provide additional information or assistance, please do not hesitate to ask.

Regards,

Carolyn Kelly
Manager

CC: Shana Joy, Mark Clark, Lynn Bahrych, Paul Blau, Wendy Pare, Ron Zee, Larry Davis, Wendi Hilborn, Linda Lyshall, Karen Bishop, George Boggs

Whatcom Conservation District

6975 Hannegan Road, Lynden, WA 98264 Phone: (360) 526-2381 Fax: (360) 354-4678
e-mail: wcd@whatcomcd.org

May 9, 2016

Via Email & US Mail
Commissioners
Washington State Conservation Commission
C/O Lynn Brown, Chair
PO Box 47721
Olympia, WA 98504-7721

RE: NW Cluster Engineer

Honorable Commissioners:

As you are aware through correspondence from the San Juan County, Whidbey Island and Skagit Conservation Districts, there is a dispute regarding the provision of engineering services. The Board of the Whatcom CD does not believe this to be insurmountable, were the parties required to negotiate as the best alternative to the dissolution of the cluster. We urge the Commission to affirm the requirement that districts either avail themselves of a State funded cluster engineer or find another source of funds to accommodate their expectations.

The cluster engineering model remains the only cost-effective way that conservation districts can comply with state law regarding the design of structural practices. To hire an outside professional triples the cost. While contracting for engineering services can make assistance more available to those who fail to plan ahead, it can't help but reduce the amount of conservation on the ground.

Tom Slocum has proved to be an invaluable asset to Whatcom CD. (See enclosed letters from two of our closest partners.) He is also extremely valuable to our sister cluster districts, as evidenced in the report showing his accomplishments provided earlier to you by Skagit CD. To be that productive requires that districts submit work requests early. Once he makes commitments to provide services, those services cannot easily be suspended without negatively impacting others who are relying on his performance. There is variability within any particular year as to the amount of time each district receives. However, our cluster engineer has over a biennium fairly served each district that has held up its end. In support, please see the report showing that San Juan County CD has received 158% of its allocation.

It is also important to note that engineers are not just employees who can be dictated to by non-engineers. They must exercise their professional judgement as to the delivery

Board of Supervisors: Larry Davis Richard Yoder Daniel Heeringa Joseph Heller Larry Helm

of engineering services. While Whatcom CD has not experienced a problem, it isn't surprising that a district manager with a more controlling management style would find themselves at odds with an engineer.

Our attorney spent considerable time revising the cluster engineering interlocal agreement to accommodate the reasonable expectations of equals. The other districts were invited to participate via conference call when our Board considered the matter, but declined. Larry Helm has been appointed as the Whatcom CD representative and is prepared to negotiate with the other districts. We believe that a Washington State Dispute Resolution Center can economically provide skilled, independent mediators to help us craft a final version with which all districts can live. At the end of the day, there are no problems that cannot be worked out through mediation, if the parties understand that opting out comes at a cost. If the Commission has extra money for engineering then it should fully fund our cluster engineering position. By not having to contract his time out to others, there would be more time available to the districts.

Thank you for your consideration of this matter.

Respectfully,

Larry Davis, Chair
Whatcom CD

Cc: Ron Zee, SJCCD Chair; Linda Lyshall SJCCD Manager
Wendi Hilborn, WICD Chair; Karen Bishop WICD Manager
Paul Blau, SCD chair; Carolyn Kelly, SCD Manager
Mark Clark, WSCC Executive Director; Shana Joy WSCC Puget Sound Manager

Enclosures (3)

Memorandum of Agreement
Skagit Conservation District
and
Whatcom Conservation District

THIS AGREEMENT is made and entered into between the Skagit Conservation District (Skagit) and the Whatcom Conservation District (Whatcom).

WHEREAS, Skagit and Whatcom have jurisdiction to enter into this agreement in order to carry out programs for conservation of renewable natural resources within their respective districts; and

WHEREAS, the Skagit and Whatcom are developing and implementing common natural resource enhancement, restoration, and protection programs; and

WHEREAS, working cooperatively on these programs can greatly aid in their overall quality, efficiency and economy.

NOW, THEREFORE, in consideration of the mutual benefits to be derived from this agreement, Skagit and Whatcom agree as follows:

1. Shared Personnel: From time-to-time, Whatcom and Skagit expect that they may require additional or have excess staff.
    a. The managers of the two districts, may share employees to achieve their district's respective program goals on a short term basis (up to one month) without prior board authorization.
    b. Both Boards must, by resolution, consent to a sharing arrangement beyond one month at their next regularly scheduled meeting.
    c. The lending district shall:
        i. Continue to be the employer of the shared employee;
        ii. Pay the salary and benefits of the shared employee;
        iii. Submit a monthly invoice by the 5th of each month billing the borrowing district at the shared employee's composite rate.
    d. The borrowing district shall:
        i. Reimburse the lending district at the shared employee's composite rate within 25 days of receipt of an invoice;
        ii. Provide day-to-day oversight over the shared employee;
        iii. Provide a suitable work area and vehicle for travel (or provide mileage reimbursement) to/from the borrowing district and cooperator worksite.

3. Work Across County Lines: To facilitate efficient and effective delivery of technical assistance to residents within watersheds that cross county lines:
    a. Whatcom delegates to Skagit, and Skagit agrees to accept, the responsibility to provide technical assistance to the landowners of WRIA

#3, Lower Samish and WRIA #4, Upper Skagit rives that lie within Whatcom County.

b. Skagit delegates to Whatcom, and Whatcom agrees to accept, the responsibility to provide technical assistance to the landowners in WRIA #1, South Fork of the Nooksack River that lies within Skagit County.

c. The district may work within these delegated watersheds as if they were within their own respective district boundaries.

4. Professional Engineer Grant Oversight: Skagit is designated as the "Administrating District" for the engineering cluster of Skagit, Whatcom, Whidbey and San Juan Districts.

a. As the Administering District Skagit agrees to:

i. Enter into a grant contract with the Conservation Commission, the purpose of which is to hire and support a professional engineer;

ii. House the professional engineer, and provide the necessary staff support for this position;

iii. Participate on the Board of Directors providing general oversight over the professional engineer;

iv. Maintain minutes of Board of Directors meetings and distribute them to the partnering districts and to the Conservation Commission. The administering district shall also maintain other records as required in its grant contract with the Commission;

v. Hire the professional engineer as its employee and provided day-to-day oversight over his activities.

b. Whatcom agrees to provide oversight for those projects that are considered "Whatcom" projects because they lie within Whatcom County.

5. Termination: Either party may terminate this agreement by giving the other written notice by fax or mail, to the appropriate address as noted below:

Skagit Conservation District
2021 E. College Way, Suite 203
Mount Vernon, WA 98273
(360)428-4313

Whatcom Conservation District
6975 Hannegan Road
Lynden, WA 98264
(360)354-4678

6. Records Maintenance: The Whatcom and the Skagit Districts shall each maintain books, records, documents, and other evidence that sufficiently and properly reflect all direct and indirect costs expended by either party in the performance of the services described herein. Records will be available to cluster Districts upon request.

7. Indemnification: Each party shall defend, protect, and hold harmless the other party from and against all claims, suits and/or actions arising from any negligent or intentional act or omission of that party's employees, agents, and/or authorized subcontractor(s) while performing this agreement. The actions of the professional engineer are deemed to be those of the district responsible for the project he was working on that gave rise to the claim.

8. Agreement Alterations and Amendments: Whatcom and Skagit may mutually amend this agreement. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind Whatcom and Skagit.

9. All Writings Contained Herein: This Agreement contains all the terms and conditions agreed upon by the parties relative to staff sharing. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind any of the parties hereto.

10. Governance: This agreement is entered into pursuant to and under the authority granted conservation districts by RCW 89.08.220(9) (the Conservation Districts law) and by RCW 39.34.060 (the Interlocal Cooperation Act). The provisions of this agreement shall be construed to conform to those laws. In the event of an inconsistency in the terms of this agreement, or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

i. Applicable state and federal statutes and rules;
ii. Any other provisions of the agreement, including materials incorporated by reference.

11. Effective Date: The effective date of this agreement is July 1, 2010 and will expire on June 30, 2015 unless terminated earlier at the written election of either District.

Whatcom Conservation District	Skagit Conservation District
Joe Heller	Janet E. McRae
by Joe Heller, Chair	by Janet R. McRae, Chair

NOOKSACK SALMON ENHANCEMENT ASSOCIATION

May 10, 2016

To Whom It May Concern:

This is a letter of recommendation for Tom Slocum's work with the Nooksack Salmon Enhancement Association (NSEA). Over the past 20 years NSEA has partnered with the Whatcom Conservation District on many Salmon Habitat Restoration Projects in Whatcom County. Multiple projects involved the removal of fish passage barriers and instream habitat restoration. The efforts of Tom Slocum from the Skagit Conservation District office have made many of these projects feasible. Tom has a great understanding of stream habitat restoration. His dedication to salmon recovery and his attention to detail has made him a pleasure to work him, and we certainly hope that he is available to assist with this important work in the future. If you have any questions or would like samples of the projects he has been involved in please do not hesitate to call.

Yours Sincerely,

Darrell Gray
NSEA Project Manager

3057 E. BAKERVIEW ROAD · BELLINGHAM WA · 98226-7694
PHONE 360 – 715 – 0283 · FAX 360 – 715 - 0282

WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT

JON HUTCHINGS
DIRECTOR

RIVER AND FLOOD
322 N. Commercial Street, Suite 120
Bellingham, WA 98225-4042
Phone: (360) 778-6230
Fax: (360) 778-6231
www.whatcomcounty.us

May 10, 2016

George Boggs
Executive Director
Whatcom Conservation District
6975 Hannegan Road
Lynden, Washington 98264

Dear George:

I am writing in response to your request for feedback on our experience working with Tom Slocum on the Appel flood gate project.

The Whatcom County River & Flood Division is working with Tom on a culvert replacement project with a self-regulating flood gate on the Nooksack River. Due to work load constraints, the River & Flood could not have undertaken this project without the help of Tom and the Conservation District. During the design, Tom has taken the lead and organized various aspects of the project including coordination with various permitting agencies, the tidegate manufacturer, geotechnical consultants, the land owner, and our River & Flood group to develop his design. Tom has always been professional, courteous, and timely in his correspondence by phone and email. During site visits, Tom presented himself as sensible and practical, clearly drawing on his previous engineering experience. He recently completed a 30% design set for the culvert replacement project. For 30% designs, the plan set was complete and allowed a thorough review; only minor comments were provided.

We greatly appreciate Tom's assistance with this project as well as your willingness to enable him to use the time allocated to your office in helping us with the design. We hope to continue working with you and your staff on similar projects in the future.

Sincerely,

Paula J Harris

Paula J-Cooper Harris, PE
River and Flood Manager

Attachment C

Okanogan Conservation District
1251 S. Second Ave, Room 102 Okanogan, WA 98840

May 4, 2016

Lynn Brown
Washington State Conservation Commission
PO Box 407721
Olympia, WA 98840-7721

Re: Interagency Burned Area Emergency Response Team Coordination.

Dear Commissioner Brown,

The Okanogan Conservation District Board of Supervisors directed me to request that the Washington State Conservation Commission take over the support and coordination of the interagency Burned Area Emergency Response Team (iBAER) functions our District has done for the past two years. We believe that a coordinated emergency burn evaluation team for state and private lands is a critical service that should be provided in specific cases to identify post wildfire dangers that may not otherwise identified.

The Okanogan Conservation District successfully deployed post-wildfire multi-disciplined teams to evaluate burn severity and potential structures at risk. These teams have followed the burn severity evaluation process developed by the USDA Forest Service and USDI Bureau of Land Management known as the Burned Area Emergency Response teams. These teams are comprised of several scientific disciplines such as soil scientists, hydrologists, engineers, archeologists, biologists, and more.

The teams have been comprised of conservation district, state agency, federal agency, and tribal agency staff members. The reports and analyses developed by the three teams organized to date have been extensively used by the local conservation districts, state agencies, and emergency management officials to prioritize wildfire recovery actions. Support for a state managed team is high.

I will be in attendance at the May 2016 Conservation Commission meeting where I can answer questions or provide additional input if necessary. Okanogan CD staff will be happy to help support the development of a team and the process necessary to establish how the team is organized and functions based upon our experiences to date.

Sincerely,

Craig T. Nelson
District Manager

Attachment D

Washington State
Conservation Commission

May 19, 2016

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Jon K. Culp

SUBJECT: Irrigation Efficiency Technical Assistance Allocation Recommendation for the Coming Fiscal Year.

The following is the staff recommendation for an adjusted allocation of technical assistance to districts for the Irrigation Efficiencies Grants Program:

	FY 16	FY 17	Biennial Total
Cascadia	8,800	18,800	27,600
Clallam	49,856	49,856	99,711
Columbia	3,660	3,660	7,320
Kittitas County	25,860	25,860	51,720
North Yakima	38,055	8,055	46,110
Okanogan	23,500	23,500	47,000
Underwood	6,000	6,000	12,000
Walla Walla County	48,856	48,856	97,711
Technical Assistance Total			$389,172

These adjustments were based on program performance and anticipated project related workload in the coming fiscal year.

Staff Contact: Jon Culp, Program Manager jculp@scc.wa.gov

WSCC Firewise Programmatic Guidelines

May 10, 2016

Program Background:

Increasing frequency and severity of wildfires in Washington State, increasing populations in rural and suburban areas, and drought, make it vitally important that private landowners be prepared for wildfire. The Firewise program is an educational program providing important information for private landowners and communities about actions they can take to prepare for and prevent damage from wildfire.

Historically conservation districts have been an important local provider of Firewise program information to landowners/homeowners as well as assistance to implement Firewise recommended practices and fuels reduction. In previous years funding for this work has been provided to conservation districts through DNR. In the 2016 legislative session the WSCC was provided $1,000,000 for conservation districts to implement Firewise program activities. Funding is for the current 2015-17 biennium only with no guarantee for future funding.

These guidelines detail rules for the WSCC Firewise program, describe the cost share policy, funding criteria, reporting, and the vouchering process requirements.

Program Rules:

- Funds will be allocated all at once and as soon as possible. However, if funds are turned back, additional allocations may be made at a later date. Districts shall complete a project proposal form (to be built in Formstack) in order to apply for funds. A deadline for project proposals to be submitted to the Commission will be established and will be no fewer than 15 business days from the time notice is provided to conservation districts that the window has opened to submit proposals.
- All work including cost share projects must be complete by June 30, 2017.
- This program utilizes operating funds appropriated directly to the Commission by the legislature specifically for conservation districts to implement Firewise.
- Districts may apply for funds individually or in groups. Districts are limited to participation in one proposal.
- Funding is limited to $50,000 per proposal regardless if a proposal includes one district or multiple districts.
- Proposals may include: all Firewise recommended practices, cost-share with landowners for fuels reduction work, installing signage for homes and evacuation routes, conducting homeowner/landowner Firewise risk assessments, assisting landowners/communities

with implementing recommendations based on Firewise assessments, outreach and education to landowners within current or potentially new Firewise communities, mentoring neighboring districts with capacity building for existing staff/outreach assistance/on the ground projects implementation.

Cost Share Policy:

- The maximum cost share per landowner per fiscal year is $50,000.
- Cost share projects must be entered into CPDS (similar to cost share projects funded under an implementation grant) and cost share contracts must be printed from the CPDS system.
- All cost share projects must adhere to the Commission's policy on cultural resources located here: http://scc.wa.gov/cultural-resources-2/. Exemptions may exist for projects that are not ground-disturbing.
- Cultural resource costs are awarded on a case by case basis in addition to the initial proposal funding.

Funding Criteria:

- Projects should be located in high priority areas identified in Community Wildfire Protection Plans or in high risk areas identified in conjunction with local stakeholders (regional DNR staff, local fire districts, etc…).
    - Districts may refer to a county hazard mitigation plan that indicates implementing Firewise is a priority for their county.
    - Districts may also refer to long-range and annual work plans that identify Firewise as a priority.
- Project proposals should include on-the-ground work implementing Firewise recommended practices and fuels reduction. Chipping biomass for fuels reduction is encouraged to reduce local concerns about air quality from burning.
- Outreach and education efforts should focus on: recognition of new Firewise communities, continuing recognition of existing Firewise communities, and growing participation of individual landowners within existing Firewise communities.
- Districts are highly encouraged to leverage funds and other resources with local entities/agencies.
- Districts are highly encouraged to partner with local stakeholders and regional DNR staff.
- Districts are encouraged to work together and mentor each other to build local and regional capacity to educate and assist landowners through Firewise.

Reporting:

- Districts must describe in project proposals how the district will track measureable accomplishments under this program such as: acres treated, number of landowners assisted, number and names of new Firewise communities, number and names of re-recognized Firewise communities, number of Firewise risk assessments completed, growth of participation in existing Firewise communities, and chipper-hours provided to landowners/communities.
- Each district allocated funds must provide a descriptive report with measurable accomplishments such as those listed above no later than July 31, 2017. A format/template for this report will be provided by the Commission.

Vouchering Process:

- Monthly grant vouchers are required.
- Refer to the Grants and Contract Procedures Manual for more detailed information about vouchering http://scc.wa.gov/grants-and-finance/gp-manuals/.

Potential Decision Packages for the 2017-19 Biennium

Current Program Decision Packages

Irrigation Efficiencies

The Water Irrigation Efficiencies Program is a statewide effort to improve how water is delivered and used on agricultural lands. These activities provide multiple state benefits; the most significant is to meet our goals of providing water for people, farms, and fish. Projects funded through the Water Irrigation Efficiencies Program provide improved on–farm water application so water use is more efficient, while still allowing the producer to grow crops. Program funding is also used to improve water conveyance to reduce loss of water through leakage and evaporation. Water saved in this program is placed into the state Trust Water Right Program for instream purposes. Funds are pass–through to allow Ecology overall coordination of the statewide Water Irrigation Efficiencies Program, in collaboration with the goals of the Columbia River Water Supply Development Program. This includes not only the Columbia River Water Supply Development Program activities, but also irrigation projects outside the Columbia River Water Supply Development Program area, and projects developed and implemented by the conservation districts.

RCPP

Capital funding would be requested to provide continuing match funds for state RCPP projects. Previous biennium funding was $5 million for three projects. The 2017-19 biennium will need to fund one additional project (Spokane).

CREP

CREP funding consists of two elements:

- Cost Share: The riparian cost share funding sought in this request will provide the state match for federal funding. The state will provide 10% to match the federal 90% contribution.
- Contract: Funding in this proposal will support CREP contract development and implementation.

Shellfish

Initially funded in the 2013-15 biennial capital budget ($4.5 million) and again in the 2015-17 biennial capital budget ($4 million). Ongoing closures of shellfish growing areas in Puget Sound and along the Pacific coast indicate continuing problems in water quality. With concerns over the impacts of ocean acidification on shellfish, all natural resource issues impacting shellfish need to be addressed to support the resiliency of shellfish production. Funding supports a process of focused project implementation to improve water quality, address invasive species, and expand shellfish growing areas. This proposal will continue this targeted approach to drive measurable resource improvement.

Non-shellfish

This package will protect and restore natural resources while maintaining a viable agricultural industry by limiting the transportation of sediment, nutrients (nitrogen and phosphorous), and pathogens to our ground, surface water, and air. Activities funded will also improve soil health by enhancing the capacity of soil to function as a vital living ecosystem that sustains plants, animals, and humans. The package also will generate agricultural water savings through carefully planned and implemented practices across the state that improve in-stream flows and water quality, and conserve energy.

Engineering

Conservation district professional engineers are an essential piece of the conservation delivery system. Without the engineers on staff at conservation districts project design and implementation would not be completed. Projects from every local, state, and federal, entity that relies on the conservation district services would be delayed and substantially more expensive. Engineers at the district level provide oversight to conservation district planners and technicians; ensure timely and efficient services to landowners for implementation of practices. Engineering is required and necessary to implement capital budget projects leading to increases in job creation and retention.

Monitoring

The success of many of the programs implemented by the conservation districts and SCC will be demonstrated through monitoring. This includes monitoring the implementation of farm plans; evaluating the effectiveness of BMPs; and monitoring the natural resource condition to be addressed for both baseline and status trends. These monitoring efforts combine to help answer the question "is what we're doing working?"

Funding in this decision package will support the development of these monitoring programs, which will include engagement with conservation districts as well as a variety of state, federal, and local governments, tribes, NGOs, and research institutions. Funding will also support the implementation of monitoring programs designed by these collaborative efforts.

VSP / VSP-like

The Voluntary Stewardship Program (VSP) is the result of a negotiated process to address issues involving impacts to critical areas from agricultural activities. VSP is part of the state Growth Management Act (GMA) and provides an alternative path for counties to address these issues. There are 27 counties opted in to the VSP. Funding in this proposal will support the development and implementation of county VSP work plans.

CRM / Issues Facilitation

Conservation Commission staff are asked to facilitate a variety of multi-entity discussions at the state and local level. The issues are of interest to the SCC and conservation districts. There are opportunities for more facilitation of local area discussions as well as opportunities for proactive facilitation of meetings between various state agencies led by the Commission to address state coordination on specific issues. Funding in the decision package would be to support these additional efforts.

Other Decision Packages

Group 1

Forest and Range Health / Fire Suppression / Defensible Space

Scientific models for climate change impacts in the Pacific Northwest indicate weather patterns will change to a hotter and dryer climate exacerbating fire risk. This budget request supports the continuation and acceleration of activities to assist local communities, homeowners, and landowners with efforts to maximize healthier and more productive landscapes and more fire resilient communities. These efforts will not only save money, they will protect lives, structures, landscapes, and livelihoods.

In this funding package, the Conservation Commission and conservation districts will address the growing problem of unhealthy private forest and rangelands, as well as the associated and growing threat of wildfire and its impact on natural resources and private property by working with conservation districts and their communities, to as well as state and federal agencies through public education, technical assistance and on the ground treatment through best management practice implementation to restore our forests and range lands.

Emergency Response / Disaster Training

Conservation districts serve a unique role in their local community after a natural disaster. In the short term, Districts are the only local government entity whose sole purpose after a disaster is to work with landowners to conduct damage assessments on private lands and to identify available recovery resources. Districts also organize initial natural resource recovery efforts among a variety of local, state, and federal government agencies. In the long term, Districts serve to coordinate natural resource conservation restoration efforts on both public and private land. Districts are the only local government entity to work directly with local landowners on a voluntary, non-regulatory basis to effectuate natural resource recovery conservation work on private lands.

Currently, conservation districts do not have staff trained in disaster recovery principals or programs, which reduces their effectiveness and response time during disasters. Related to Puget Sound Partnership Action Agenda

Group 2

Focused Area Planning

Incentive-based programs are currently implemented with willing landowners across the landscape. Although this approach is most effective in building landowner engagement and commitment to the practices, it may not address the natural resource concerns at a larger geographic scale. There is increasing concern that natural resource issues, such as water quality and habitat protection and restoration, are not being addressed through incentive-based programs. The current approach to implementing incentive programs by engaging willing landowners is not intended to change the entire watershed, but to address inputs on one specific parcel.

This proposed decision package would provide additional resources to conservation districts to implement incentive-based programs in an approach that takes into consideration the natural resource condition of a geographic area, such as a sub-basin or watershed. With this

funding, conservation district staff would proactively provide outreach to landowners in the area and offer incentive programs where needed. Conservation districts would also track where practices are implemented by landowners in the target area.
The Conservation Commission would work with other state and federal agencies, tribes, and local governments to monitor the condition of the targeted natural resource objective. This monitoring would show whether the overall implementation of the practices was achieving the broader natural resource objective.

Non-CREP Riparian

This decision package proposes funding for a state-based riparian easement program that does not rely on federal CREP funding from FSA. The state funding would be used to support riparian protection with landowners with easements for either a term of years or a permanent easement.

Livestock TA – NEW NAME: Landowner Outreach for Resource Conservation

Several biennia ago funding was provided to the SCC for additional conservation district technical assistance work with livestock producers. Although the legislature has not provided this funding for the past few biennia, the work was important enough that the Commission has found ways to fund the program with existing funds. This approach is no longer sustainable. Also, new opportunities have come up for more proactive approaches by conservation districts to provide technical assistance to landowners in a way that will address areas of most critical needs. These would in particular be locations where there have been landowner impacts to natural resources.

In this decision package, additional funds are requested to support new, enhanced outreach efforts by conservation districts to assist landowners. This outreach would be over and above conservation district ongoing and existing work. These additional resource will result in more landowner contacts and increased BMP implementation at the most critical locations.

Soil Health and Soil Erosion

Funding in this decision package would support partnerships with a variety of entities to help farmers utilize soil health and water quality improving practices to mitigate long term risk, drought effects, and climate change impacts on farms throughout Washington. This will be done through adaptation of proven soil health improving practices, focusing on cover crops.

Many farmers have become increasingly interested in cover crops and improved soil health to meet long-term production goals. Unfortunately, most information on cover crops is based in the Midwest and is marginally applicable to the unique weather in Washington, particularly with the impacts of climate change and altered precipitation patterns. Small projects are making headway, but a regional approach which educates farmers on soil health, provides cost share to allow farmers to try cover crops on their farm, and research to aid decision making by farmers and agricultural professionals is necessary.

This program will provide cost share for over farmers to plant cover crops and companion crops; support soil health education and outreach to farmers and ag professionals; conduct field tours; and share information about the project via social media.

Endangered Species

Several conservation districts have engaged in proactive efforts to provide technical assistance to landowners to address endangered species issues. These species vary from salmon and salmon habitat protection, to wolves and range management, and sage grouse. One example is the Foster Creek conservation district. The sage grouse has avoided federal ESA listing in part due to efforts like Foster Creek CD, who recently entered into an HCP for the protection of the species. The district is working with landowners to implement landowner plans to protect the species habitat in a manner that works for the landowner. In return the landowners avoid the possibility of more onerous restriction on land management should the species be listed. But these activities are staff intensive and require additional funding to implement. This decision package will support district implementation of landowner technical assistance.

Invasive Species / Noxious Weeds

Important habitats and farmable lands are increasingly threatened by invasive species and noxious weeds. Both native and non-native, these plant and animal species can undermine efforts at habitat restoration by overcoming newly planted vegetation. Invasive species and weeds can also inundate farmland and farm infrastructure jeopardizing agricultural operations. Noxious weeds can take over drainage ditches and make them inoperable, and over-abundant native species such as burrowing shrimp can destroy farmable land making it useless for production.

This decision package will provide additional resources for conservation district who identify specific invasive species and noxious weed concerns and have specific plans for working with landowners to address these issues. Measurable targets for acres treated and landowners implementing practices will be required.

Group 3

Stormwater

Stormwater runoff is a significant natural resource concern because it is the primary conveyance system for pollutants impacting Puget Sound waters. The use of "Green Stormwater Infrastructure" (GSI) strategies to address runoff is now understood as one of the most efficient, effective and multi-benefit approaches to dealing with stormwater. Funding requested will support implementation of stormwater and low impact development (LID) related projects.

Conservation districts will implement projects in 7 priority areas will be completed and funding will be invested in the implementation of state-wide priority projects developed in partnership with cities, counties, local integrating organizations (LIOs), and others. Also with the requested funding a regional coordination system will be developed leveraging effective and efficient use of resources and the sharing of best practices.

This investment will maximize effective use of engineering and design resources; will establish effective outreach and public engagement strategies; will enable behavior change; and will ultimately realize on-the-ground projects that protect Puget Sound water resources.

Water Quality and Quantity

Recent experiences with drought taught us there is much that can be done to assist landowners with water conservation measures before the next drought. These measures will prepare landowners for water restrictions, which are likely to be more frequent given climate change models. These models also predict altered precipitation patters with rain coming less frequently but with greater intensity when it does rain. Patterns will also cause greater snowfall in the winter months but faster melt in the spring. These circumstances may require the use of storage options or other water management techniques to provide water later into the summer. These precipitation patters, with heavier rain events and altered stream flows, can also cause greater risk of sedimentation due to high volumes of water. Higher stream flows can also damage installed riparian restoration structures.

This decision package will provide resources to conservation districts to provide technical assistance to landowners to develop improved farm plans to anticipate these water resource issues. Funding would also be used to cost share on BMPs to provide water efficiencies and other infrastructure to address changing precipitation patterns.

Marine Shorelines

Many coastal and marine conservation districts currently provide landowner technical assistance on issues relating to bank stabilization, marine shoreline restoration, and bulkhead removal. The restoration of marine shorelines through these practices is a critical priority for Puget Sound restoration and salmon recovery. This decision package would provide funding for conservation district capacity to provide these technical services and for selected projects through cost share.

Group 4

Outreach & Education (K-12)

Ongoing education efforts by many conservation districts has demonstrated the effectiveness of engaging with kids in the K-12 school system. There's an opportunity to build on this success through collaboration with other entities to expand conservation district educational expertise to other school districts. Increased emphasis on STEM learning requirements in the schools also creates an opportunity to expand upon the role of conservation districts. Funding in this decision package will support this expanded district engagement.

Group 5

Energy / Climate

The USDA has emphasized the importance of energy efficiency programs for farmers as an effective tool for reducing farmer costs while addressing the increasing demands for sustainable energy production. We are also increasingly experiencing the impacts of climate change on our natural resources, with the most visible impacts being increased wildfire danger and more severe droughts.

The funding in this decision package will implement and support conservation district technical assistance capacity to assist landowners with energy assessments and implement

practices to more efficiently use energy. Funding will also support SCC engagement in climate discussions and work with conservation districts and other entities to develop approaches to make landowners more resilient to the potential changes.

Air Quality

Air emissions from agricultural operations are a significant concern around facilities with a large number of animals, and around operations in eastern Washington. Funding in this decision package will support conservation district capacity to provide technical assistance to landowners to implement BMPs to reduce and control air emissions and dust.

Group 6

Food System / Small Farms

A key component to ensuring farmers can stay on the land is to have vibrant markets for their products. If farmers are making money farming, they will stay on the land. Profitable farming will also attract new farmers. Increasing trends in interest in local foods creates an opportunity for improving the economic viability of farms, particularly of smaller farms. These farms are more reliant on local market opportunities. Conservation districts are ideally situated to provide information to farmers on market opportunities. In fact, many conservation districts are involved at the local level in food policy issues. Food policy is also an issue gaining in importance for urban legislators and local governments.

Funding in this decision package will support continued SCC and OFP engagement and leadership on food policy and food system issues. It will also support conservation district engagement at the local level. The SCC and OFP will also work with conservation districts and other entities to identify and implement approaches to enhance the viability of small farms.

Farmland Preservation

The Office of Farmland Preservation (OFP) was established at the SCC in 2007 with the specific purpose of identifying and addressing the factors contributing to the loss of farmland. Among the many tools OFP uses to address the loss of farmland, conservation easements are proving to be increasingly popular. Current funding for these easements at both the state and federal levels has been insufficient to meet the needs. Furthermore, criteria used in existing state programs tends to focus on habitat and environmental elements over maintaining the farm in agricultural production.

Funding in this decision package will support the development of the existing statutory provision in the SCC statute for agricultural conservation easements. Funding will also provide for specific easement acquisitions in the next biennium.

Vets on the Farm

Developed at Spokane Conservation District, Vets on the Farm is an innovative program to help our veterans by providing them with opportunities to work and own their own farm. The success of the program in Spokane, and the interest of veterans groups and the state Department of Veterans Affairs points to the opportunity to expand this program statewide. Funding in this decision package will provide for the development and expansion of such a statewide program.

Attachment G

Conservation District Election Results:

District:	Election:	Supervisor Elect	Supervisor Elect	Supervisor Elect	ARI	Observed
Adams	26-Jan-16	Ronald	John	Hennings	Y	
Asotin County	3-Mar-16	Levi	Richard	Luhn	Y	
Benton	9-Mar-16	Michael		Crowder		
Cascadia	19-Jan-16	James		Bartelme		
Central Klickitat	16-Feb-16	Doug		Miller	Y	
Clallam	8-Mar-16	Joseph	F.	Murray		
Clark	3-Mar-16	Steven	D.	Keirn	Y	
Columbia	21-Jan-16	David	W.	Carlton	Y	
Cowlitz	24-Mar-16	John		Keatley	Y	
Eastern Klickitat	11-Feb-16	Ronald	D.	Juris		
Ferry	23-Mar-16	Dave	Steven	Konz	Y	
Foster Creek	26-Jan-16	Wade		Troutman	Y	
Franklin	10-Mar-16	Mark	J.	Wieseler		
Grant	9-Feb-16	Glenn	Eugene	Burkholder	Y	
Grays Harbor	19-Feb-16	Steve	E	Hallstrom	Y	
Jefferson County	2-Mar-16	Mike		McFadden	Y	
King	23-Feb-16	Max		Prinsen	Y	
Kitsap	25-Mar-16	Nikki	M	Johanson	Y	
Kittitas County	9-Feb-16	Mark	A	Moore	Y	
Lewis County	10-Mar-16	Delores	Ann	Tuning	Y	
Lincoln County	10-Feb-16	Mike	B.	Carstensen	Y	
Mason	20-Feb-16	Myron		Ougendal	Y	
North Yakima	31-Mar-16	George		Cameron	Y	
Okanogan	9-Feb-16	Steven	B	Colvin	Y	
Pacific	2-Mar-16	Bob		Falkner	Y	
Palouse	9-Feb-16	Joan		Folwell	Y	
Palouse Rock Lake	17-Feb-16	Thomas	R.	Kucklick	Y	
Pend Oreille	21-Mar-16	David	Joseph	Marcell	Y	
Pierce	23-Mar-16	Sheila	A	Wynn	Y	
Pine Creek	23-Mar-16	Tom		Henning	Y	
Pomeroy	1-Feb-16	Paul	H.	Weimer	Y	
San Juan Islands	2-Feb-16	Henning		Sehmsdorf	Y	
Skagit	22-Mar-16	Eben		Twaddle		
Snohomish	15-Mar-16	Steven	John	Van Valkenburg	Y	
South Douglas	26-Jan-16	Willliam	Eddie	Greer	Y	
South Yakima	30-Mar-16	Jim		Newhouse	Y	
Spokane	8-Mar-16	Jaki	Anne	Shrauger		Y
Stevens County	18-Feb-16	John		Dawson	Y	
Thurston	5-Mar-16	Thomas	Aslan	Meade		Y
Underwood	16-Feb-16	Todd	Anthony	Hill		
Wahkiakum	16-Mar-16	Joe		Florek Jr	Y	
Walla Walla County	28-Jan-16	James	P	Kent	Y	
Whatcom	15-Mar-16	Theresa		Sygitowicz		
Whidbey Island	2-Feb-16	Tim	J	Keohane	Y	
Whitman	9-Feb-16	John	Corwin	Aeschliman	Y	

"ARI" means the district automatically re-elected their incumbent.

Attachment H

Description:
Staff recommends the following distribution of technical assistance funds based on relative program size. Lump sum districts are shown in light yellow and have already been funded.

District	FY 17
Asotin County	Lump Sum
Benton	$1,074.93
Central Klickitat	$930.63
Clallam	$57,934.26
Clark	$10,715.35
Columbia	$49,289.12
Cowlitz	$6,374.93
Grays Harbor	Lump Sum
Jefferson County	$69,319.62
King	$66,882.20
Kitsap	$1,612.40
Kittitas County	$906.47
Lewis County	$107,802.79
Mason	$29,132.20
Okanogan	$9,246.47
Pacific	Lump Sum
Palouse	Lump Sum
Palouse-Rock Lake	$10,600.00
Pierce	$1,074.93
Pine Creek	$21,200.00
Pomeroy	$45,297.93
Skagit	$135,939.79
Snohomish	Lump Sum
South Yakima	$1,127.40
Thurston	Lump Sum
Underwood	$537.47
Wahkiakum	$17,717.13
Walla Walla County	$128,060.45
Whatcom	$322,953.03
Whitman	$1,074.93
Total	$1,096,804.43

Washington State
Conservation Commission

July 21, 2016

TO: Conservation Commission Members

FROM: Mark Clark, Executive Director

SUBJECT: Attendance at the National Association of Conservation Districts SW and Pacific Region Meeting

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Summary:

The National Association of Conservation Districts is holding their regional meeting in Sacramento, California September 14-16, 2016.

Action Requested:

Seeking approval for Executive Director and WSCC Chair attendance.

Staff Contact:

Director Mark Clark at email: mclark@scc.wa.gov

TAB 2

State Conservation Commission Agency Summary FYTD as of June 2016

(Including Commissioners Expenses)

Fiscal Year to Date as of 7/13/2016

Category	Fiscal Year to Date Allotment	Fiscal Year to Date Expenditures	Fiscal Year to Date Variance
Salaries and Wages	1,128,313	1,116,167	12,146
Employee Benefits	413,924	395,008	18,916
Goods and Other Services	321,790	301,052	20,738
Professional Service Contracts	161,000	100,895	60,105
Travel	168,231	176,215	(7,984)
Capital Outlays	0	4,211	(4,211)
Grants, Benefits & Client Services	4,883,754	5,322,102	(438,348)
Interagency Reimbursements	(313,012)	(1,127,813)	814,801
Sum:	**6,764,000**	**6,287,837**	**476,163**

*We expect this to close out at $0.00, once all outstanding invoices and vouchers have been received and paid.

Budget Approved 5/19/2016 by Commission Members	SCC Proposed Allocations for Operations, Grants, & Contracts	
	Appropriation FY17	
	General Fund & Other Funds	
	7,298,000	
SCC Operations	Proposed FY17	% of Total Appropriation
SCC Salaries & Benefits	1,583,875	21.70%
Goods & Services	706,977	9.69%
Travel	236,979	3.25%
Equipment	5,500	0.08%
Subtotal SCC Operations	2,533,331	34.71%
SCC Grant Programs & Contacts	Proposed FY17	% of Total Appropriation
Implementation Grants	3,828,929	52.47%
Engineering Grants	675,000	9.25%
TSP Grants	350,000	4.80%
Technical Training Group	248,000	3.40%
District Services	138,500	1.90%
WACD	65,000	0.89%
WADE Training	20,000	0.27%
Envirothon	10,000	0.14%
Ag Forestry	5,000	0.07%
Subtotal SCC Grant Programs & Contracts	5,340,429	73.18%
TOTAL	7,873,760	107.89%
Difference Between Appropriation & Proposed Budget	575,760	7.89%
Anticipated Reimbursements	576,000	7.89%
Total with Anticipated Reimbursements	7,297,760	100.00%
Difference Between Appropriation & Proposed Budget w/ Anticipated Reimbursements	240	0.00%
LiveStock TA	667,955	

Additional Awarded to Districts FY16

Date	District	Grant	$	Reason for
06/14/16	Asotin	16-48-IM	$ 7,000.00	Enclosed Trailer
06/14/16	Cascadia	16-20-IM	$ 2,363.00	Computer & Software
06/14/16	Central Klickitat	16-34-IM	$ 7,000.00	Computer & Software
06/14/16	Clallam	16-01-IM	$ 7,000.00	District Operations
06/03/16	Clark	16-18-IM	$ 12,000.00	District Operations
06/14/16	Clark	16-18-IM	$ 4,000.00	Copier/Printer
06/23/16	Clark	16-18-IM	$ 5,000.00	Envirothon
06/14/16	Eastern Klickitat	16-35-IM	$ 3,000.00	District Operations
06/14/16	Ferry	16-36-IM	$ 1,100.00	Hatch Turbidity Meter
06/14/16	Foster Creek	16-21-IM	$ 2,650.00	Project IMP Douglas Creek
06/14/16	Franklin	16-33-IM	$ 600.00	2 Computers
06/14/16	Grant	16-49-IM	$ 3,836.00	STEM Books & Chillers
06/03/16	Jefferson	16-02-IM	$ 9,000.00	District Operations
06/14/16	King	16-09-IM	$ 7,000.00	District Operations
06/14/16	Kitsap	16-08-IM	$ 7,000.00	Server
06/14/16	Kittitas	16-28-IM	$ 7,000.00	District Operations
06/03/16	Lewis	16-15-PE	$ 19,938.75	Truck
06/14/16	Lewis	16-15-IM	$ 6,000.00	District Operations
06/14/16	Lincoln	16-39-IM	$ 3,000.00	Education & Outreach
06/14/16	Mason	16-12-IM	$ 7,000.00	Equipment for Engineers
06/14/16	Okanogan	16-19-IM	$ 7,000.00	District Operations
06/14/16	Palouse	16-43-IM	$ 7,000.00	Printer/Copier
06/14/16	Palouse Rock Lake	16-41-IM	$ 800.00	Aerial Drone
06/14/16	Pend Oreille	16-38-IM	$ 2,165.00	Spiegel Releskop
06/14/16	Pierce	16-10-IM	$ 7,000.00	Computer & Software
06/14/16	Pine Creek	16-42-IM	$ 3,000.00	Trimble R1 GPS
06/14/16	San Juan	16-03-IM	$ 3,250.00	District Operations
06/14/16	Skagit	16-05-IM	$ 1,727.00	District Operations
06/14/16	Snohomish	16-07-IM	$ 7,000.00	Computer & Software
06/14/16	Spokane	16-40-IM	$ 6,000.00	Irrigation @ Vets Farm
06/23/16	Spokane	16-40-IM	$ 7,900.00	Food & Farm Expo
06/14/16	Stevens	16-37-IM	$ 3,700.00	District Operations
06/14/16	Thurston	16-13-IM	$ 1,100.00	HeartStart Defibrillator
06/14/16	Underwood	16-31-IM	$ 1,200.00	Waders & Eye Protection
06/14/16	Walla Walla	16-45-IM	$ 7,000.00	District Operations
06/14/16	Whatcom	16-04-IM	$ 4,935.00	Microsoft Pro Upgrades
06/03/16	Whidbey Island	16-06-IM	$ 15,000.00	District Operations
06/14/16	Whitman	16-44-IM	$ 1,737.00	District Operations
Total			**$ 209,001.75**	

We had 34 districts take advantage of some additional funding to upgrade their QuickBooks/BIAS Financial Systems for a total of $11,643.89.

We had 26 individuals from 23 districts travel to Olympia in May for a 2 day QuickBooks training, we allowed districts to be reimbursed for up to $500.00 for any expenditures associated with sending the staff to the training. The total cost of the training and reimbursement to the districts was $16,667.79.

Washington State
Conservation Commission

July 13, 2016

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Ron Shultz, WSCC Policy Director

SUBJECT: 2017-19 Decision Package Status

Background: At the May Commission meeting, staff was directed to consolidate the number of proposed decision packages for the 2017-19 budget. The number of packages has been reduced and work is proceeding on development of the packages. This memo describes the status of those packages.

Requested Action: Information only.

Discussion:

Commission staff are currently in the process of building the 2017-19 operating and capital budget proposals. This process began at the April 20-21 meeting with conservation districts in Ellensburg. At that meeting, district were presented with the array of possible decision packages for funding requests. The list included activities already underway at the Commission, ideas developed for the previous budget submittal (in 2014 for the current biennium), and other new ideas.

This list was presented to the Commission at the May meeting in Goldendale and included the following:

1. Irrigation Efficiencies
2. RCPP
3. CREP
4. Shellfish
5. Non-shellfish
6. Engineering
7. Monitoring
8. VSP
9. CRM / Issues Facilitation
10. Forest and Range Health / Fire Suppression / Defensible Space
11. Emergency Response / Disaster Training
12. Focused Area Planning
13. Non-CREP Riparian
14. Livestock TA – NEW NAME: Conservation Technical Assistance

15. Soil Health and Soil Erosion
16. Endangered Species
17. Invasive Species / Noxious Weeds
18. Stormwater
19. Water Quality and Quantity
20. Marine Shorelines
21. Outreach & Education (K-12)
22. Energy / Climate
23. Air Quality
24. Food System / Small Farms
25. Farmland Preservation
26. Vets on the Farm

A description of each of these proposals is attached.

At the May 2016 Commission meeting, staff proposed an approach to group the decision packages. After discussion, the Commission did not take a position on the proposed grouping or on the items on the list. However, the Commission did direct staff to reduce the number of decision packages.

Staff reviewed the list and the possible grouping options and have reduced the number of decision packages by combining several packages together. The current list of decision packages under develop are as follows:

Decision packages that are a continuation of ongoing Commission activities and district funding:

1. Irrigation Efficiencies - capital via ECY
2. RCPP - capital
3. CREP - capital
4. Shellfish - capital
5. Non-shellfish - capital
6. Engineering – capital (?)
7. Monitoring – capital (might be incorporated into another package)
8. VSP - operating
9. CRM / Issues Facilitation – operating (might be incorporated into another package)

The remaining proposals were grouped and consolidated as follows – the items in BOLD are the new decision packages; the items listed underneath these are the proposed decision packages consolidated into the new:

Natural Resource Disaster Preparedness and Recovery

- Emergency Disaster Training
- Fire Recovery / Flood Recovery / Disaster Recovery
- Firewise / Defensible Space
- Forest Health (for fire resiliency)

Conservation Technical Assistance (formerly just livestock TA)

- Focused Watershed Planning
- Resource Assessments (at parcel and watershed scales)
- Conservation / Farm Planning / Forest Management & Rangeland Planning
- VSP-like counties and CD involvement
- Non-CREP Riparian
- Marine Shorelines
- Invasive species/noxious weeds
- Endangered Species
- Forest Health (for habitat purposes)
- Air Quality
- Stormwater (urban/suburban runoff & pollutants focused)
- Water Conservation & Irrigation Efficiencies
- Soil Health & Soil Erosion

Working Lands Viability

- Energy Conservation / Climate Adaptation & Resiliency
- Food System / Small Farms
- Farmland Preservation
- Vets on the Farm

Outreach and Education (K-12)

Current Process: Commission staff leads have been identified for each decision package. Meetings with subgroups of district staff to assist in the writing of the decision packages are being held. Templates for decision packages, directions for completing the packages, and lists of agency performance measures and other required components have been distributed to the decision package leads.

Current Program Decision Packages

Irrigation Efficiencies

The Water Irrigation Efficiencies Program is a statewide effort to improve how water is delivered and used on agricultural lands. These activities provide multiple state benefits; the most significant is to meet our goals of providing water for people, farms, and fish. Projects funded through the Water Irrigation Efficiencies Program provide improved on–farm water application so water use is more efficient, while still allowing the producer to grow crops. Program funding is also used to improve water conveyance to reduce loss of water through leakage and evaporation. Water saved in this program is placed into the state Trust Water Right Program for instream purposes. Funds are pass–through to allow Ecology overall coordination of the statewide Water Irrigation Efficiencies Program, in collaboration with the goals of the Columbia River Water Supply Development Program. This includes not only the Columbia River Water Supply Development Program activities, but also irrigation projects outside the Columbia River Water Supply Development Program area, and projects developed and implemented by the conservation districts.

RCPP

Capital funding would be requested to provide continuing match funds for state RCPP projects. Previous biennium funding was $5 million for three projects. The 2017-19 biennium will need to fund one additional project (Spokane).

CREP

CREP funding consists of two elements:

- Cost Share: The riparian cost share funding sought in this request will provide the state match for federal funding. The state will provide 10% to match the federal 90% contribution.
- Contract: Funding in this proposal will support CREP contract development and implementation.

Shellfish

Initially funded in the 2013-15 biennial capital budget ($4.5 million) and again in the 2015-17 biennial capital budget ($4 million). Ongoing closures of shellfish growing areas in Puget Sound and along the Pacific coast indicate continuing problems in water quality. With concerns over the impacts of ocean acidification on shellfish, all natural resource issues impacting shellfish need to be addressed to support the resiliency of shellfish production. Funding supports a process of focused project implementation to improve water quality, address invasive species, and expand shellfish growing areas. This proposal will continue this targeted approach to drive measurable resource improvement.

Non-shellfish

This package will protect and restore natural resources while maintaining a viable agricultural industry by limiting the transportation of sediment, nutrients (nitrogen and phosphorous), and pathogens to our ground, surface water, and air. Activities funded will also improve soil health by enhancing the capacity of soil to function as a vital living ecosystem that sustains plants, animals, and humans. The package also will generate agricultural water savings through carefully planned and implemented practices across the state that improve in-stream flows and water quality, and conserve energy.

Engineering

Conservation district professional engineers are an essential piece of the conservation delivery system. Without the engineers on staff at conservation districts project design and implementation would not be completed. Projects from every local, state, and federal, entity that relies on the conservation district services would be delayed and substantially more expensive. Engineers at the district level provide oversight to conservation district planners and technicians; ensure timely and efficient services to landowners for implementation of practices. Engineering is required and necessary to implement capital budget projects leading to increases in job creation and retention.

Monitoring

The success of many of the programs implemented by the conservation districts and SCC will be demonstrated through monitoring. This includes monitoring the implementation of farm plans; evaluating the effectiveness of BMPs; and monitoring the natural resource condition to be addressed for both baseline and status trends. These monitoring efforts combine to help answer the question “is what we’re doing working?” Funding in this decision package will support the development of these monitoring programs, which will include engagement with conservation districts as well as a variety of state, federal, and local governments, tribes, NGOs, and research institutions. Funding will also support the implementation of monitoring programs designed by these collaborative efforts.

VSP / VSP-like

The Voluntary Stewardship Program (VSP) is the result of a negotiated process to address issues involving impacts to critical areas from agricultural activities. VSP is part of the state Growth Management Act (GMA) and provides an alternative path for counties to address these issues. There are 27 counties opted in to the VSP. Funding in this proposal will support the development and implementation of county VSP work plans.

CRM / Issues Facilitation

Conservation Commission staff are asked to facilitate a variety of multi-entity discussions at the state and local level. The issues are of interest to the SCC and conservation districts. There are opportunities for more facilitation of local area discussions as well as opportunities for proactive facilitation of meetings between various state agencies led by the Commission to address state coordination on specific issues. Funding in the decision package would be to support these additional efforts.

Other Decision Packages

Forest and Range Health / Fire Suppression / Defensible Space

Scientific models for climate change impacts in the Pacific Northwest indicate weather patterns will change to a hotter and dryer climate exacerbating fire risk. This budget request supports the continuation and acceleration of activities to assist local communities, homeowners, and landowners with efforts to maximize healthier and more productive landscapes and more fire resilient communities. These efforts will not only save money, they will protect lives, structures, landscapes, and livelihoods.

In this funding package, the Conservation Commission and conservation districts will address the growing problem of unhealthy private forest and rangelands, as well as the associated and growing threat of wildfire and its impact on natural resources and private property by working with conservation districts and their communities, to as well as state and federal agencies through public education, technical assistance and on the ground treatment through best management practice implementation to restore our forests and range lands.

Emergency Response / Disaster Training

Conservation districts serve a unique role in their local community after a natural disaster. In the short term, Districts are the only local government entity whose sole purpose after a disaster is to work with landowners to conduct damage assessments on private lands and to identify available recovery resources. Districts also organize initial natural resource recovery efforts among a variety of local, state, and federal government agencies. In the long term, Districts serve to coordinate natural resource conservation restoration efforts on both public and private land. Districts are the only local government entity to work directly with local landowners on a voluntary, non-regulatory basis to effectuate natural resource recovery conservation work on private lands.

Currently, conservation districts do not have staff trained in disaster recovery principals or programs, which reduces their effectiveness and response time during disasters. Related to Puget Sound Partnership Action Agenda

Focused Area Planning

Incentive-based programs are currently implemented with willing landowners across the landscape. Although this approach is most effective in building landowner engagement and commitment to the practices, it may not address the natural resource concerns at a larger geographic scale. There is increasing concern that natural resource issues, such as water quality and habitat protection and restoration, are not being addressed through incentive-based programs. The current approach to implementing incentive programs by engaging willing landowners is not intended to change the entire watershed, but to address inputs on one specific parcel.

This proposed decision package would provide additional resources to conservation districts to implement incentive-based programs in an approach that takes into consideration the natural resource condition of a geographic area, such as a sub-basin or watershed. With this funding, conservation district staff would proactively provide outreach to landowners in the area and offer incentive programs where needed. Conservation districts would also track where practices are implemented by landowners in the target area.

The Conservation Commission would work with other state and federal agencies, tribes, and local governments to monitor the condition of the targeted natural resource

objective. This monitoring would show whether the overall implementation of the practices was achieving the broader natural resource objective.

Non-CREP Riparian

This decision package proposes funding for a state-based riparian easement program that does not rely on federal CREP funding from FSA. The state funding would be used to support riparian protection with landowners with easements for either a term of years or a permanent easement.

Livestock TA – NEW NAME: Landowner Outreach for Resource Conservation

Several biennia ago funding was provided to the SCC for additional conservation district technical assistance work with livestock producers. Although the legislature has not provided this funding for the past few biennia, the work was important enough that the Commission has found ways to fund the program with existing funds. This approach is no longer sustainable. Also, new opportunities have come up for more proactive approaches by conservation districts to provide technical assistance to landowners in a way that will address areas of most critical needs. These would in particular be locations where there have been landowner impacts to natural resources.

In this decision package, additional funds are requested to support new, enhanced outreach efforts by conservation districts to assist landowners. This outreach would be over and above conservation district ongoing and existing work. These additional resource will result in more landowner contacts and increased BMP implementation at the most critical locations.

Soil Health and Soil Erosion

Funding in this decision package would support partnerships with a variety of entities to help farmers utilize soil health and water quality improving practices to mitigate long term risk, drought effects, and climate change impacts on farms throughout Washington. This will be done through adaptation of proven soil health improving practices, focusing on cover crops.

Many farmers have become increasingly interested in cover crops and improved soil health to meet long-term production goals. Unfortunately, most information on cover crops is based in the Midwest and is marginally applicable to the unique weather in Washington, particularly with the impacts of climate change and altered precipitation patterns. Small projects are making headway, but a regional approach which educates farmers on soil health, provides cost share to allow farmers to try cover crops on their farm, and research to aid decision making by farmers and agricultural professionals is necessary.

This program will provide cost share for over farmers to plant cover crops and companion crops; support soil health education and outreach to farmers and ag professionals; conduct field tours; and share information about the project via social media.

Endangered Species

Several conservation districts have engaged in proactive efforts to provide technical assistance to landowners to address endangered species issues. These species vary from salmon and salmon habitat protection, to wolves and range management, and sage grouse. One example is the Foster Creek conservation district. The sage grouse has avoided federal ESA listing in part due to efforts like Foster Creek CD, who recently

entered into an HCP for the protection of the species. The district is working with landowners to implement landowner plans to protect the species habitat in a manner that works for the landowner. In return the landowners avoid the possibility of more onerous restriction on land management should the species be listed.
But these activities are staff intensive and require additional funding to implement. This decision package will support district implementation of landowner technical assistance.

Invasive Species / Noxious Weeds

Important habitats and farmable lands are increasingly threatened by invasive species and noxious weeds. Both native and non-native, these plant and animal species can undermine efforts at habitat restoration by overcoming newly planted vegetation. Invasive species and weeds can also inundate farmland and farm infrastructure jeopardizing agricultural operations. Noxious weeds can take over drainage ditches and make them inoperable, and over-abundant native species such as burrowing shrimp can destroy farmable land making it useless for production.

This decision package will provide additional resources for conservation district who identify specific invasive species and noxious weed concerns and have specific plans for working with landowners to address these issues. Measurable targets for acres treated and landowners implementing practices will be required.

Stormwater

Stormwater runoff is a significant natural resource concern because it is the primary conveyance system for pollutants impacting Puget Sound waters. The use of “Green Stormwater Infrastructure” (GSI) strategies to address runoff is now understood as one of the most efficient, effective and multi-benefit approaches to dealing with stormwater. Funding requested will support implementation of stormwater and low impact development (LID) related projects.

Conservation districts will implement projects in 7 priority areas will be completed and funding will be invested in the implementation of state-wide priority projects developed in partnership with cities, counties, local integrating organizations (LIOs), and others. Also with the requested funding a regional coordination system will be developed leveraging effective and efficient use of resources and the sharing of best practices.

This investment will maximize effective use of engineering and design resources; will establish effective outreach and public engagement strategies; will enable behavior change; and will ultimately realize on-the-ground projects that protect Puget Sound water resources.

Water Quality and Quantity

Recent experiences with drought taught us there is much that can be done to assist landowners with water conservation measures before the next drought. These measures will prepare landowners for water restrictions, which are likely to be more frequent given climate change models. These models also predict altered precipitation patters with rain coming less frequently but with greater intensity when it does rain. Patterns will also cause greater snowfall in the winter months but faster melt in the spring. These circumstances may require the use of storage options or other water management techniques to provide water later into the summer.

These precipitation patters, with heavier rain events and altered stream flows, can also cause greater risk of sedimentation due to high volumes of water. Higher stream flows can also damage installed riparian restoration structures.

This decision package will provide resources to conservation districts to provide technical assistance to landowners to develop improved farm plans to anticipate these water resource issues. Funding would also be used to cost share on BMPs to provide water efficiencies and other infrastructure to address changing precipitation patterns.

Marine Shorelines

Many coastal and marine conservation districts currently provide landowner technical assistance on issues relating to bank stabilization, marine shoreline restoration, and bulkhead removal. The restoration of marine shorelines through these practices is a critical priority for Puget Sound restoration and salmon recovery. This decision package would provide funding for conservation district capacity to provide these technical services and for selected projects through cost share.

Outreach & Education (K-12)

Ongoing education efforts by many conservation districts has demonstrated the effectiveness of engaging with kids in the K-12 school system. There's an opportunity to build on this success through collaboration with other entities to expand conservation district educational expertise to other school districts. Increased emphasis on STEM learning requirements in the schools also creates an opportunity to expand upon the role of conservation districts. Funding in this decision package will support this expanded district engagement.

Energy / Climate

The USDA has emphasized the importance of energy efficiency programs for farmers as an effective tool for reducing farmer costs while addressing the increasing demands for sustainable energy production. We are also increasingly experiencing the impacts of climate change on our natural resources, with the most visible impacts being increased wildfire danger and more severe droughts.

The funding in this decision package will implement and support conservation district technical assistance capacity to assist landowners with energy assessments and implement practices to more efficiently use energy. Funding will also support SCC engagement in climate discussions and work with conservation districts and other entities to develop approaches to make landowners more resilient to the potential changes.

Air Quality

Air emissions from agricultural operations are a significant concern around facilities with a large number of animals, and around operations in eastern Washington. Funding in this decision package will support conservation district capacity to provide technical assistance to landowners to implement BMPs to reduce and control air emissions and dust.

Food System / Small Farms

A key component to ensuring farmers can stay on the land is to have vibrant markets for their products. If farmers are making money farming, they will stay on the land. Profitable farming will also attract new farmers. Increasing trends in interest in local foods creates an opportunity for improving the economic viability of farms, particularly of

smaller farms. These farms are more reliant on local market opportunities. Conservation districts are ideally situated to provide information to farmers on market opportunities. In fact, many conservation districts are involved at the local level in food policy issues. Food policy is also an issue gaining in importance for urban legislators and local governments.

Funding in this decision package will support continued SCC and OFP engagement and leadership on food policy and food system issues. It will also support conservation district engagement at the local level. The SCC and OFP will also work with conservation districts and other entities to identify and implement approaches to enhance the viability of small farms.

Farmland Preservation

The Office of Farmland Preservation (OFP) was established at the SCC in 2007 with the specific purpose of identifying and addressing the factors contributing to the loss of farmland. Among the many tools OFP uses to address the loss of farmland, conservation easements are proving to be increasingly popular. Current funding for these easements at both the state and federal levels has been insufficient to meet the needs. Furthermore, criteria used in existing state programs tends to focus on habitat and environmental elements over maintaining the farm in agricultural production.

Funding in this decision package will support the development of the existing statutory provision in the SCC statute for agricultural conservation easements. Funding will also provide for specific easement acquisitions in the next biennium.

Vets on the Farm

Developed at Spokane Conservation District, Vets on the Farm is an innovative program to help our veterans by providing them with opportunities to work and own their own farm. The success of the program in Spokane, and the interest of veterans groups and the state Department of Veterans Affairs points to the opportunity to expand this program statewide. Funding in this decision package will provide for the development and expansion of such a statewide program.

TAB 3

Washington State
Conservation Commission

July 21, 2016

To: Mark Clark, Executive Director
Conservation Commission Members

FROM: Lori Gonzalez, Executive Assistant
Bill Eller, Elections Officer

SUBJECT: Conservation District Mid-term Appointed Applications

Summary: The Conservation Commission received four Conservation District Appointed Supervisor Applications after the March 31, 2016 deadline. After the full term appointments were made in May, these are now considered 'mid-term' appointments, effective July 21, 2016 to May 17, 2019.

All applications were sent to Commissioner Larry Cochran, elected representative for the east region, and Commissioner Lynn Brown, elected representative in the central region to assist in vetting the Palouse Conservation District application received.

Applicant names were also submitted to the Department of Agriculture and Department of Ecology for further review. No concerns were reported.

A recommendation will be given by each regional member for your consideration at the regular business meeting on July 21, 2016 in Westport, Washington.

Below is a listing of the districts showing the incumbent and the names of the applicants.

Action requested: Appoint applicants as recommended and discussed to the appropriate conservation district board of supervisors. These will be mid-term appointments ending May 2019.

East Applications for Appointed Supervisor: Commissioner Larry Cochran

Conservation District	Applicant Name	Incumbent
Columbia	Clayton Hutchens	Clayton Hutchens
Ferry	Tina Matney	Elaine Preston
Pomeroy	Beau Blachly	Lee Blachly

East Application for Appointed Supervisor: Commissioner Lynn Brown

Conservation District	Applicant Name	Incumbent
Palouse	Mark Whitmore	Mark Whitmore

Washington State
Conservation Commission

July 21, 2016

TO: Commission Members
Mark Clark, Executive Director

FROM: Bill Eller, Election Officer / Regional Manager

SUBJECT: Proposed Amendments to Conservation District Election forms and manual

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Summary:
After the success of transitioning most of the election forms to electronic forms, staff proposes combining five election forms into just two. Combining these forms would necessitate some revisions in the Election Manual. Staff brings these to you for your review, input, revision, adoption and comment period before the September Commission meeting. Final adoption in September would allow the changes to be effective for the 2016-2017 election cycle (the next cycle).

Staff recommendation:
Staff recommends that the Commission propose to adopt the amended manual and forms for the 2016-2017 election cycle. Attached to this memo is the draft Election and Appointment Manual with proposed edits, and the revised election forms are available at these two links (EF1, EF2).

Action:
Staff recommends adoption (after review, input, and revision (if need be) of the amended Election and Appointment Manual so that the adopted, proposed changes can be published to conservation districts per regular policy adoption procedures. Districts would then have time to make comments before final adoption in September. In September, the Commissioners would be presented with a final version of the changes for adoption in time for their use during the 2016-2017 election cycle.

Background:
The Commission is authorized in Chapter 89.08.190 Revised Code of Washington to establish conservation district election procedures: "The Commission shall establish procedures for elections, canvass the returns and announce the official results thereof."

The Commission has adopted election rules in WAC Chapter 135-110, effective November 19, 2010. District elections are to be conducted annually, and must comply with election rules and procedures.

The election procedures exist to assist conservation districts and conservation district supervisors in the election, appointment, and replacement of supervisors in the State of Washington, and to assure fair treatment of all parties involved in such proceedings, and to provide guidance for compliance with WAC Chapter 135-110. The changes to the forms are accompanied by corresponding changes to election and appointment manual.

The Commission Elections Officer understands the burden on districts when new policies and procedures are instituted, therefore the need for the new policies and procedures must be clear.

The Problem: There are two operative dates in the election cycle that districts must comply with. The first is before the election - each district must inform the Commission of the details of their election by their candidate filing deadline, typically a month prior to the election. WAC 135-110-210(3). The second is that all districts must report all of the rest of the information about their election outcome after the election – within one month of the Election Day. WAC 135-110-750(1). Though compliance has been getting better, districts continue to have difficulty meeting these deadlines. Additionally, districts have difficulty determining which election forms need to be submitted depending on a given election outcome.

The Solution: The election forms used by districts to report to the Commission were migrated from paper to electronic last year. There are five separate electronic election forms. The proposed change would combine those five forms into just two – a "before the election" form, and an "after the election" form. Essentially, EF1 would be kept, and EF2-5 would be combined into just one form (EF2). So, before the election, all districts would submit EF1 and after the election all districts would submit EF2.

Benefits: Combining these forms would reduce errors related to submitting the correct forms, depending on each districts' election outcome. Further, districts would no longer wonder which forms they need to submit for their election – ALL districts would submit both EF1 and EF2. Relevant portions of the forms would be available for districts to fill in, but portions of the two forms not relevant would not be active and would not be available to be filled in by the district. So, for example, if a district automatically re-elected an incumbent, then all information about ballot results and other data related to holding an election would not be relevant, so those fields on EF2 would not be active.

Details of the Proposed Changes

Proposed changes include:

Electronic election forms conservation districts are required to submit to the Commission are currently as follows:
EF1 – CD Election Information
EF2 – Candidate Verification
EF3 – Automatic Re-Election Checklist

EF4 – Due Notice Compliance
EF5 – Ballot Results Report

Change: The Commission will retain EF1 and combine EF2-5 into just one form – *EF2 – Election Report*. All conservation districts fill out both EF1 and EF2 each election cycle. EF1 is due before the election, on or before the candidate filing deadline established by each conservation district. EF2 is due four weeks after the day set by the conservation district for the election (regardless of if the election is held).

There is no change to paper forms conservation districts use for various election purposes. Those are:
PF-A – Candidate Information for Elected Supervisor Position
PF-B – Nominating Petition for Elected Supervisor Position
PF-C – Poll List
PF-D – Ballot Template

There is no change to the electronic appointment forms conservation districts use either to seek applicants to appointed positions or to verify the qualifications of persons the district appoints to serve out the remainder of an elected positions' term. Those are as follows:
AF1 – Conservation District Appointed Supervisor Application (same as old form)
AF2 – Mid-Term Elected Position Appointment Verification of Qualifications (same as old form, but re-titled)

Election and Appointment Manual changes: relevant sections of the elections manual have been amended to reflect the changes listed above. Further, to aid in the election process, new checklists for specific occurrences (the automatic re-election of the incumbent, verifying a candidate's eligibility to serve and be pre-printed on a ballot, and election results) have been created, in addition to a "master" election checklist with relevant links and references to the Elections Manual. Further, the Commission is now requiring, as a best practice, that mid-term vacancies in elected supervisor positions be advertised to the public. To that end, a new policy (Appendix E - Sample Elected Board Positions – Mid-Term Appointments) has been made available for districts. Please see the newly revised Election and Appointment Manual on the Commission's web page here for all the changes.

Election and Appointment Procedures

Ffor

Conservation District Supervisors

Washington State Conservation Commission
Send Mail To: PO Box 47721, Olympia, WA 98504-7721
Physical Address Only: 300 Desmond Drive SE, Lacey, WA 98503
Phone: (360) 407-6200
FAX: (360) 407-6215

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SECTION 1: FUNDAMENTALS

A. Purpose – WAC 135-110-100

These procedures exist to assist conservation districts and conservation district supervisors in the election, appointment, and replacement of supervisors in the State of Washington, and to assure fair treatment of all parties involved in such proceedings, and to provide guidance for compliance with the Washington Administrative Code (WAC), Chapter 135-110.

B. Authority – WAC 135-110-100

1. The Washington State Conservation Commission is authorized in Revised Code of Washington (RCW) Chapter 89.08.190 ~~Revised Code of Washington~~ to establish conservation district election procedures: "The commission shall establish procedures for elections, canvass the returns and announce the official results thereof." The Commission has adopted WAC 135-110, effective November 19, 2010.
2. The Conservation Commission is tasked in RCW ~~Chapter~~ 89.08.160 ~~Revised Code of Washington~~ with appointing two supervisors who are qualified by training and experience to serve as conservation district supervisors.
3. Conservation district supervisors are required by RCW ~~Chapter~~ 89.08.190 ~~Revised Code of Washington~~ to conduct conservation district elections annually. Such elections must comply with these procedures.
4. If any provision in these procedures or its application to any person or circumstance is held invalid, the remainder of these procedures or the application of the provision to other persons or circumstances is not affected.
5. In circumstances where these rules and/or procedures are silent or in conflict, the Commission will look to general election law (RCW Chapter 29A) rules and procedures for guidance.

C. Failure to comply with these procedures – WAC 135-110-120

1. In the event these procedures are not substantially followed, the Conservation Commission may make a determination of significant noncompliance. Significant noncompliance consists of failures to follow these procedures that, in the sole judgment of the Conservation Commission, may (1) affect the outcome of an election; (2) affect the appointment of a supervisor; or (3) deny voters their right of privacy in voting. If a determination of significant noncompliance is made, the Conservation Commission may choose not to certify the election or make the appointment.
2. If the Conservation Commission chooses not to certify an election, the conservation district must seek judicial review of the election in Superior Court.

3. For appointment applications found to be significantly noncompliant, the conservation district or applicant must correct all deficiencies on the application. The applicant and conservation district must comply with these procedures before the Conservation Commission will act on an application for appointment to the position of conservation district supervisor.

D. Disruptions prohibited – WAC 135-110-180

1. Behavior that disrupts or interferes with the election or appointment of conservation district supervisors shall not be tolerated. A conservation district supervisor, a polling officer, or the election supervisor may require disruptive persons to leave the premises. Such disruptive persons may be asked to keep a distance of at least 300 feet away from the polling place. Law enforcement officers may be called to assist in removing persons found to be disrupting or interfering with election or appointment processes.

E. General requirements

1. Each year, either during the last quarter of the calendar year preceding an election or immediately in January or February of the year in which the election will be held, each conservation district Board of Supervisors must adopt a resolution setting an election date within the first quarter of the year in which the election will be held. WAC 135-110-210. The date the Board of Supervisors chooses to hold the election will determine when the resolution must be adopted. WAC 135-110-220. Each conservation district Board of Supervisors must also appoint one election supervisor to organize, coordinate, and perform functions required of the conservation district in the election and appointment of conservation district supervisors. WAC 135-110-230. This information, plus a list of conservation district supervisor positions expiring in the year of the election, must be posted conspicuously in the conservation district office.

2. Due notice in print media, as defined in these procedures, must be provided for every full-term conservation district election and every full-term conservation district appointment process. WAC 135-110-220 and WAC 135-110-110. Notices for both processes may be combined if the conservation district so chooses. Conservation districts are strongly encouraged to exceed the minimum due notice requirements to reach the maximum number of potential candidates and voters.

3. For poll site elections, the conservation district Board of Supervisors must specify the location(s) for polling and the hours in which polling will occur. WAC 135-110-210(2)b. Every poll site must be open for at least four hours at a time convenient for voters. WAC 135-110-240(2). Every poll site must have at least two polling officers present during the hours the polls are open. WAC 135-110-240(2) and WAC 135-110-620. However, if the incumbent is automatically reelected, then no other

election activities at physical poll sites or through remote election processes may be performed. WAC 135-110-370. Polling places selected must have sufficient parking to accommodate the expected number of voters. Polling places must be accessible to voters. WAC 135-110-250 and WAC 135-110-580. If the election will be held only by mail, the date set by the conservation district is the end date for receiving ballots from voters, and the location will be where ballots are counted. It is a good practice, however, to specify in the election notice to voters when the last day, time, and location mailed ballots may be received.

4. Every candidate in a conservation district election must be a qualified district elector. WAC 135-110-300. A qualified district elector is a registered voter residing within the boundary of the conservation district where the candidate wishes to serve. In addition, some positions may be required to own land or operate a farm to be eligible. WAC 135-110-310.
5. The filing deadline for candidates is four weeks before election day, unless, by formal action, the conservation district supervisors choose a filing deadline greater than four weeks before election day. WAC 135-110-330. A conservation district may not make the filing deadline less than four weeks, but may make the deadline more than four weeks, by formal action of the conservation district board of supervisors. WAC 135-110-330.
6. There are three types of candidates: (1) declared, (2) declared nominated, and (3) undeclared write-in candidates. WAC 135-110-350. Both declared and declared nominated candidates require the filing of candidate information with the conservation district by the filing deadline. WAC 135-110-350. In addition, a candidate wishing to have his or her name placed on the official ballot must submit to the conservation district a nominating petition signed by at least 25 nominators by the filing deadline. WAC 135-110-340. A candidate who submits a nominating petition on time, but without at least 25 nominators, will be considered a declared candidate. WAC 135-110-350(1).
7. An individual who does not file candidate information with the conservation district by the filing deadline is not eligible to be elected. WAC 135-110-320 and WAC 135-110-355.
8. Every physical poll site must have at least two polling officers present during the hours polls are open. WAC 135-110-240. The election supervisor may serve as a polling officer at one poll site. WAC 135-110-470. The conservation district must provide at least two polling officers at each poll site, except the election supervisor may substitute for one polling officer at one poll site. WAC 135-110-620. A conservation district supervisor, employee or municipal officer may not serve as a polling officer in the conservation district election, unless the person is the election supervisor appointed by the conservation district supervisors. WAC 135-110-440. While there is no prohibition against a relative or spouse serving as a polling officer, it is important to keep in mind WAC 135-110-150 which

says that conservation districts, employees and supervisors must remain impartial during an election. Further, with WAC 135-110-150 in mind, there is no prohibition against a conservation district supervisor, employee or municipal officer from serving as a polling officer in another districts' election.

9. Every individual requesting a ballot for any conservation district election must be verified as a qualified district elector before a ballot is counted. WAC 135-110-610. This applies to poll-site elections and to mail-in elections.

10. At a poll-site election, a contested ballot must be issued if the voter's eligibility to vote cannot be determined during polling and the individual wishes to vote. WAC 135-110-610.

11. All ballots or computer voting records must be retained by the conservation district for twelve months after the election has been certified, at which time they may be destroyed, unless the election has not been certified by the Conservation Commission or the election has been challenged. WAC 135-110-140.

12. All election forms and documents submitted to the Conservation Commission must be copies. WAC 135-110-130. Conservation Districts must retain the original version of all election forms until ballots may be discarded. WAC 135-110-130. The Conservation Commission may inspect original documents. WAC 135-110-130.

13. An employee or municipal officer of a conservation district holding an election may assist in election-related activities, but may not serve as a polling officer in the conservation district where they are employed, unless the employee or municipal officer is the election supervisor appointed by the conservation district board of supervisors. WAC 135-110-440.

14. An applicant or candidate must be eligible to serve at the time of application or filing for the office of conservation district supervisor. If, during the term of office, the individual no longer meets the eligibility requirements to hold that office, the office is deemed to be vacant. WAC 135-110-910 and WAC 135-110-930.

15. Elections are final when certified and the official results are announced by the Conservation Commission in May of each year or later as deemed necessary by the Commission. WAC 135-110-770. A supervisor-elect takes office and can begin official duties as a board supervisor when the election is final, which is after the May Commission meeting. RCW 89.08.190 says that "The commission shall establish procedures for elections, canvass the returns and announce the official results thereof. Election results may be announced by polling officials at the close of the election subject to official canvass of ballots by the commission. Supervisors elected shall take office at the

first board meeting following the election." WAC 135-110-770(1) says that "elections are final when certified by the conservation commission and the official results are announced by the conservation commission in May of each year or later as deemed necessary." Read together, the RCW and WAC are linked. The phrase "following the election" in the RCW is linked to the initial phrase "the commission shall establish procedures for elections…" which is linked to the meaning of "final" for election purposes in WAC 135-110-770(1). Elections are final when they are "certified by the conservation commission and the official results are announced by the conservation commission in May of each year or later as deemed necessary." Therefore, a supervisor-elect takes office and can begin official duties as board supervisor when the election is final, which is after the May Commission meeting.

F. Definitions – WAC 135-110-110

"Absentee ballot" or "mail-in ballot" means a ballot issued to a voter before election day that can be delivered to the conservation district or designated election supervisor on or before the day of the election.

"Applicant" is an individual applying to the Conservation Commission for the office of appointed supervisor of a conservation district.

"Appointed supervisor" is an individual appointed by the Conservation Commission to a conservation district board of supervisors.

"Authorized conservation program" and "conservation program" mean the renewable resources program defined in RCW 89.08.220(7) which includes a comprehensive long-range plan and an annual plan of work.

"Ballot" or "official ballot" means the final, preprinted ballot containing the name of each declared, nominated candidate found eligible, and at least one line where a voter may enter the name of a write-in candidate.

"Ballot box" is a container secured against tampering into which ballots are placed.

"Candidate" means a person seeking the office of elected conservation district supervisor who has provided the required candidate information to the conservation district by the filing deadline and whose eligibility to run and to serve has been verified by the conservation district.

"Canvass" and "canvassing" mean to examine carefully or scrutinize the election returns for authenticity and proper count.

"Certify" and "certification" mean the canvassing of returns and the verification of substantial compliance with these procedures, as performed by the Conservation Commission.

"Commission" and "Conservation Commission" mean the Washington State Conservation Commission governing board and all deputies and representatives authorized to act on its behalf.

"Commission board," "Commission governing board," "Conservation Commission board," and "Conservation Commission governing board" mean the governing board of the Washington State Conservation Commission.

"Conservation district" and "district" mean a governmental subdivision of the State of Washington organized under the provisions of RCW 89.08 Conservation Districts Law.

"Conservation district board of supervisors," "conservation district supervisors," "district supervisors," and "supervisors" mean the governing board of a conservation district, composed of elected and appointed supervisors.

"Conservation district supervisor," "district supervisor," and "supervisor" mean an elected or appointed board member of a local conservation district governing board, in which the governing board is referred to as the board of supervisors.

"Contested ballot" or "provisional ballot" means a paper ballot issued to a voter whose qualifications as a qualified district elector cannot be determined at the time the paper ballot is issued. A provisional ballot consists of two envelopes and a paper ballot.

"Declared nominated candidate" and "nominated candidate" means an individual found to be a qualified district elector who is eligible and who has submitted the candidate information required, including a qualified nominating petition, to the conservation district by the filing deadline, and the conservation district has verified the eligibility of the candidate.

"Declared vacancy" and "declared vacant" mean a declaration by the Conservation Commission that a conservation district supervisor position is vacant.

"Declared write-in candidate" means a person seeking the office of elected supervisor who has provided the required candidate information to the conservation district by the filing deadline, and the conservation district has found the person eligible.

"Double envelope balloting" means a paper balloting system consisting of an inner and an outer envelope, where a ballot is placed in an inner envelope with no personally identifying marks on it, and then the inner envelope with ballot is placed in the outer envelope upon which the voter has provided sufficient information to allow polling officers to verify the eligibility of the voter.

"Due notice" or "notice" means a notice published at least twice, with at least six days between publications, in a publication of general circulation within the affected area. If there is no such publication, a notice may be posted at a reasonable number of public places within the area where it is customary to post notices concerning county and municipal affairs. To illustrate, the first notice must be at least one week before the event (election resolution adoption meeting or election) and the second at least a day before the event (election resolution adoption meeting or election). There is no requirement for publication of a legal advertisement. However, if one is used, a copy of the announcement as

published, showing the date of publication is sufficient proof of publication. An affidavit of publication from the publisher is then not required.

"Elected supervisor" is a qualified district elector (1) who received more valid votes than any other candidate and (2) whose election has been certified and announced by the Conservation Commission.

"Election supervisor" is an individual or entity appointed by a local conservation district governing board to organize, coordinate, and facilitates all conservation district activities related to the election and appointment of conservation district supervisors. Only the conservation district board of supervisors may set election dates and appoint the election supervisor.

"Electioneering" is the act of soliciting or advocating votes for a specific candidate, or speaking for or against a specific candidate, within 300 feet of a ballot box or voting place.

"Elector," "district elector," and "qualified district elector" mean an individual residing within the boundary of the conservation district and registered to vote in a county where the conservation district is located.

"Farm and agricultural land" is defined in RCW 89.08.020 as follows: "Farm and agricultural land" means either (a) land in any contiguous ownership of twenty or more acres devoted primarily to agricultural uses; (b) any parcel of land five acres or more but less than twenty acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to one hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter; or (c) any parcel of land of less than five acres devoted primarily to agricultural uses which has produced a gross income of one thousand dollars or more per year for three of the five calendar years preceding the date of application for classification under this chapter. Agricultural lands shall also include farm woodlots of less than twenty and more than five acres and the land on which appurtenances necessary to production, preparation or sale of the agricultural products exist in conjunction with the lands producing such products. Agricultural lands shall also include any parcel of land of one to five acres, which is not contiguous, but which otherwise constitutes an integral part of farming operations being conducted on land qualifying under this section as "farm and agricultural lands."

"Farm operator" or "operator of a farm" means a person who operates farm and agricultural land as defined in these procedures, and who meets this definition when candidate information is filed with the conservation district.

"Filing deadline" means four weeks before election day in the current election cycle, or more than four weeks if a local filing deadline is adopted by formal action of the conservation district board of supervisors.

"Full term," "regular term," and "full term of office" mean three years.

"Incumbent" is the person in present possession of the office of conservation district supervisor.

"Landowner" means a person with legal title of record to real property in the conservation district at the time of filing for election or applying for appointment.

"Mail-in ballot" is a double-envelope system consisting of two envelopes and a pre-printed ballot, in which the ballot is inserted into an inner envelope and sealed, with no marks or other information that would identify the person voting. The outer envelope shows or contains sufficient information to identify the voter.

"Mail-in election" is an election in which mail-in ballots are provided before election day to qualified voters. Voters return completed ballots to a receiving location or address authorized by the conservation district board of supervisors.

"Malfeasance" means wrongful conduct that affects, interrupts, or interferes with the performance of a supervisor's official duty. Such conduct includes, but is not limited to, the commission of some act which is wrongful or unlawful, or the unjust performance of some act which the party had no right to do, or the unjust performance of some act which the party had contracted not to do.

"Mid-term" and "mid-term vacancy" mean a vacancy in the office of conservation district supervisor, when such vacancy occurs before the full term of office has been fulfilled.

"Municipal officer" means all elected and appointed officers of a conservation district, together with all deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of the powers or functions of a municipal officer.

"Neglect of duty" means failure by a supervisor or supervisors to perform mandatory duties. Such duties include, but are not limited to, (a) compliance with local, state, and federal laws and rules, (b) attendance at a reasonable number of board meetings, (c) maintaining a full and accurate record of district business, (d) securing of surety bonds for board officers and employees, (e) carrying out an annual financial audit, (f) providing for keeping current a comprehensive long-range program, (g) providing for preparation of an annual work plan, (h) providing for informing the general public, agencies, and occupiers of lands within the conservation district of conservation district plans and programs, (i) providing for including affected community members in regard to current and proposed plans and programs, and (j) providing for the submission of the conservation district's proposed long-range program and annual work plan to the Conservation Commission.

"Nominated candidate" is an individual found to be a qualified district elector who is eligible and who has submitted the candidate information required, including a qualified nominating petition, to the conservation district by the filing deadline, and the conservation district has verified the eligibility of the candidate.

"Nominating petition" is a list of signatures of nominators who desire a candidate's name be placed on the official ballot for a conservation district election.

"Nominator" is a qualified district elector who signs a petition nominating an individual seeking the office of elected supervisor.

"Poll list" or "polling list" is a list of voters who voted in an election.

"Polling officer" means a person appointed by the election supervisor to verify voter eligibility, assure compliance with this rule in and around the polling place, issue ballots, count ballots, and verify the unofficial ballot count in writing to conservation district supervisors.

"Poll site" and "polling site" mean a location where votes are collected in a ballot box.

"Poll-site election" and "walk-in election" mean an election in which a voter signs in on a poll list, receives a ballot from a polling officer, enters a vote for a candidate on the ballot, and places the ballot in a ballot box at a polling place supervised or monitored by polling officers.

"Print media" means physical material on which information or instructions are printed. Print media includes, but is not limited to, newspapers, magazines, newsletters, and handbills posted on bulletin boards or otherwise made available to citizens. Print media may include one or more web pages on a conservation district website, or on the Conservation Commission's website, if at least one notice is published on physical media made widely available to potential voters. Print media does not include web pages on other websites, electronic mail, social networking sites, and similar electronic information sharing methods.

"Provisional ballot" or "contested ballot" means a paper ballot issued to a voter whose qualifications as a qualified district elector cannot be determined at the time the paper ballot is issued. A provisional ballot consists of two envelopes and a paper ballot.

"Qualified district elector" is a registered voter in the county where the district is located and who resides within the conservation district boundary.

"Qualified nominating petition" is a nominating petition which contains at least 25 signatures of nominators.

"Remote election" is an election in which ballots are returned by some means other than for a poll-site election. A mail-in election is a type of remote election.

"Resignation" and "to resign" mean the act of providing a signed and dated written notice to the Conservation Commission stating the individual's intent to terminate serving in an elective or appointive office.

"Short term" or "short term of office" is a term of office less than three years in duration.

"Supervisor" means an elected or appointed board member of a local conservation district governing board, in which the governing board is referred to as the board of supervisors.

"Supervisor-elect" means a supervisor who received more valid votes than any of the other candidates running for the same position in a conservation district election, but the election has not yet been certified by the Conservation Commission.

"Tie" or "election tie" means an election where no candidate has received a simple majority of votes cast by qualified district electors, and two or more candidates have received the same number of votes cast by qualified district electors.

"Undeclared write-in candidate" is an individual who has not submitted required candidate information to the conservation district and who has not submitted a qualified nominating petition by the filing deadline.

"Voter" means a person who submits a ballot in a conservation district election.

"Voter list" is a list of registered voters obtained from the county auditor.

"Withdrawal of candidacy" and "to withdraw" means a written notice, signed and dated by the candidate, and delivered to the conservation district, stating the person's desire to be removed from consideration for the office of conservation district supervisor.

Section 2: Elections

A. Information standards

1. Notice of the Intent to Adopt an Election Resolution. A notice of the intent to adopt an election resolution must be published twice, at least six days between each publishing, before the meeting to adopt the Election Resolution can be held. The purpose of this Notice is to inform the public that the District intends to have a meeting at which the date, time, place and manner of the election will be set. WAC 135-110-220. Districts may publish their adopted election resolution, and all subsequent election notices, on a Districts' web site. Districts who choose this option are required to publish the *Notice of the Intent to Adopt an Election Resolution* as usual (twice, at least a week apart, in a newspaper) accompanied by a clear statement in that notice that future election information will be posted only~~ONLY~~ on the districts' web site. Once that is accomplished, districts may then publish any further election notices or materials on their web site.

2. Election resolution. The information in the election resolution must be provided to the Conservation Commission on or before the candidate filing deadline. This is accomplished by filing out form EF1 - CD Election Information, available on the Commission's elections web page at http://scc.wa.gov/elections-and-appointments/~~http://scc.wa.gov/elections/~~. WAC 135-110-210(3). The purpose of this Notice is to inform the public, voters and potential candidates of the date, time, place and manner of the election. This Notice must be published twice, at least six days between each publishing, before the candidate filing deadline. However, see the note above in Section 2(A)(1). Conservation districts must provide the following information:

   a) The name of the conservation district. WAC 135-110-210(2)a.

   b) The date, physical location (address), and times polls will open and close for each polling place. WAC 135-110-210(2)b.

   c) The election method(s) selected for the election. WAC 135-110-210(2)c.

   d) The final date by which voters must request absentee ballots from the district. WAC 135-110-410.

   e) A list showing the name of each elected and appointed conservation district supervisor with a term expiring in the election and appointment cycle covered by the resolution. WAC 135-110-210(2)d.

   f) The filing deadline for candidates. WAC 135-110-210(2)e.

g) Identification of an individual appointed by the conservation district to fulfill the duties of election supervisor, including the mailing address, email address (if available), and phone number of the election supervisor. WAC 135-110-210(2)f.

h) Dated signature of at least one conservation district supervisor attesting to this information. WAC 135-110-210(2)g.

3. Candidate information. Specific information must be submitted by each candidate to the conservation district. WAC 135-110-320. The form provided for this purpose by the Conservation Commission is Form PF-A. Candidates must provide the following information:

a) The name of the conservation district. WAC 135-110-320(3)a.

b) The candidate's name, residential address, mailing address, and phone number. WAC 135-110-320(3)b.

c) Whether the candidate is a registered voter in the county where the conservation district is located. WAC 135-110-320(3)c.

d) Whether the candidate resides inside the conservation district boundary. WAC 135-110-320(3)d.

e) Two choices, only one of which may be selected by the candidate:

i) The candidate intends to run as a declared nominated candidate with his or her name on the official ballot. This option will require a validated nominating petition from the candidate. WAC 135-110-350(2).

ii) The candidate intends to run as a declared candidate. The candidate's name will not appear on the official ballot, and no nominating petition is required. WAC 135-110-350(1).

f) Two choices, only one of which may be selected by the candidate (WAC 135-110-320(3)e):

i) The candidate is a landowner or operator of a farm, as defined in these procedures.

ii) The candidate is not a landowner or operator of a farm, as defined in these procedures.

g) Dated signature of the candidate attesting to the information provided. WAC 135-110-320(3)f.

4. Nominating petition. A nominating petition is required for candidates who wish to have their names pre-printed on the official ballot. WAC 135-110-340. The form provided for this purpose by the Conservation Commission is Form PF-B. Candidates must provide the following information:

a) The name of the conservation district. WAC 135-110-340(2)a.

b) The name of the candidate. WAC 135-110-340(2)b.

c) The name and address of each nominator. For verification purposes, this information should match the information in the voter registration rolls held by the County Auditor. WAC 135-110-340(2)c.

d) Each nominator needs to sign the petition, and by their signature, state his or her wish for the candidate named in the petition to be placed on the official ballot. WAC 135-110-340(2)d.

e) A notation by the conservation district next to each nominator, identifying the nominator as a qualified district elector eligible to sign the petition, or found by the conservation district to be ineligible. WAC 135-110-355(3).

~~4.~~ Eligibility determination. The election supervisor must verify the eligibility of each person who submits candidate information required by WAC 135-110-320. Checklist 1 - District Verification of Candidate and Eligibility for the Office of Elected Supervisor [ble1]should be used to verify eligibility. ~~The form provided for this purpose by the Conservation Commission is Form EF2.~~ WAC 135-110-355. ~~Conservation districts must provide the following information for each candidate (declared, declared nominated, or write-in):~~

~~e) The name of the conservation district.~~

~~e) The name of the candidate or incumbent. WAC 135-110-355(2)a.~~

~~e) Whether the candidate did, or did not, submit required candidate information by the filing deadline. WAC 135-110-355(2)b.~~

~~e) Whether the candidate did, or did not, submit a completed nominating petition by the filing deadline. WAC 135-110-355(2)c.~~

~~e) Whether the person named on the form is, or is not, a qualified district elector on the day of filing. WAC 135-110-355(2)d.~~

~~e) Whether at least two of the three elected conservation district supervisors on the conservation district Board of Supervisors will be landowners or operators of farms if the candidate is elected. RCW 89.08.160 requires two of the three elected supervisors to be either a landowner or operator of a farm. If the election of a candidate would cause a conservation district board of supervisors to contain fewer than two elected supervisors who are landowners or farm operators, the candidate is not eligible to be elected. WAC 135-110-310. "Landowner" and "farm operator" are two separate categories and are defined in WAC 135-110-110.~~

~~e) The dated name and signature of the conservation district representative making these determinations. WAC 135-110-355(2)e.~~

~~e) The total number of nominators who signed the nominating petition, and the total number of nominators found to be qualified district electors eligible to sign the petition. WAC 135-110-355(3).~~

~~e) A declaration that (WAC 135-110-355):~~

~~xi) the candidate did submit candidate information by the filing deadline;~~

~~xii) the candidate's nominating petition was received by the filing deadline;~~

~~xiii) the candidate or named individual is a qualified district elector on the day of filing;~~

~~xiv) at least 25 qualified district electors did sign the nominating petition; and~~

xv)5. such declaration to be signed and dated by a conservation district supervisor or the appointed election supervisor.Verification of eligibility for each candidate will be documented when the District submits EF2 – Election Report.

4. Verification of compliance with due notice requirements. Verification of compliance with due notice requirements will be documented when the District submits EF2 – Election Report. The form provided for this purpose by the Conservation Commission is Form EF4. WAC 135-110-220 and WAC 135-110-110. Conservation districts must provide the following information:

g) The name of the conservation district.

h) A complete list of each published notice, by date and name of publication, or in the case of electronic publications, by first date of publication and the web address. Please note: There are two types of election notices: (1) Notice of the Intent to Adopt an Election Resolution: the purpose of this notice is to inform the public that the District intends to have a meeting at which the date, time, place and manner of the election will be set. This Notice must be published twice, at least six days between each publishing, before the meeting to adopt the Election Resolution can be held; (2) Notice of the Adopted Election Resolution: the purpose of this Notice is to inform the public, voters and potential candidates of the date, time, place and manner of the election. This Notice must be published twice, at least six days between each publishing, before the candidate filing deadline.

i) The dated name and signature of a conservation district supervisor or election supervisor attesting to compliance with due notice requirements.

j)6. Copies of notices, advertisements, and publications are not required.

5.7. Poll list. The form provided for this purpose by the Conservation Commission is PF-C. WAC 135-110-550. Conservation districts and voters must provide the following information:

a) The name of the conservation district. WAC 135-110-550(2)a.

b) The location of the poll site. WAC 135-110-550(2)b.

c) Identification of this poll list as applying to a poll-site or mail-in election. WAC 135-110-550(2)b.

d) The date the polls were open. WAC 135-110-550(2)b.

e) Each voter must provide:

i) Name. WAC 135-110-550(3)a.

ii) Address that matches the voter registration list, including city. WAC 135-110-550(3)b.

iii) Signature of the voter. WAC 135-110-550(3)c.

f) For each voter, a polling officer must determine whether the voter is eligible to vote. If eligibility is contested, each such determination must be initialed by the polling officer. WAC 135-110-460; WAC 135-110-610.

~~6.~~8. Ballot results report. Polling officers and the election supervisor should use Checklist 3 - Ballot Results [ble2]to record ballot results for each polling location. Total ballot results for all polling locations will be documented when the District submits EF2 – Election Report.~~The form provided for this purpose by the Conservation Commission is Form EF5.~~ WAC 135-110-750. Conservation districts and polling officers must ~~provide~~ record the following information on Checklist 3:

a) The name of the conservation district. WAC 135-110-750(3)a.

b) The location of the poll site. WAC 135-110-750(3)b.

c) Identification of the Checklist ~~is report~~ as applying to a particular poll site or to a mail-in election. WAC 135-110-750(3)b.

d) The date of the election. WAC 135-110-750(3)b.

e) For each candidate:

i) Identify the candidate by name. WAC 135-110-750(4)a.

ii) Provide the number of eligible votes counted, the number of disqualified votes counted, and the total number of votes received for each candidate. The total should be the eligible votes plus the disqualified votes. WAC 135-110-750(4)b and (5).

iii) Identify the unofficial winner and whether the unofficial winner is a nominated candidate listed on the official ballot or is a declared write-in candidate or is an undeclared write-in candidate. WAC 135-110-750(6).

iv) The total ballot count for each candidate ~~Each ballot results reporting form~~ must be electronically submitted to the Commission~~and dated by the polling officers who counted the ballots so reported~~. WAC 135-110-750(7).

B. Information, Forms and Reports Required and Deadlines

1. Conservation districts must provide the information described in the previous section to the Conservation Commission. Conservation districts must use electronic or paper forms provided by the Conservation Commission.

2. All documents provided to the public and to the Conservation Commission (if necessary) should be on white or light-colored paper.

3. Due dates for information, forms, and reports.

a) Documents provided by a candidate to the conservation district.

i) For nominated candidates, candidate information and the nominating petition is due to the conservation district by the filing deadline.

ii) For declared write-in candidates, candidate information is due to the conservation district by the filing deadline.

b) Documents provided by the conservation district to the Conservation Commission.

i) Conservation Districts must submit EF1 no later than the candidate filing deadline.

ii) Information sufficient for the Commission to certify and announce a conservation district election is due to the Commission within four weeks following the conservation district's last published election date using EF2. The conservation district must retain all original documents.

TABLE 1: Information, Forms and Deadlines

Name of Election Form	Due to CD from candidate	Reported Electronically to Commission from CD
EF1 - CD Election Information	N/A	No later than the candidate filing deadline
PF-A - Candidate Information (one form per candidate)	No later than the candidate filing deadline	N/A (information included in EF2 below)
PF-B - Nominating Petition (~~one~~ a petition with 25 qualified nominating signatures on it for each candidate wishing his or her name to be on the official ballot). Use as many pages as needed.	No later than the candidate filing deadline	N/A (information included in EF2 below)
EF2 - ~~Candidate Verification~~Election Report	N/A	No later than 28 days after election day
~~EF3 - Automatic Re-Election Checklist~~	~~N/A~~	~~No later than 28 days after the cancelled election day~~
~~EF4 - Due Notice Compliance~~	~~N/A~~	~~No later than 28 days after election day~~
PF-C - Poll list (all pages)	N/A	N/A (poll lists are to be kept by the CD and made available upon request of the

		Commission)
PF-D - Ballots: As many ballots as needed, to be printed by the CD	N/A	N/A (ballots to be kept by the CD and made available upon request of the Commission)
~~EF5 - Ballot results report~~	~~N/A~~	~~No later than 28 days after election day~~
Election Feedback Form	N/A	N/A

C. Conservation Commission duties

1. General
   a) The Conservation Commission may request copies of documents and inspect original documents and records.
2. Before elections
   a) The Conservation Commission must make these procedures available for stakeholder review and comment.
   b) The Conservation Commission must notify all conservation districts of supervisor terms of office due to expire. Notice must be provided to conservation districts by ~~September~~ October 1 in the year preceding elections.
   c) These procedures become effective on the date they were last revised.
   d) The Conservation Commission may amend these procedures at any time to assure the fair, proper, and orderly election and appointment of conservation district supervisors.
3. During a poll-site election
   a) Conservation Commission board members and/or employees may monitor conservation district elections without notice.
4. After the polls close
   a) The Conservation Commission will canvass the returns of conservation district elections to verify election results and to determine if the election was properly conducted according to the requirements in these procedures.
   b) The Conservation Commission board will certify all conservation district elections found to substantially comply with the requirements in these procedures.
   c) The Conservation Commission will announce the official election results, or decline to announce official results, for each conservation district election after the elections have been certified.

d) The Conservation Commission will act on elections for full-term positions annually at its regular meeting on the third Thursday in May or as necessary thereafter.

D. Conservation District duties

1. General
   a) A conservation district must hold an election each year.
   b) A copy of these procedures must be made available for public inspection at each poll site.
2. Before an election
   a) Each conservation district must publish a Notice of the Intent to Adopt an Election Resolution. The purpose of this notice is to inform the public that the District intends to have a meeting at which the date, time, place and manner of the election will be set. This Notice must be published twice, at least six days between each publishing, before the meeting to adopt the Election Resolution can be held. Examples of this Notice can be found in Appendix B.
   b) Each conservation district must hold a meeting after the Notice of the Intent to Adopt an Election Resolution has been properly published. The purpose of this meeting is to adopt an Election Resolution. An example of an Election Resolution can be found in Appendix D.
   c) Each conservation district must publish a Notice of the Adopted Election Resolution. The purpose of this Notice is to inform the public, voters and potential candidates of the date, time, place and manner of the election. This Notice must be published twice, at least six days between each publishing, before the candidate filing deadline. The Notice must set election date(s), location(s), and polling times by resolution and that information must be communicated to the Conservation Commission by the candidate filing deadline. Examples of this Notice can be found in Appendix B.
      i) Each polling place must be open for at least four hours at a time convenient for voters in that district. Two polling officers must be present.
      ii) Polling places must have sufficient parking to accommodate the expected number of voters.
      iii) Polling places must be accessible to those with disabilities.
      iv) The election date must be in the first three calendar months of the election year.
      v) If the election will be held by mail, the date set by the conservation district is the last date ballots may be received from voters. The location will be where ballots are counted. If necessary to accommodate voter(s) pursuant to WAC 135-110-250, a district conducting a mail-in election may be required to provide at least one polling place where voters can deliver their completed ballots or vote as in a poll-site election.

vi) The last date voters can request absentee ballots must be set in the Notice.

d) Each conservation district must appoint an election supervisor.

i) The election supervisor may be a conservation district supervisor, conservation district employee, or any other person appointed by the conservation district board of supervisors.

ii) The election supervisor serves as the primary point of contact between the conservation district and the Conservation Commission for all functions to be performed by the conservation district in the election and appointment of conservation district supervisors.

iii) The election supervisor organizes, coordinates, and facilitates election-related activities of the conservation district related to the election and appointment of conservation district supervisors. The election supervisor assures that required documentation is properly completed and transmitted on time to the Conservation Commission. The election supervisor may also serve as a polling officer.

iv) Conservation district supervisors remain responsible for conducting the election and for complying with these published requirements and procedures.

e) For each candidate, the election supervisor must verify that specific eligibility requirements have been met and, for declared nominated candidates, direct whether or not to place the name of the candidate on the ballot. This is done using Checklist 1 - District Verification of Candidate and Eligibility for the Office of Elected Supervisor[ble3]

i) For each declared nominated candidate, a conservation district must:

(1) Verify that candidate information was received by the filing deadline.

(2) Verify that the nominating petition was received by the filing deadline.

(3) Verify that at least 25 qualified district electors signed the nominating petition.

(4) Determine whether the candidate is a qualified district elector.

(5) Determine whether the composition of the conservation district board will meet statutory requirements if the candidate is elected.

(6) If requirements one through five above are met, the conservation district must direct that the name of the candidate be placed on the ballot.

ii) For each declared candidate, a conservation district must:

(1) Verify that candidate information was received by the filing deadline.

(2) Determine whether the candidate is a qualified district elector.

(3) Determine whether the composition of the conservation district board will meet statutory requirements if the candidate is elected.

iii) For each undeclared write-in candidate, a conservation district must:

(1) Verify that candidate information is received within four weeks (twenty-eight calendar days) following the first date of election.

(2) Determine whether the candidate is a qualified district elector.

(3) Determine whether the composition of the conservation district board will meet statutory requirements if the candidate is elected.

iv) Such determinations must be made separately for each candidate.

v) A county auditor or the Conservation Commission may assist a conservation district in determining the eligibility of a candidate, upon request of the conservation district.

f) The conservation district must verify the eligibility of individuals wishing to serve, or continue to serve, as an elected conservation district supervisor.

g) The conservation district must provide due notice of the election to potential voters.

i) The conservation district must publish at least two notices as defined in "due notice" and "print media." Conservation districts are strongly encouraged to exceed the minimum requirements for due notice. Due notice is defined in WAC 135-110-110 and explained in WAC 135-110-220. Examples of this Notice can be found in Appendix B.

ii) There are two types of election notices:

(1) Notice of the Intent to Adopt an Election Resolution: the purpose of this notice is to inform the public that the District intends to have a meeting at which the date, time, place and manner of the election will be set. This Notice must be published twice, at least six days between each publishing, before the meeting to adopt the Election Resolution can be held.

(2) Notice of the Adopted Election Resolution: the purpose of this Notice is to inform the public, voters and potential candidates of the date, time, place and manner of the election.

iii) The Adopted Election Resolution Notice must contain, at minimum, the following information:

(1) The name of the conservation district.

(2) The election method[s] selected for the election.

(3) The date(s), location(s), and times polls open and close.

(4) That candidates must be registered voters who reside in the conservation district.

(5) That candidates may be required to be landowners or operators of a farm, depending on the current composition of the conservation district board of supervisors.

(6) The filing deadline for candidates.

(7) The last day on which voters can request absentee ballots from the district.

(8) That eligible voters are registered voters who reside in the conservation district.

(9) That a conservation district supervisor is a public official who serves without compensation and who sets policy and direction for the conservation district.

(10) That published election procedures can be viewed at the conservation district office and are available from the Washington State Conservation Commission.

iv) If the election is also to be held by mail, the Election notice must describe how to obtain a ballot and the deadline for returning ballots.

v) For appointed position notices, refer to Section 3.D.2 of these procedures. Notice examples can be found in Appendix B.

vi) The Election notice and notice of appointed positions may be combined.

vii) Conservation districts are strongly encouraged to exceed the minimum due notice requirements so that interested parties may be informed of the opportunity to serve as a conservation district supervisor.

h) The conservation district must determine the number of polling officers.

i) The conservation district must provide at least two polling officers at each poll site, except the election supervisor may substitute for one polling officer at one poll site.

ii) If due notice of the election resolution and the election have been duly published by the conservation district, and the only person filing by the filing deadline is the incumbent, and the conservation district verifies the continued eligibility of the incumbent to serve another term of office, and the incumbent has not resigned on or before the last date of election, then the incumbent is automatically reelected. When an incumbent is automatically reelected, no other election activities at physical poll sites or through remote election processes may be performed, provided that, before election day, the conservation district has informed the voting public that the incumbent has been reelected by reason of being the only person filing for the position, and that no poll site, mail, or absentee balloting will be performed, and on election day, signs containing this information must have been posted at poll sites. Within four weeks of the first date of election as scheduled in the election resolution, the conservation district must inform the Conservation Commission of the automatic reelection of the incumbent. Refer to Section 2.J "Non-standard Election Outcomes" in these procedures for additional information.

i) If a candidate is found by the conservation district to be ineligible, the conservation district must inform the candidate of the reasons. The conservation district may not print that candidate's name on the official ballot. If the reason is the lack of sufficient nominators on the nominating

petition, the candidate must be considered a declared write-in candidate and the candidate must be so informed by the conservation district.

j) To assist voters in the selection of a candidate during voting, a conservation district may publish information provided by nominated and declared candidates. Conservation districts should adopt a policy to set the parameters for publishing such information. A sample template is in Appendix C.

   i) If a conservation district chooses to publish information about candidates, it must provide equal opportunity for publication and equivalent space to each nominated and declared write-in candidate.

   ii) A conservation district must not take an official position on any candidate that promotes, or is prejudicial to, a candidate, nor may supervisors or employees of the conservation district do so in their official capacity.

   iii) On election day, information provided by candidates may not be provided to voters within 300 feet of the poll site.

k) A conservation district must create a ballot and provide a ballot to each person who wishes to vote in the conservation district election. See form PF-D.

   i) The ballot must list the names of all candidates ordered to be placed on the ballot. Names on the ballot must be listed in alphabetical order by last name, from top to bottom. Example: Jane Adams would be listed above John Doe.

   ii) The ballot must contain at least one blank line where a voter can enter the name of a undeclared write-in candidate.

   iii) One empty checkbox or blank space should be provided next to each candidate's name printed on the ballot.

   iv) During a poll-site election, the conservation district must provide a contested ballot to any individual wishing to vote who cannot be verified as eligible to vote prior to the issuance of a ballot. A double-envelope system consisting of two envelopes and a ballot must be used for all contested ballots.

   v) For electronic voting, the functional equivalent of a paper ballot must be utilized.

   vi) A conservation district may send or provide ballots to all individuals who, in the three years preceding the election, have voted in a conservation district election or have participated in conservation district services or programs. WAC 135-110-515(4). However, if a conservation district provides unrequested ballots to a population that is less than all the eligible voters within the conservation district boundary, the conservation district must not use lists obtained from an individual conservation district supervisor or employee, nor from any candidate, nor from any trade, company, church, union, fraternal or other organization. WAC

135-110-420. So long as a list generated by a conservation district pursuant to WAC 135-110-515(4) includes all such individuals, such a list is exempt from WAC 135-110-420.

vii) Absentee ballots must be provided to eligible voters upon request, and voters need not provide proof of any special condition to obtain an absentee ballot. WAC 135-110-520. Also, the conservation district must provide a ballot to any person who requests a ballot. WAC 135-110-515. An eligible voter should declare their eligibility to the district before a request for an absentee ballot can be fulfilled by the district. The declaration by the voter can be done in writing, electronically, or orally. A request for an absentee ballot can be made in person, in writing, by telephone, or electronically, by the voter, a family member, or a registered domestic partner. Only one absentee ballot request per voter can be made. Multiple absentee ballots can be sent to the same address, provided that each absentee ballot can be matched to a request by a voter at that address. Sample absentee ballot instructions and a request form are provided in Appendix A.

l) The conservation district must obtain a current list of registered voters from the County Auditor or Secretary of State for all territory within the conservation district boundary.

m) The conservation district must be able to show or describe the legal boundary of the conservation district to any voter or to any representative of the Conservation Commission, upon demand.

3. Before a mail-in (or remote) election

a) A conservation district holding a mail-in election must appoint an election supervisor and have declared at least one poll site.

b) Double-envelope voting (or the secure electronic equivalent) is required for mail-in/remote elections.

i) A double-envelope system meeting the requirements for contested balloting must be used by the conservation district in the mail-in election.

ii) Provision must be made for the outer envelope to show or contain sufficient information to identify the voter. The voter should print his or her name and address as registered with the County Auditor.

c) Due notice to voters must provide sufficient time for voters to obtain and return ballots to the conservation district. Allowing at least one week after the second required notice has been published is recommended.

d) Ballots must be offered to potential voters within the conservation district boundary. To receive a ballot, the voter must request a ballot prior to the current election, unless a district is utilizing WAC 135-110-515(4) (see Section 2(D)2(k)vi above). The election supervisor must verify the voter is a qualified district elector before the ballot is counted.

4. Immediately after the candidate filing deadline

   a) The District should verify the eligibility of each candidate to appear on the ballot and serve as a conservation district supervisor. This can be done using Checklist 1 - District Verification of Candidate and Eligibility for the Office of Elected Supervisor.[ble4]

   b) If only the incumbent filed PF-A and PF-B by the candidate filing deadline, the District should determine if it will be automatically re-electing the incumbent through WAC 135-110-370. This can be done using Checklist 2 - Automatically Re-electing an Incumbent[ble5].

~~4.~~5. During a poll-site election

   a) Conservation district supervisors or staff may assist polling officers, but may not directly issue ballots or count ballots, unless such person is also the election supervisor appointed by the conservation district board of supervisors.

   b) Each poll site must have a ballot box, signage, and be accessible to voters.

      i) Each poll site must have at least one ballot box.

      ii) Each poll site must be conspicuously identified to voters as the place to vote.

      iii) Poll sites must not create undue hardship for disabled voters.

      iv) Polling places must be open for a minimum of four hours at a time convenient for voters in that district.

   c) The conservation district must provide polling officers at each poll site.

      i) Polling officers must be independent third parties who are not supervisors, employees, or municipal officers of the conservation district holding the election. Further, with WAC 135-110-150 in mind, there is no prohibition against a conservation district supervisor, employee or municipal officer from serving as a polling officer in another districts' election. A conservation district supervisor, employee or municipal officer may not serve as a polling officer in the conservation district election, unless the person is the election supervisor appointed by the conservation district supervisors. WAC 135-110-440. While there is no prohibition against a relative or spouse serving as a polling officer, it is important to keep in mind WAC 135-110-150 which says that conservation districts, employees and supervisors must remain impartial during an election. Therefore, it is recommended that polling officers not be immediate family members or live in the same household of such supervisors, employees, or municipal officers.

      ii) The election supervisor appointed by the conservation district may serve as a polling officer at one poll site, even if he or she is a supervisor, employee, or municipal officer of the conservation district holding the election. An election supervisor who also serves as a polling officer has all of the responsibilities and duties listed in Section 2.F.

iii) The conservation district must provide at least two polling officers at each poll site, except the election supervisor may substitute for one polling officer at one poll site.

iv) Individuals hired temporarily to serve as polling officers are not considered employees for the purposes of this section.

v) Before the polls open, the conservation district must review with polling officers the procedures for verifying voters, issuing ballots, issuing contested ballots, and tallying and recording~~porting~~ election results.

d) Conservation districts must assure privacy in voting.

i) The ballot choice made by a voter must not be seen by any other person during the act of voting or the placing of the ballot in the ballot box.

ii) Paper ballots must be placed into ballot boxes. Electronic ballots must assure at least the same level of security and privacy as provided by paper balloting.

e) The conservation district must not post the names of nominated and declared write-in candidates at the polls. It is the responsibility of candidates to inform the voting public of their candidacy for the office of conservation district supervisor.

f) The name of a nominated candidate or declared write-in candidate who has submitted a withdrawal of candidacy in writing to the conservation district may not be posted at the polling place. It is the responsibility of candidates to inform the voting public of their status in seeking the office of conservation district supervisor.

5. After the polls close

a) One or more conservation district supervisors, or the election supervisor, must receive from polling officers the following:

i) All poll list pages;

ii) All ballots;

iii) A completed Checklist 3 - Ballot Results~~ballot results report~~ for each polling site, absentee ballots and for each type of election held (poll-site or mail-in); and

iv) All working papers and notes made by polling officers.

b) When polling officers have transferred all properly completed forms and documents, and all ballots, to a conservation district supervisor or the election supervisor, the polling officers may be excused from their official duty.

c) The conservation district must transmit to the Conservation Commission information sufficient for the Commission to certify and announce the election result within four weeks of election day. This is done when the District submits EF2 – Election Report.

d) The conservation district must retain all original forms, documents, and ballots for 12 months after the election has been certified, at which time they may be destroyed unless the election has not been certified or the election has been contested to the Commission. Conservation districts must abide by ***Local Government Common Records Retention Schedule (CORE)***.

E. Election Supervisor duties

1. Before an election

a) Confirm that the election resolution has been provided to the Conservation Commission by the candidate filing deadline.

b) Confirm due notice requirements have been satisfied.

c) Confirm two polling officers will be present at each poll site. One polling officer and the election supervisor may substitute for the two polling officer requirement at one poll site.

d) Prepare polling officers to perform the tasks required of them by reviewing these procedures, the poll list form, the ballot results form, and contested balloting, and confirm all required resources are available at each polling place.

e) Provide absentee ballots upon request; provide absentee ballot information (instructions, deadlines, etc) to voters (see Appendix A); and abide by the double-envelope system for absentee ballots.

2. Immediately after the candidate filing deadline

a) The election supervisor should verify the eligibility of each candidate to appear on the ballot and serve as a conservation district supervisor. This can be done using Checklist 1 - District Verification of Candidate and Eligibility for the Office of Elected Supervisor[ble6].

b) If only the incumbent filed PF-A and PF-B by the candidate filing deadline, the election supervisor should determine if it will be automatically re-electing the incumbent through WAC 135-110-370. This can be done using Checklist 2 - Automatically Re-electing an Incumbent[ble7].

~~2.~~3. During a poll-site election

a) A conservation district supervisor or the election supervisor appointed by the conservation district board of supervisors may extend the time polls are open, if needed to accommodate voters or if needed to obtain additional ballots.

b) The election supervisor may assist polling officers but may not issue ballots in a poll-site election, unless the election supervisor is serving as a polling officer as described in Section D.2.b. Ballots remain in the custody of polling officers at all times during a poll-site election.

c) An election supervisor who also serves as a polling officer has all of the responsibilities and duties listed in Section 2.F.

~~3.~~4. After the polls close

a) The election supervisor may assist polling officers, but may not count ballots, unless the election supervisor is serving as a polling officer as described in Section D.2.b.

b) One or more conservation district supervisors, conservation district employees, Conservation Commission representatives, or members of the public may observe the handling of ballots and the counting of votes, but may not interfere or disrupt the proceedings in any way.

~~4.~~5. During a mail-in election and / or for absentee ballots

a) The election supervisor receives and safeguards mail-in or absentee ballots returned by voters.

i) The election supervisor performs all the tasks as for a poll-site election, and determines if mail-in ballots and / or for absentee ballots are cast by qualified district electors.

ii) The election supervisor does not count ballots. Polling officers count the ballots.

b) Double-envelope voting is required for mail-in and / or for absentee ballots elections.

i) A double-envelope system identical to contested balloting must be used by the conservation district in a mail-in election and for absentee ballots.

ii) Ballots are to be inserted in an inner envelope and sealed, with no marks or other information that would identify the person voting. The outer envelope should show or contain sufficient information to identify the voter. The name and address of the voter, as shown on the list of registered voters obtained from the County Auditor, is recommended.

iii) Mail-in and absentee ballots are to be delivered to the election supervisor.

c) The election supervisor determines if mail-in and absentee ballots votes are submitted by qualified district electors.

i) As ballots are received from voters, the election supervisor may verify each mail-in and absentee ballot as eligible or disqualified based on the information provided on or in the outer envelope of the mail-in or absentee ballot. Alternatively, the election supervisor may wait until all ballots are received, at which time the eligibility of each voter must be verified before outer envelopes are opened.

ii) When a voter cannot be verified as eligible to vote in this election from information provided on the outer envelope, the outer envelope should be opened. If, after opening the outer envelope, a voter still cannot be verified as eligible to vote in this election, the ballot must be counted as a disqualified ballot.

iii) The election supervisor may enlist the help of polling officers in verifying mail-in and absentee ballots as eligible or disqualified.

iv) The election supervisor must not open the inner envelope containing the actual ballot. Polling officers must open and count each ballot that has been verified as having been cast by a qualified district elector.

v) The inner envelope for each mail-in or absentee ballot found to be cast by a person who is not a qualified district elector must not be opened. However, if it cannot otherwise be determined from an examination of the outer envelope or its contents whether the voter is a qualified district elector, the polling officers may open the inner envelope. If, after opening the inner envelope, a voter still cannot be verified as eligible to vote in the election, the ballot must be counted as a disqualified ballot.

F. Polling Officer duties

1. Before an election
   a) Review contested ballots: what they are, when they are issued, and how they are counted.
   b) Review the poll list form and Checklist 3 - Ballot Results~~the ballot results reporting form~~, and how to complete them.
   c) Confirm these resources are available at each poll site:
      i) Sufficient ballots for the expected number of voters;
      ii) A reasonable supply of contested ballots (double-envelope system);
      iii) A ballot box;
      iv) Voting booth or other means of assuring votes can be cast privately;
      v) A list of registered voters (voter list);
      vi) A map or description of the conservation district legal boundary;
      vii) A copy of these procedures; and
      viii) Poll list forms and Checklist 3 - Ballot Results~~ballot results reporting forms~~.
2. During a poll-site election
   a) Polling officers must monitor the voting place for compliance with these procedures, and also serve as guardians of all issued and unissued ballots.
   b) Polling officers verify voters and issue ballots.
      i) A polling officer must verify a voter is a qualified district elector before issuing a ballot to the voter and record that determination on the poll list.
      ii) At least one polling officer must be present and in control of the ballot box(es) at all times while the polls are open.

iii) At a poll-site election, a contested ballot must be issued if the voter's eligibility to vote cannot be determined during polling. A voter whose eligibility cannot be determined may only vote on a contested ballot. Contested balloting should be explained to the voter. Following is an example dialog:

At this time, I cannot verify you are a qualified district elector eligible to vote in this election. For your vote to be counted, you must be a registered voter living inside the boundary of the conservation district.

Every vote is important, so if you wish to vote, I will issue you a contested ballot so that you can vote. Election officials will determine your eligibility to vote after the polls are closed and count all ballots.

The contested ballot is a package consisting of a ballot and two envelopes. After you mark the ballot, place it inside one envelope and seal that envelope. Do not make any identifying marks on that envelope. Place the sealed envelope inside the second envelope.

On the outside of the second envelope, print your name and address as used by the County Auditor for your voter registration record, then place the completed contested ballot package in the ballot box.

iv) Polling officers use the poll list to track the identity and number of voters, to identify determinations made by polling officers as to voter eligibility, and to identify voters issued contested ballots.

v) For absentee ballots received during a poll-site election, polling officer should follow the procedure, as directed by the Election Supervisor, set out in Section E(4) Election Supervisor Duties above.

c) Polling officers are to close the polls at the published time, unless the polls are extended by a conservation district supervisor or the election supervisor.

i) Those who are waiting in line when the polls are scheduled to be closed must be allowed to check in and vote.

ii) Poll times may not be less than advertised.

iii) A conservation district supervisor or the election supervisor appointed by the board may extend the time polls are open, if needed to accommodate voters.

3. After the polls close

a) Polling officers open the ballot box or boxes and count the votes cast for each candidate.

i) If the election had more than one polling place, polling officers may transport uncounted ballots in the ballot boxes to a central location for counting.

ii) Ballots must remain in the custody of polling officers until counted. Polling officers count all votes cast. Absentee ballots should be tallied separately from poll-site ballots.

iii) All votes must be counted, including eligible votes and disqualified votes.

iv) A vote on a contested ballot where the voter is found to be ineligible to vote is to be counted as a disqualified vote.

v) Written marks made on a ballot for a write-in candidate shall be governed by the same standards as set out in WAC 434-261-086.

vi) When verifying a voter who cast a contested ballot, compare the name and address provided by the voter with the voter list obtained from the County Auditor or Secretary of State.

vii) The ballot count results are ~~reported~~ recorded on Checklist 3 - Ballot Results~~the ballot results report~~, which is to be provided by a polling officer to the election supervisor.

b) ~~Provide~~ Record a Checklist 3 - Ballot Results~~completed ballot results report~~ for each type and location of election held (poll-site and mail-in), and for absentee ballots (if any were received) to a conservation district supervisor or the election supervisor.

c) Surrender all poll list documents, all ballots, all working notes and papers, and all Checklist 3 - Ballot Results~~ballot results reports~~ to the election supervisor.

d) Polling officers may announce the unofficial results of the election, subject to certification by the Conservation Commission.

4. During a mail-in election

a) Polling officers receive each ballot from the election supervisor.

i) Each ballot should be sealed inside an envelope.

ii) Only one ballot may be in an envelope. If more than one ballot is found inside a single envelope, all such ballots must be disqualified.

iii) A ballot in an unsealed inner envelope may be disqualified.

b) Polling officers count votes and verify the ballot count in writing.

i) All votes must be counted: eligible, and disqualified. There are no contested ballots in a mail-in election.

ii) Written marks made on a ballot for a write-in candidate shall be governed by the same standards as set out in WAC 434-261-086.

iii) Ballot counts are recorded on Checklist 3 - Ballot Results and reported in total on EF2~~the ballot results report form (EF5), which is to be provided by a polling officer to a supervisor of the conservation district holding the election~~.

c) If the conservation district holds a poll-site election and a mail-in election, polling officers must count and ~~report~~ record ballots separately for each type of election and for absentee ballots (if any were received) and for each poll location. This means a separate Checklist 3 - Ballot Results~~ballot results report~~ must be completed for each type of election, absentee ballots, and location of election.

G. Candidate duties

1. Before an election

a) Any person wishing to be a candidate must file candidate information (PF-A) with the conservation district by the candidate filing deadline.

b) A candidate wishing to have his or her name pre-printed on the official ballot must provide a qualified nominating petition (PF-B) signed by at least 25 qualified district electors to the conservation district by the candidate filing deadline. Use as many pages of PF-B as needed to achieve the 25 qualified district electors. The election supervisor will verify nominators on the nominating petition.

c) If the incumbent on the conservation district board who currently holds the elected office subject to the current years' election provides candidate information (PF-A) by the candidate filing deadline, the incumbent will be eligible to be re-elected. However, under WAC 135-110-340, unless the incumbent obtains the 25 qualified nominating signatures (PF-B), the incumbent's name will not appear on the ballot. In order for the incumbent's name to appear on the election ballot, the incumbent must file both PF-A and PF-B by the candidate filing deadline, and PF-B must have at least 25 qualified nominating signatures. Only after an incumbent correctly files both forms with the District will the District place the incumbent's name on the official ballot. Furthermore, a District wherein an incumbent files only candidate information (PF-A) and not the 25 qualified nominating signatures (PF-B) cannot use WAC 135-110-370 to automatically re-elect the incumbent.

d) Should a candidate wish to withdraw his or her candidacy, written notice to that effect must be provided to the conservation district before Election Day. Notice by any other means will be considered invalid. If the candidate is running as a nominated candidate and ballots have already

been printed, the conservation district is not obligated to reprint ballots to remove the withdrawn candidate's name.

e) It is the responsibility of a candidate to inform voters of the candidate's desire and qualifications to be elected to the office of conservation district supervisor. A conservation district may provide equal opportunity and equivalent space to candidates for this purpose but are not required to do so. Such information must not be provided within 300 feet of polls on Election Day.

f) Every candidate must be eligible to be elected to, and hold the office of, conservation district supervisor on the day of the filing of candidate information with the conservation district.

2. During a poll-site election

a) Candidates may not seek to influence voters to vote for or against a specific candidate within 300 feet of ballot box(es).

b) Candidates may observe an election while the polls are open but may not interfere with voters or polling officers.

c) Candidates may observe the counting of ballots but may not interfere with polling officers or the election supervisor.

3. After the polls close

a) Candidates may not disrupt or interfere with polling officers.

b) Candidates may observe the counting of votes.

c) The supervisor-elect becomes a municipal officer upon certification of the election by the Conservation Commission.

H. Nominator duties

1. Before an election

a) Persons signing a nominating petition (PF-B) must be registered voters residing within the boundary of the conservation district holding the election.

b) Information provided on the nominating petition must be legible or it cannot be counted.

c) Nominators may sign a nominating petition for more than one candidate.

d) Nominators may only sign a candidate's nominating petition once.

e) A nominator's signature is not a vote for the candidate. Signing the nominating petition is a request that the candidate's name be pre-printed on the official ballot.

I. Voter duties

1. During a poll-site election

a) No voter may seek to influence any other voters within 300 feet of the ballot box(es).

b) A voter may observe an election but may not interfere with voters or polling officers.

c) A voter must sign in on a poll list and provide sufficient information for a polling officer to determine the individual's eligibility to vote.

d) Before receiving a ballot, the identity of a voter must be verified by a polling officer. Acceptable forms of voter identification include:

   i) Valid Washington State driver's license or Valid Washington State identification card; or

   ii) Any other identification allowed for registering to vote by the Auditor of the County where the conservation district is located.

e) A voter who cannot be confirmed at the polling place as eligible to vote may vote, but only on a contested ballot issued by a polling officer.

2. After the polls close

   a) Voters and other citizens may not disrupt or interfere with polling officers.

J. Non-standard election outcomes

1. Incumbent automatically reelected if no other person files. WAC 135-110-370. To determine if an incumbent is automatically reelected to another three-year term, please use Checklist 2 – Automatically Re-electing an Incumbent. [ble8]

~~1.~~

~~a) The incumbent is automatically reelected to another three-year term if:~~

~~i) Due notice of the election resolution and the election have been duly published by the conservation district;~~

~~(1) The information in the election resolution been published, at least twice, a week apart, the first time being at least one week before the candidate filing deadline and the second at least one day before the candidate filing deadline;~~

~~(2) The date, time, place and manner of the election been published, at least twice, a week apart, the first time being at least one week before the candidate filing deadline and the second at least one day before the candidate filing deadline;~~

~~ii) The only person filing by the candidate filing deadline is the incumbent;~~

~~(1) At the time of filing, the incumbent was a qualified district elector (at the time of filing, the incumbent was a registered voter in the county where the district is located and a resident within the conservation district boundary);~~

1028 ~~(2) At the time of filing, and on or before the candidate filing deadline, the incumbent~~
1029 ~~submitted to the conservation district PF-A, information including:~~

1030 ~~(a) The name of the conservation district;~~

1031 ~~(b) The incumbent's name, residential address, mailing address (if different), and phone~~
1032 ~~number;~~

1033 ~~(c) Whether the person is a registered voter in the county where the conservation district~~
1034 ~~is located;~~

1035 ~~(d) Whether the person resides inside the conservation district boundary;~~

1036 ~~(e) Whether the person is a landowner or an operator of a farm; and~~

1037 ~~(f) The dated signature of the incumbent attesting to the accuracy of the information so~~
1038 ~~provided.~~

1039 ~~(3) At least 25 qualified nominating signatures (PF-B) are provided by the candidate filing~~
1040 ~~deadline. If 25 qualified nominating signatures are not submitted to the District by the~~
1041 ~~incumbent by the candidate filing deadline, the District cannot use WAC 135-110-370 to~~
1042 ~~automatically re-elect the incumbent.~~

1043 ~~iii) The conservation district verifies the continued eligibility of the incumbent to serve another~~
1044 ~~term of office (EF2);~~

1045 ~~(1) The election supervisor has determined that~~

1046 ~~(a) The name of the incumbent (who filed the candidate information) is the correct legal~~
1047 ~~name of the individual;~~

1048 ~~(b) That the incumbent submitted candidate information by the filing deadline;~~

1049 ~~(c) That the incumbent submitted a valid nominating petition by the filing deadline;~~

1050 ~~(d) That the incumbent was a qualified district elector on the day of filing; and~~

1051 ~~(e) That at least two of the three elected conservation district supervisors on the~~
1052 ~~conservation district board of supervisors will be landowners or operators of farms if~~
1053 ~~the incumbent is elected;~~

1054 ~~iv) The incumbent has not resigned on or before the last date of election; and~~

1055 ~~v) Before election day, the conservation district must have informed the voting public that the~~
1056 ~~incumbent has been reelected by reason of being the only person filing for the position, and~~
1057 ~~that no poll site, mail, or absentee balloting will be performed, and on election day, signs~~
1058 ~~containing this information were posted at poll sites. See EF3 and EF4.~~

~~b) Within four weeks of the first date of election as scheduled in the election resolution, the conservation district must inform the Conservation Commission of the automatic reelection of the incumbent.~~

~~c) Election supervisors must use EF3 in order to ensure compliance with WAC 135-110-370.~~

~~d)~~a) W~~Upon completion of EF3 (w~~hen all provisions of WAC 135-110-370 are met~~)~~, a district is required to cancel the election. This can be done with or without formal board action.

i) Without formal board action: Under WAC 135-110-230, a District Board of Supervisors must appoint an Election Supervisor. That Election Supervisor is empowered by the Board, through WAC 135-110-230, to conduct all operations of the election, including the determination and operation of automatically re-electing the incumbent (provided the terms of WAC 135-110-370 are met). Therefore, the appointed Election Supervisor can proceed to cancel an election provided all the conditions of WAC 135-110-370 are met.~~ and EF3 completed.~~ Ultimately, as WAC 135-110-230(3) notes, the Board is responsible for the actions of the Election Supervisor.

ii) With formal board action: the board of supervisors may choose to proceed with cancelling an election (provided that all provisions of WAC 135-110-370 are met~~ and EF3 complete~~), by passing a resolution so stating and in compliance with WAC 135-110-370.

2. Undeclared write-in candidate may be elected if no person files. WAC 135-110-360.

a) If no person has filed by the filing deadline, or if the election supervisor finds ineligible all persons who filed, then only undeclared write-in candidates may be elected.

i) The undeclared write-in candidate, deemed the unofficial winner, must submit required candidate information to the conservation district, and

ii) Within four weeks (twenty-eight calendar days) following the first date of election, the election supervisor must verify the eligibility of the unofficial winner to be elected and to serve. This is done using Checklist 1 - District Verification of Candidate and Eligibility for the Office of Elected Supervisor[ble9] and by filling out EF2.

iii) If the conservation district is unable to verify eligibility of the unofficial winner within four weeks of the election, the unofficial winner is disqualified. The person receiving the next highest vote count must then submit required candidate information and the conservation district must verify his or her eligibility as described above.

iv) If the undeclared write-in candidate who is the unofficial winner is found ineligible and no other persons received votes, the Conservation Commission will officially announce another full term of office for the incumbent on the third Thursday in May, but only upon verification by the conservation district of the eligibility of the incumbent to serve in the office of elected conservation district supervisor.

b) Written marks made on a ballot for a write-in candidate shall be governed by the same standards as set out in WAC 434-261-086.

3. Election results in a tie. WAC 135-110-730.

a) In the case of two or more eligible candidates receiving the most votes, and each receives an equal number of votes, the conservation district must recount the ballots.

b) Conservation district supervisors may perform the recount at a regular or special meeting of the conservation district board of supervisors, or may charge polling officers with this duty.

c) If a tie is verified by the recount, the winner of the election must be determined by drawing of names as provided under RCW 29A.60.221 to ensure the drawing is equitable to all affected candidates.

i) If no more than two candidates are tied, a coin toss may be used in lieu of drawing names to determine the unofficial winner.

ii) If more than two candidates are tied, only a drawing of names may be used to determine the unofficial winner.

iii) A representative of the Conservation Commission must be present for any drawing of names or coin toss.

d) The candidate whose name is drawn (or who wins the coin toss) becomes the supervisor-elect.

4. No eligible candidate elected. WAC 135-110-740.

a) When no eligible candidate is elected, the Conservation Commission will officially announce another full term of office for the incumbent on the third Thursday in May, but only upon verification by the conservation district of the eligibility of the incumbent to serve in the office of elected conservation district supervisor. This is done using Checklist 1 - District Verification of Candidate and Eligibility for the Office of Elected Supervisor[ble10] and by filling out EF2.

b) If the conservation district determines the incumbent conservation district supervisor is no longer eligible to serve in the office of elected conservation district supervisor, or if the incumbent has resigned, the position is deemed vacant and the conservation district may appoint an eligible successor following the official announcement by the Conservation Commission.

K. Emergencies

1. Emergency relocation or rescheduling of election

a) A conservation district may not change the date(s) or location(s) of poll sites unless an emergency exists.

b) A conservation district supervisor or the election supervisor may declare an emergency when adverse conditions may negatively affect the health or safety of voters or the timely return of absentee ballots. Such conditions may include, but are not limited to:

   i) Hazardous weather conditions;

   i) Damage to roads, buildings, or other infrastructure;

   ii) Chemical spills;

   iii) Fire and smoke; or

   iv) Volcanic eruption, earthquake, landslides, mudflows, and floods.

c) When an emergency is so declared, the conservation district should attempt to inform all conservation district supervisors and candidates listed on the ballot.

d) When a polling site is changed in response to an emergency, and the election date is not changed, signage sufficient to notify potential voters must be provided to redirect voters to the new polling site(s). Poll times should be extended to allow for additional travel time to the relocated polls.

e) When the election date is changed in response to an emergency, the conservation district should first seek to provide due notice to inform the public of the change. If due notice is not possible, the conservation district should take reasonable measures to inform the public of the change. Reasonable measures may include, but are not limited to: announcements on local radio or television; posting on web pages; announcements in newspapers; and posting of handbills or flyers.

f) When one or more polling sites are changed and the date is changed in response to an emergency, the conservation district should perform the actions described above is subparts (d) and (e).

g) The Conservation Commission must be informed of all emergency changes to poll locations or dates before voting begins.

SECTION 3: APPOINTMENTS

A. Information required

1. Only an application form provided by the Conservation Commission on its web site may be used to apply for the position of appointed supervisor. The application for appointed supervisor (AF1 – Conservation District Appointed Supervisor Application) can be found at on the Commission's web page (http://scc.wa.gov/elections/) or here.
2. The AF1 – Conservation District Appointed Supervisor Application~~appointed supervisor application~~ must be filled out in its entirety in order for the applicant to be considered for appointment.

B. Forms and reports required

1. Conservation districts must provide proof to the Conservation Commission that it has complied with the requirement to notify the community of the opportunity to apply for an appointed conservation district supervisor position. Proof must be documented on ~~EF4~~EF2. Copies of advertisements are no longer required to be sent to the Commission, but should be retained by the district.

   Applicants for appointment must submit the appointment application using form AF1. The AF1 form can be obtained from the Commission's web page (http://scc.wa.gov/elections/) or here~~Commission's web site at http://scc.wa.gov/elections/~~. Letters of recommendation, resumes, and other items do not need to be included with the application. Late applications and associated documents cannot be considered. The Conservation Commission will not consider applications submitted by someone other than the applicant.

   a) For appointment to a full term of office

      i) Applications and supporting materials must be received by the Commission no later than **March 31**.

      ii) If an incumbent holding the office of appointed conservation district supervisor wishes to be reappointed, the incumbent must reapply for appointment. This clearly identifies to the Conservation Commission the wishes of the incumbent, and allows the Conservation Commission to verify the eligibility of the incumbent to continue his or her service.

   b) For appointment to a partial or mid-term term of office

      i) In consultation with the Conservation Commission, the conservation district will establish a deadline for applications and publicize that date.

C. Conservation Commission duties

1. The Conservation Commission must notify affected parties.
   a) The Conservation Commission must notify each conservation district of upcoming vacancies in the position of appointed conservation district supervisor by September 1 of the year prior to the terms expiration.
   b) The Conservation Commission must notify each appointed supervisor whose term is expiring by January 15 of the year in which the term expires.
2. The Conservation Commission must make these procedures and the application form available on its web site.
3. The Conservation Commission must provide a list of prospective applicants to the conservation district prior to the Conservation Commission making an appointment.
4. The Conservation Commission may supplement at its cost any conservation district notice or advertising for applicants for appointed supervisor.
5. The Conservation Commission will vet each applicant with the Department of Ecology and Department of Agriculture. Applicants with prior or pending enforcement action against them may be ineligible to serve.
6. In the event no applications are submitted from qualified applicants for a conservation district, the Conservation Commission may seek qualified applicants from the community served by the conservation district. The Commission may contact each district which received no applications and offer an option to re-advertise the open appointed position for a four week period. If the district declines this option, the Commission will seek qualified applicants itself. Applications received as a result of the second round of advertising will be processed as soon as possible by the Commission.
7. Conservation Commission procedures for full-term appointments.
   a) Full-term appointments will be made annually at the regular Conservation Commission meeting to be held the third Thursday in May of each year.
   b) The term of office will be three years. The term of office for a full-term appointment will expire on the third Thursday of May three years following the appointment.
   c) Prior to the May meeting of the Conservation Commission Board, the Conservation Commission will evaluate all applications received by March 31 in the year the position is open for appointment.
   d) The Conservation Commission will evaluate the suitability and capability of all applicants for the position of appointed supervisor.

e) A Conservation Commission representative will contact the conservation district board chair, vice-chair, and district manager from the affected conservation district prior to the Conservation Commission making the appointment.

f) The Conservation Commission will notify all applicants, including those not appointed, of the appointments made at its May meeting.

g) The Conservation Commission must notify each conservation district of the appointments made following the May meeting.

8. Conservation Commission procedures for mid-term appointments.

a) The term of office will be until the end of the original full-term.

b) To assure continuity of district operations and effectiveness in administering the authorized conservation program of the conservation district, the Conservation Commission may act on an application for mid-term appointment at any time, as determined solely by the Conservation Commission.

c) The Conservation Commission will evaluate the suitability and capability of all applicants for the position of appointed supervisor.

d) A Conservation Commission representative will contact a conservation district supervisor from the affected conservation district prior to the Conservation Commission making the appointment.

e) The Conservation Commission will notify all applicants, including those not appointed, of the mid-term appointments made.

f) The Conservation Commission will notify each conservation district of the mid-term appointments made.

D. Conservation District duties

1. Conservation districts must provide due notice to citizens of the opportunity to apply for appointment to a full term of office as a conservation district supervisor.

a) Notices should be published at least several weeks before the application deadline.

b) Copies of published notices shall be retained at the district for at least one year, and may be inspected at any time during that year by the Commission.

c) Notices for elections and appointments may be combined.

2. Notices to the public must include at least the following information:

a) There is an upcoming vacant or unexpired appointed supervisor position.

b) An applicant must be a registered voter in the state of Washington.

c) Applicants may be required to be landowners or operators of a farm, depending on the current composition of the conservation district board of supervisors.

d) A conservation district supervisor sets policy and direction for the conservation district.

e) A conservation district supervisor is a public official who serves without compensation.

f) Application forms may be obtained from the Conservation Commission website.

3. Deadlines for applications vary

a) For full-term appointments, the deadline for applications and associated materials to be received by the Conservation Commission in Lacey, Washington, is **March 31**.

b) For partial or mid-term appointments, the conservation district must consult with the Conservation Commission to determine an appropriate due date, and then publish that date.

4. Conservation district procedures for a full-term appointment.

a) The application period is January 1 through March 31 in the year the appointment is to occur.

b) The conservation district must notify the newly appointed supervisor of the date and time of the next meeting of its board of supervisors.

5. Conservation district procedures for mid-term appointments

a) The conservation district must consult with the Conservation Commission in determining an appropriate application period and deadline for applications.

b) The application period must be at least four weeks (28 calendar days) in duration.

c) The conservation district must select a reasonable deadline for applications to be received by the Conservation Commission, preferably at least four weeks before the regular Conservation Commission meeting at which the conservation district wishes the appointment to be made.

~~d) A conservation district is not required to provide due notice, but should strive to do so unless an emergency exists that calls for immediate filling of the vacant office.~~

~~e)~~d) A conservation district may extend the deadline for applications upon consultation with, and agreement by, the Conservation Commission. Due notice of the extended deadline must be provided by the conservation district.

~~f)~~e) The conservation district must notify a newly appointed supervisor of the date and time of the next meeting of its board of supervisors.

E. Applicant duties

1. Applicants for the position of appointed supervisor of a conservation district must be registered voters in Washington State.
2. Applicants may obtain an application form (AF1) from the Washington State Conservation Commission's website at -http://www.scc.wa.gov/elections/ or here.
3. Applicant procedures for full-term appointments.
   a) Applications and supporting materials must be received by the Commission no later than **March 31**.
   b) An applicant becomes a municipal officer of the conservation district upon formal appointment by the Conservation Commission.
   c) Newly appointed supervisors may begin performing the duties required of conservation district supervisors at the next regular or special meeting of the conservation district board of supervisors following appointment by the Conservation Commission.
4. Applicant procedures for mid-term appointments.
   a) An applicant becomes a municipal officer of the conservation district upon appointment to office by the Conservation Commission.
   b) Newly appointed supervisors may begin performing the duties required of conservation district supervisors at the next regular or special meeting of the conservation district board of supervisors following appointment by the Conservation Commission.

SECTION 4: VACANCY, REMOVAL, AND REPLACEMENT

A. Only vacant offices may be filled – WAC 135-110-900

1. The office of conservation district supervisor may not be filled by election or appointment unless the term of office has expired, or the position has been immediately vacated as described in this section, or the Conservation Commission has declared the position vacant.

B. Supervisors must be eligible to serve – WAC 135-110-910

1. A conservation district supervisor must be eligible to serve in the office of conservation district supervisor throughout the term of office.
2. If an incumbent no longer meets the minimum eligibility requirements to serve as a conservation district supervisor, the office is deemed vacant.

C. Resignation from office – WAC 135-110-920

1. A conservation district supervisor may resign from public office at any time, and for any reason.
2. Resignations must be made in writing to the Conservation Commission or to the conservation district.
3. Resignations are effective on the date received, unless the incumbent has specified a future date for the resignation to become effective.

D. Ceasing to be a registered voter – WAC 135-110-930

1. The office held by an elected conservation district supervisor is immediately vacant upon that supervisor no longer meeting the definition of a qualified district elector.
2. The office held by an appointed conservation district supervisor is immediately vacant upon that supervisor no longer being a registered voter in the state of Washington.

E. Death of the supervisor – WAC 135-110-940

1. The office held by a conservation district supervisor is immediately vacant upon the death of the supervisor.

F. Declaration voiding an election or appointment – WAC 135-110-950

1. The office held by a conservation district supervisor is vacant upon the decision of a competent tribunal declaring void his or her election or appointment.

G. Removal from office – WAC 135-110-960

1. As provided in RCW 89.08.200, a conservation district supervisor may be removed from office by the conservation commission governing board upon notice and hearing for neglect of duty or malfeasance.
2. The conservation commission must provide notice to the supervisor detailing the specific elements of the neglect of duty or malfeasance for which removal is sought. The supervisor shall be given the opportunity to respond in writing to the elements contained in the notice within thirty days of the notice to the supervisor from the conservation commission. Notice to the supervisor from the conservation commission shall be by certified mailing to the address of record for that supervisor.
3. The conservation commission must hold at least one public hearing no earlier than sixty days from the date of certified mailing to the supervisor in the area served by the conservation district supervisor before acting to remove the incumbent from office.
4. Following the public hearing, the conservation commission shall vote on the removal of the supervisor based on official findings of fact detailing the cause or causes of removal.

H. Replacement – WAC 135-110-970

1. Elected Supervisor Replacement: a~~A~~ vacancy in the office of elected conservation district supervisor is filled by the conservation district board of supervisors for the remainder of the unexpired term, subject to the verification of supervisor qualifications by the conservation commission. Districts should adopt a policy for mid-term replacement of elected supervisors. A sample policy is provided in Appendix E -Sample Elected Board Positions – Mid-Term Appointments. ~~While due notice to the affected community is strongly recommended, it is not required.~~ Notice must be given of the appointment as soon as practicable by the District to the Commission. Please remember that any appointee to a vacant elected supervisor position must still be eligible to serve under WAC 135-110-910. Therefore, depending on the current make-up of the board of supervisors, an appointee to a vacant elected supervisor position may be required to be a landowner or farm operator at the time of appointment. Districts should make this determination before appointing someone to fill the vacant elected supervisor position by using form AF2 - Mid-Term Elected Position Appointment Verifications of Qualifications. At least two of the three elected conservation district supervisors on

the conservation district board must be landowners or operators of farms. The definition of landowner and farm operator is set out in WAC 135-110-110.

a) The conservation district must consult with the Conservation Commission in determining an appropriate application period and deadline for applications.

b) The application period must be at least four weeks (28 calendar days) in duration.

c) The conservation district must select a reasonable deadline for applications to be received.

~~1.~~d) A conservation district may extend the deadline for applications upon consultation with, and agreement by, the Conservation Commission. Due notice of the extended deadline must be provided by the conservation district.

2. Appointed Supervisor Replacement: a~~A~~ vacancy in the office of appointed conservation district supervisor is filled by the Conservation Commission for the remainder of the unexpired term. The conservation district ~~may~~ must publish due notice of the vacancy.
   a) Conservation Commission requirements are identified in Section 3.C.8 of these procedures.
   b) Conservation district requirements are identified in Section 3.D.6 of these procedures.

Appendix A -Sample Absentee Ballot

[INSERT DISTRICT NAME] Conservation District
[INSERT ADDRESS, PHONE, EMAIL]

PLEASE READ THESE IMPORTANT VOTING INSTRUCTIONS

Dear registered voter:

Thank you for participating in our election by requesting an absentee ballot for the [INSERT DISTRICT NAME] Conservation District Board of Supervisor Election, which will be held on [INSERT DATE].

TYPES OF CANDIDATES:
Per WAC 134-110-350, there are three types of candidates:
(1) A declared candidate is a qualified district elector who has submitted a candidate information form to the conservation district by the filing deadline, but has not submitted a qualified nomination petition signed by 25 registered voters. The name of this type of candidate will not appear on the ballot.
(2) A declared nominated candidate is a qualified district elector who has submitted a candidate information form and a qualified nominating petition signed by 25 registered voters to the conservation district by the filing deadline. The name of this type of candidate will appear on the ballot.
(3) An undeclared write-in candidate is a qualified district elector who has not submitted a candidate information form nor a qualified nomination petition signed by 25 registered voters to the conservation district by the filing deadline. Per WAC 135-110-360 an undeclared write-in candidate may only win if no candidates have filed by the candidate filing deadline or all the candidates who have filed have been found ineligible.

CANDIDATES IN THIS ELECTION:
[INSERT DESCRIPTION OF CANDIDATES IN THIS ELECTION].

BALLOT SYSTEM:
Our absentee ballot system is a two-envelope system to ensure the confidentiality of your vote. Complete the ballot and the attest statement and voter information form. Place only your completed ballot inside the smaller secrecy envelope being sure there are no identifying markings on the outside of the envelope then seal the envelope. If there is more than one ballot in the secrecy envelope or the secrecy envelope is not sealed, the ballot may be disqualified.

Place the sealed secrecy envelope and the attest statement and voter information form into the larger envelope, which has our address preprinted in the addressee area of the envelope. The information on the attest statement and information form will be used to verify whether or not you are a registered Washington state voter living in [INSERT COUNTY NAME] County. If we cannot find your name on the voter rolls because you have used a nickname or you have moved and not updated your registration with the County, your ballot will be contested. Seal the outer envelope and write your name and return address in the upper left corner of the envelope.

Your absentee ballot must be received by the Conservation District by mail or in person no later than [INSERT TIME] on [INSERT DATE] (WAC 135-110-110). Ballots post marked earlier, but received in the mail after [INSERT TIME] on [INSERT DATE] cannot be counted.

Conservation district election procedures are set by the Washington State Conservation Commission and are governed under WAC Chapter 135-110. If you have any further questions about the election procedures, please call the conservation district.

Sincerely,
[INSERT NAME]
Election Supervisor

[Page 1 of 3]

[INSERT DISTRICT NAME] Conservation District

1. Complete the ballot.

2. Place your completed ballot into the smaller secrecy envelope with no identifying marks.

3. Seal the secrecy envelope with only your ballot in it.

4. Complete the attest statement and voter information form.

5. Place the sealed secrecy envelope and the attest statement and voter information form into the larger white envelope with the [INSERT DISTRICT NAME] Conservation District address in the addressee area of the envelope.

6. Write your name and address in the upper left hand corner of the larger white envelope.

7. Bring or mail the larger white envelope to the [INSERT DISTRICT NAME] Conservation District office at [INSERT ADDRESS]. It must be received no later than [INSERT TIME] on [INSERT DATE].

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[INSERT DISTRICT NAME] Conservation District

Attest Statement and Voter Eligibility Information

I swear under penalty of perjury under the laws of the State of Washington that I reasonably believe that I am a registered voter of Washington state and that I reside within the [INSERT DISTRICT NAME] Conservation District boundaries.

_____
Signature

Voter Eligibility Information:

Print your name clearly as it appears on your County voter registration:

_____
First Name Middle Initial Last Name

Print your address as it appears on your County voter registration:

Physical home address:

_____
House number Street Unit #

_____
City

Mailing address (if different from physical home address):

_____
PO Box Number or House Number Street Unit #

_____ _____
City Phone Number

We will only call you if we are having difficulty verifying that you are a registered Washington state voter living in _____ County.

We may not be able to count your vote if

- You are not a registered Washington state voter living in [INSERT COUNTY NAME] County. (This will be verified by checking the [INSERT COUNTY NAME] County Auditor's voter rolls.)
- We cannot read your name and address on this form.
- Anything except the ballot is inside the secrecy envelope.
- The secrecy ballot is not sealed.
- The name or address on this form is different from the one on the [INSERT COUNTY NAME] County Auditor's voter rolls.

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[INSERT DISTRICT NAME] Conservation District

[INSERT ADDRESS, PHONE, EMAIL]

Board of Supervisor Election Absentee Ballot Request

I, _____, a registered voter of [INSERT COUNTY NAME]
(printed first name, middle initial, last name as it appears on your voter registration card)

County, WA living at _____
number street City

request □ in person, □ in writing, □ by telephone, or □ electronically, by □ the voter, □ a family member, or □ a registered domestic partner, that an absentee ballot for the Conservation District Board of Supervisors election be mailed to me at the following address:

Mailing address (If the same as above, please write same.):

_____

_____

_____

_____
Signature [check here if the request was □ by telephone or □ electronically]

Day Time Phone Number:_____

Email (optional) _____

Absentee ballot requests made in person, by phone or by email must be received by the [INSERT DISTRICT NAME] Conservation District no later than [INSERT TIME] on [INSERT DATE] to be completed.

Completed ballots may be mailed or dropped off, but must be received by [INSERT TIME], [INSERT DATE] at [INSERT LOCATION OR ADDRESS].

If you have any questions, call our office at [INSERT TELEPHONE NUMBER].

Appendix B – Due Notice Compliance Notice ExamplesB

Due Notice Compliance Notice Examples

Please refer to Section 2.D.2.e and Section 3.D.2 for specific requirements about minimum content in notices published for elections and appointments.

We recommend providing notices to the pool of potential candidates long before the election, announcing vacancies and seeking candidates.

Sample announcement of a vacancy:

> *The Ledgerwood Conservation District is pleased to announce an opportunity to contribute to conservation and your community by serving on the Board of Supervisors. Supervisors are public officials who direct the activities of the conservation district. Although they serve without compensation, they are eligible to be reimbursed for appropriate expenses. For more information, please contact the Ledgerwood Conservation District or visit the Washington State Conservation Commission website at http://www.scc.wa.gov/*

Sample notice of intent to adopt an election resolution that meets the traditional minimum requirements:

> *The Ledgerwood Conservation District Board of Supervisors will hold a meeting at [time] on [month] [day], [year] at [address] location to adopt a resolution setting the date, time, and location of an election to fill a Conservation District Supervisor's expiring term.*

Sample notice of intent to adopt an election resolution that meets the NEW web site requirements:

> *The Ledgerwood Conservation District Board of Supervisors will hold a meeting at [time] on [month] [day], [year] at [address] location to adopt a resolution setting the date, time, and location of an election to fill a Conservation District Supervisor's expiring term.* ***Please note: future election information will be posted ONLY on the Ledgerwood Conservation District web site (INSERT WEB SITE URL).***

Sample adopted election resolution notice that meets minimum requirements:

> *A [insert type: mail, poll-site, electronic] election for a board seat on the Ledgerwood Conservation District will be held on [month] [day], [year] at [address] location. Polls will open at [time] and close at [time]. Registered voters who reside within the*

Conservation District boundary are eligible to vote. Candidates must registered voters residing in the conservation district, and may be required to own land or operate a farm. The candidate filing deadline is [date] at [time]. Elections procedures are available at the district office. Absentee ballots are available upon request for eligible voters, but must be requested on or before [time] on [month] [day], [year]. Please contact the District office at [phone] or at the District office at [address] for absentee ballots or if you have any questions.

Sample appointment announcement that meets minimum requirements for a full-term appointment:

A board seat on the Ledgerwood Conservation District is available for appointment by the Washington State Conservation Commission. Conservation district board supervisors are public officials who serve without compensation and set policy and direction for the conservation district. An applicant must be a registered voter in Washington State, and may be required to own land or operate a farm. Applicants for appointed positions do not have to live within the district to apply. For more information, or to obtain an application form, please contact the Ledgerwood Conservation District or visit the Conservation Commission website at http://www.scc.wa.gov/. Applications and supporting materials must be received by the Commission no later than March 31, [year].

Sample Board-Authorized Automatic Re-Election of the Incumbent notice. Note: use this notice only if your Board of Supervisors, at a regular or special meeting, passed a resolution cancelling the election due to the automatic re-election of the incumbent, in compliance with WAC 135-110-370:

The Ledgerwood Conservation District Board of Supervisors resolved on [day], [year] to proceed with informing the voting public that the incumbent has been re-elected to the currently open seat by reason of being the only person filing for the position by the filing deadline. Therefore, no poll site, absentee balloting or mail balloting will be performed pursuant to WAC 135-110-370. For further information, please contact the District at [phone].

Sample Automatic Re-Election of the Incumbent notice. Note: use this notice if your Election Supervisor has chosen to cancel the election due to the automatic re-election of the incumbent without a formal resolution from your Board of Supervisors, in compliance with WAC 135-110-370:

The Ledgerwood Conservation District Board of Supervisors hereby informs the voting public that the incumbent has been re-elected to the currently open seat by reason of being the only person filing for the position by the filing deadline. Therefore, no poll site, absentee balloting or mail balloting will be performed pursuant to WAC 135-110-370. For further information, please contact the District at [phone].

Below are two different examples of signs to post on election day, in order for a district to comply with WAC 135-110-370:

Example #1 (use this sign if your Board of Supervisors, at a regular or special meeting, issued a resolution regarding the automatic re-election of the incumbent):

"Pursuant to WAC 135-110-370, no poll site, absentee balloting or mail balloting will be performed. The XYZ Conservation District Board of Supervisors resolved on [day], [year] to proceed with informing the voting public that the incumbent has been re-elected to the currently open seat by reason of being the only person filing for the position by the filing deadline. For further information, please contact the District at [phone]."

Example #2 (use this sign if your Election Supervisor has chosen to proceed without a formal resolution from your Board of Supervisors regarding the automatic re-election of the incumbent):

"Pursuant to WAC 135-110-370, no poll site, absentee balloting or mail balloting will be performed. The XYZ Conservation District Board of Supervisors hereby informs the voting public that the incumbent has been re-elected to the currently open seat by reason of being the only person filing for the position by the filing deadline. For further information, please contact the District at [phone]."

Appendix C – Sample Candidate Information Template

~~Sample Candidate Information Template~~

Background:

WAC 135-110-430 allows a district to publish candidate-provided information (a candidate statement). To assist voters in the selection of a candidate during voting, a conservation district may publish information provide by a nominator or declared write-in candidate. See also this manual, pg 21. Further, if the district chooses to publish information about candidates, it must provide equal opportunity for publication and equivalent space to each candidate. WAC 135-110-430. The full text of WAC 135-110-430 is below:

WAC 135-110-430

Conservation district may publish candidate-provided information.

(1) To assist voters in the selection of a candidate during voting, a conservation district may publish information provided by nominated and declared write-in candidates.
(2) If a conservation district chooses to publish information about candidates, it must provide equal opportunity for publication and equivalent space to each nominated and declared write-in candidate.
(3) Candidate information provided by candidates and published by the conservation district may be mailed or delivered to voters before election day, but may not be provided to voters at poll sites on election day.
Districts who wish to allow candidates to publish candidate statements should consider a number of questions, including:

- How will the statement be published (web site only, posted at the district's office, other forums)?
- How long will the statement be?
- What information is required in the statement (if any)?
- What information is prohibited in the statement (if any)?
- What happens if there are inaccurate, erroneous, or offensive statements or language in the statement?
- When must the statement be provided by the candidate to the district?
- Will the statement be provided with absentee ballot requests and/or mailed to prospective voters?
- If a candidate wishes to rescind a submitted statement, will the district allow that?

- Who decides if the statement meets the parameters set by the district (i.e. it was submitted on time, it meets the length requirements, etc)?
- Will the statement be edited by the District in any way?
- What procedure would the district use to approve the publication of a candidates' statement?

Ultimately, it is the responsibility of the candidate to inform voters of the candidate's desire and qualifications to be elected to the office of conservation district supervisor. Candidates are free to run campaigns as they see fit and can provide voters with any information they choose, so long as they are lawful and otherwise comply with the Revised Code of Washington, Washington Administrative Code, and Commission elections policies and procedures.

It is up to the District to modify the template below so that it meets the District's current policy:

Sample Candidate Information Template:

Thank you for your interest in running for the office of elected supervisor of the [DISTRICT] Conservation District!

Prior to Election Day, we encourage you to take the opportunity to tell voters about who you are and how you are connected to the District and county. Please keep in mind though, that such information must not be provided within 300 feet of polls on Election Day.

There's another chance to tell voters about yourself – that is when you turn in your candidate information. The candidate information is similar to your biography – it allows you to inform voters of your desire and qualification to be elected to the office of conservation district supervisor.

If all candidates participate by the filing deadline, the District will produce a voter pamphlet with candidate information. The voter pamphlet will be posted as soon as practicable on the Districts' web page.

Your statement should be no more than 200 words. Statements must be typed. You may submit a photograph of yourself with your statement. Photos must be digital (JPEG or TIFF format), current (within 5 years), head and shoulders only portrait, light colored on plain background. Photos with scenery, flags, or other background settings will not be accepted. Color photos are preferred, black and white is acceptable. Judicial robes, law enforcement or military type uniforms are prohibited. No photo may reveal clothing or insignia suggesting that you hold a public office. Submitted photos become the property of the District.

The statement must be limited to information only about you. The District retains the right to eliminate information for space availability or content appropriateness, at the sole discretion of the District. Once submitted, the District has sole discretion to publish that information as it sees fit, provided that each candidate's statement is treated equally. Inaccurate, erroneous, or offensive statements or language in the candidate information, as determined by the District's delegated Election Supervisor, will result in the non-publication of the candidate statement.

Things to think about when you write your candidate statement:

- Describe your current occupation/employer (suggested).

- Describe your position interest (suggested).
- Describe your education (suggested).
- Information about your family (optional).
- Include a photo of yourself (suggested).

Candidate statements must be returned in the proper format, as outlined above, no later than the candidate filing deadline of [DATE], to the District at [ADDRESS]. As determined by the District, the failure to properly submit the statement will result in the non-publication of the statement. Any issue a candidate has surrounding a candidate's submitted statement must be made in writing [electronic or paper] to the District's Election Supervisor. As the delegated agent of the District, the District's Election Supervisor will resolve the issue as soon as practicable and inform the candidate of the decision in writing [electronic or paper].

Appendix D - Sample Election Resolution

[DISTRICT NAME] Conservation District
Resolution # **[NUMBER]**
[DATE]

WHEREAS, the Board of Supervisors of the **[DISTRICT NAME]** Conservation District ("District") operates under the laws of the State of Washington applicable to conservation districts.

WHEREAS the District is governed by a five-member board, as set out in RCW Chapter 89.08 and WAC Section 135-110.

It is RESOLVED that a **[INPUT TYPE OF ELECTION]** election for an open position on the District board of Supervisors will be held on **[DATE]** from **[START TIME]** until **[END TIME]** at the **[PHYSICAL ADDRESS OF ELECTION]**.

Interested candidates must be registered voters who reside within the boundaries of the District. Candidates may be required to be landowners or operators of a farm, depending on the current composition of the District board of supervisors. The filing deadline for candidates to file their candidate information is **[DATE AND TIME]**. Interested candidates must file their candidate information at the following location **[ADDRESS]**.

Eligible voters are registered voters who reside within the boundaries of the District. The last day and time that voters can request absentee ballots from the District is **[DATE AND TIME]**. Absentee ballots can be requested from **[NAME OF DISTRICT / STAFF PERSON, LOCATION, PHONE NUMBER, ETC]**.

The election supervisor will be **[NAME]**.

A conservation district supervisor is a public official who serves without compensation and who sets policy and direction for the conservation district. The published election procedures can be viewed at the District office and are available from the Washington State Conservation Commission at http://scc.wa.gov/.

Adopted at a regular board meeting of the District Board of Supervisors on **[DATE]**.

Chair Signature Board member

Board member Board member

Board member

Appendix E -Sample Elected Board Positions – Mid-Term Appointments

Purpose: To establish a policy outlining the process and procedures for filling mid-term elected seat vacancies on the Conservation District Board of Supervisors (Board).

Policy: A vacancy in the office of elected conservation district supervisor is filled, by a majority vote of the remaining Conservation District (District) Board Members, for the remainder of the unexpired term, subject to verification of supervisor qualifications by the Conservation Commission (WAC 135-110-970; RCW 42.12.070).

Procedure: Determining Candidate Skills, Qualifications & Requirements

The Board shall determine the skills and qualifications needed to fill the vacated position in such a way that meet current organizational needs and fills statutory requirements for board make-up, prior to advertising the opening. However, the following skills, qualifications, and expectations will be consistently required of any candidate seeking a board position:

a) Willingness and ability to work and communicate effectively with a team;

b) Willingness to fully participate in board discussions and decisions in open, public meetings;

c) Willingness and ability to be respectful of Staff and other Supervisors;

d) Functional knowledge of Conservation Districts;

e) Willingness and ability to meet all Supervisor requirements set forth in appropriate Board of Supervisors policies;

f) Willingness and ability to participate in various leadership roles, if needed, such as special committees or board officer position;

g) Willingness and ability to represent the District to other public entities and policymakers upon request of the board;

h) Willingness and ability to complete a Washington State Conservation Commission (Commission) orientation within 90 days of assuming office;

i) Willingness and ability to complete the Open Public Meetings Act and Public Records Management training within 90 days of assuming office;

j) Having a basic working knowledge of email and internet; and,

k) Willing and able to serve the best interest of the citizens of the District and County, with the ability to put aside personal issues and grievances.

Any appointee to a vacant elected supervisor position must still be eligible to serve under WAC 135-110-910. Depending on the current make-up of the board, an appointee may be required to be a landowner or farm operator at the time of the appointment. The District will make such determination before appointing a person to fill the vacant elected supervisor position by using Commission's form *AF2- Mid-Term Elected Position Appointment Verification of Qualifications.* At least two of the three elected conservation district supervisors on the board must be landowners or operators of a farm. Definitions for a landowner and farm operator are found in WAC 135-110-110.

Candidate Recruitment

When an elected seat is vacated, the remaining Board Members, with input from Staff, will determine skills and qualifications necessary to meet organization needs and fill statutory requirements. Once qualifications are determined by the Board, a candidate recruitment process will commence.

The Board will enact a proactive candidate recruitment plan, as follows:

- The Board will discuss viable candidates that stand out in our community as potential assets to the Board and our organization.
- The Board will decide if there are any candidates they would like to reach out to, and the Board will create an outreach plan for conducting these efforts.

District Staff will enact a passive candidate recruitment plan, as follows:

- Prepare and issue an advertisement in the legal section of the local newspaper, physically post a notice at the District Office, electronically post via social media, and electronically post on the District's website. The announcement on the website will include the requirements necessary to hold office, time to be served in vacant position, election information, basic duties, and instructions for submitting applications.

Board and Staff can augment this advertising plan to include additional marketing outlets, as needed.

The District Manager will prepare an application form that requests the appropriate information for the Board of Supervisors' consideration of the candidates. Instructions for applying will be available on the District's website. Candidates must provide an application packet that includes:

- A completed application form.
- A resume (no longer than two pages).
- A list of at least three community references (prefer organizations that have collaborative partnerships with the District).

Application packets must be submitted electronically to the District Office, to the attention of the District Manager by a deadline designated by the Board. Candidates submitting the required Application Packets materials by the deadline will be circulated to the Board and the District's assigned Commission Regional Manager. The decision as to which candidates will be interviewed will be determined by the Board, based on information contained in the application packet.

Candidate Interviews

The Vice Chair (or other board designee) will conduct the reference checks and input from Staff will be collected, disseminated, and reviewed by the Board, prior to candidate interviews. The Board will determine interview questions, with Staff input, and ensure that each applicant is asked the approved set of questions, prior to interviews.

Interviews with candidates must be held in an open public meeting. The Board will interview candidates at the next regularly scheduled board meeting following the application deadline, unless that period is less than two weeks. In such a case, a Special Board meeting may be requested by the Chair. The District Manager will notify applicants of the location, date and time of the candidate interviews.

The candidates' order of appearance will be determined by the date and time their application was received. The Board shall ask the pre-determined set of questions, which must be responded to by the candidate. Each applicant will be asked to answer the same set of questions. Follow up questions, based on responses, are permitted. An

informal question and answer period of up to l 0 minutes may be allowed upon agreement of a majority of the Board, in which the Board and Staff asks and receives answers to miscellaneous questions.

Appointing a Candidate

The Board will base their candidate selection decisions upon information contained in the application packet, the references, interviews, and other material gathered through public avenues, as necessary, to choose a representative of the District. Upon completion of the interviews, the Board may deliberate on the candidate(s). The meeting Chair shall poll the Board to determine if they are prepared to vote. The selection of a candidate to fill the vacancy is made by a majority vote of the remaining Board Members. Voting will take place in the open meeting and outcomes recorded in the minutes. The Board may postpone an appointment decision until another date, if a majority vote is not received. In addition, the Board may decide by majority vote that none of the candidates meet the desired and/or required qualifications needed to balance the Board makeup and maximize benefit to district functions. In this case, the Board will designate a new application deadline in the future. Active and passive recruitment would occur again during the interim.

It is noted the Board may convene into Executive Session to discuss the qualifications of the candidates, pursuant to RCW 42.30.110(1)(h). However, all interviews, nominations, and votes taken by the Board must be held in open public session. The Board may not determine who to select or reach a consensus on a preferred candidate in Executive Session.

Once appointed, the new Board Member will assume their board responsibilities immediately. The term of the candidate selected to fill the vacancy will be in effect until the current term expires. The incumbent may choose to run for election at that time.

Checklist 1 - District Verification of Candidate and Eligibility for the Office of Elected Supervisor

***1 – Receipt of candidate information* (WAC 135-110-355(2)b).** The completed candidate information form must be received by the District by the candidate filing deadline. An individual who does not provided candidate information by the filing deadline can only be elected as an undeclared write-in candidate if no other person files by the candidate filing deadline. WAC 135-110-360.	☐ The candidate did submit required candidate information by the filing deadline. ☐ The candidate did not submit required candidate information by the filing deadline.
***2 – Receipt of nominating petition* (WAC 135-110-355(2)c).** The completed candidate information form and the completed nomination petition must be received by the District by the candidate filing deadline. A candidate who submits a nominating petition after the filing deadline will be considered a declared candidate and their name will not appear on the official ballot. WAC 135-110-340.	☐ The candidate did submit a completed nominating petition by the filing deadline. ☐ The candidate did not submit a completed nominating petition by the filing deadline.
***3 – Verification of candidate eligibility* (WAC 135-110-355(2)d).** The District must verify the eligibility of the candidate to hold the public office of conservation district supervisor.	☐ The candidate is a qualified district elector (registered voter living inside the conservation district). ☐ The candidate is not a qualified district elector.
***4 – Verification of statutory board composition* (WAC 135-110-355(2)e).** The District must verify that the board composition resulting from the election of this candidate will meet the statutory requirement that at least one of the two appointed supervisors must be a landowner or operator of a farm, and at least two of the three	If this candidate is elected, at least two of the three elected conservation district Supervisors ☐ will be landowners or farm operators.

elected supervisors must be landowners or operators of a farm.	☐ will not be landowners or farm operators.	
***5 – Verification of nominators on nominating petition* (WAC 135-110-355(3)).** The District must verify the eligibility of each person signing the nominating petition. Only qualified district electors are eligible to sign. Signatures of people found to not be qualified district electors must not be counted toward the 25 nominator minimum required for a valid nominating petition.		Enter the total number of individuals who signed the candidate's nominating petition.
		Enter the total number of nominators found to be qualified district electors. Must be greater than 25.
6 – Ballot Finding: ***If the answers to Sections 1, 2, 3, and 4 are in the affirmative, and the total number of nominators found to be qualified district electors in Section 5 is 25 or more, the candidate's name must be pre-printed on the official ballot.***		

Checklist 2 – Automatically Re-electing an Incumbent

1. Has due notice of the election resolution been duly published by the District? Was due notice of the intent to adopt an election resolution published, at least twice, a week apart, the first time being at least one week before the meeting at which the election resolution was adopted and the second at least one day before the meeting at which the election resolution was adopted?	☐ Yes ☐ No	**WAC 135-110-370(1)(a)**
2. Has due notice of the election been duly published by the District? Has the date, time, place and manner of the election been published, at least twice, a week apart, the first time being at least one week before the candidate filing deadline and the second at least one day before the candidate filing deadline?	☐ Yes ☐ No	**WAC 135-110-370(1)(a)**
3. Was the only person who filed by the candidate filing deadline the incumbent?	☐ Yes ☐ No	**WAC 135-110-370(1)(b); WAC 135-110-300; WAC 135-110-320**
3A. At the time of filing, was the incumbent a qualified district elector (at the time of filing, was the incumbent a registered voter in the county where the district is located and a resident within the conservation district boundary)?	☐ Yes ☐ No	
3B. At the time of filing, the incumbent submitted to the conservation district 1. The name of the conservation district; 2. The incumbent's name, residential address, mailing address (if different), and phone number; 3. Whether the person is a registered voter in the county where the conservation district is located;	 ☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No	

4. Whether the person resides inside the conservation district boundary; 5. Whether the person is a landowner or an operator of a farm; and 6. The dated signature of the incumbent attesting to the accuracy of the information so provided.	☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No	
4. Has the conservation district verified the continued eligibility of the incumbent to serve another term of office? Error! Reference source not found. **must be completed for the incumbent.**	☐ Yes ☐ No	**WAC 135-110-370(1)(c); WAC 135-110-355**
4A. The election supervisor has determined that 1. The name of the incumbent (who filed the candidate information) is the correct legal name of the individual; 2. That the incumbent submitted candidate information by the filing deadline; 3. That the incumbent submitted a valid nominating petition by the filing deadline; 4. That the incumbent was a qualified district elector on the day of filing; and 5. That at least two of the three elected conservation district supervisors on the conservation district board of supervisors will be landowners or operators of farms if the incumbent is elected.	☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No	**WAC 135-110-370(1)(c); WAC 135-110-355**
5. To the best of your knowledge, it is the incumbent's intent to not resign on or before the last date of the election?	☐ Yes ☐ No	**WAC 135-110-370(1)(d)**
6. If all of the above check boxes are checked "YES", the incumbent is automatically re-elected and no other election activities at physical poll sites or through remote election processes may be performed. If any box above is marked "NO", the provision of WAC 135-110-370 have not been met and the election must be held. **However, be aware that before election day, the conservation district must inform the voting public that the incumbent has been reelected by reason of being the only person filing for the position, and that no poll site, mail, or absentee balloting will be performed, and on election day, signs containing this information must be posted at poll sites. Please refer to Appendix B for a sample notice.** **No later than four weeks after the first election day, as scheduled in the election resolution, the conservation district must inform the conservation commission of the automatic reelection of the incumbent. To inform the Commission, please fill out EF2.**		

Checklist 3 - Ballot Results

Polling officer instructions: Following the closure of the polls, polling officers must tally valid votes cast. Please record a separate Checklist 3 for each polling location. Retain each Checklist 3 at the district. Report total ballot counts for each candidate on EF2.

Candidate name	Type of Candidate (choose one)			Votes counted by type of ballot cast Eligible + Disqualified = Total		
	Declared Nominated	Declared Write-In	Undeclared Write-In	Eligible	Disqualified	Total
	☐	☐	☐			
	☐	☐	☐			
	☐	☐	☐			
	☐	☐	☐			
	☐	☐	☐			

Please record any discrepancies or disqualifications in detail in the box below.

We, the undersigned polling officers (and election supervisor, if the election supervisor also served as a polling officer), do attest by our signatures:

- No ballots were in the ballot box when the polls opened.
- The ballots and ballot box did not leave our control before ballots were counted.
- We counted all ballots cast by voters at this polling location.
- The ballot results above are a true accounting of the unofficial results of this election.

Date	Polling officer name	Polling officer signature

Date	Election Supervisor name	Election Supervisor signature

Election Supervisor Master Checklist for Elections

Note: page numbers are given for general reference only. There may be other relevant sections of the election manual, WAC, or other election guidance that apply to each item. The election supervisor is expected to be familiar with the entire election manual, WAC, and other election materials. Items without page numbers are considered "best practices."

Before The Election

☐ Review district election policy and procedures. In those election policy areas that are left to the Districts to determine, craft and adopt needed policies and procedures. Error! Reference source not found., Error! Reference source not found., Error! Reference source not found., Pgs 17, 20, 22, 25

☐ Use the Election Calculator to determine potential election cycle deadlines based on a Districts' proposed election date.

☐ Publish the Notice of the Intent to Adopt an Election Resolution. EF1, Error! Reference source not found.. Pgs 2, 11, 16-17, 19, 47

☐ Set the parameters of your election at a Board meeting. EF1, Error! Reference source not found., Pg 2

☐ If an appointed position's term on the Conservation District Board will expire this current election cycle, decide if the Notice of the Adopted Election Resolution will also include an advertisement that there will be a vacant appointed position available and the deadline to apply is March 31. AF-1, Error! Reference source not found., Pg 2, 11, 35

☐ Publish the Notice of the Adopted Election Resolution. EF1, Error! Reference source not found.. Pgs 2, 11, 16-17, 19, 47

☐ If an appointed position's term on the Conservation District Board will expire this current election cycle, encourage applicants to apply before the March 31 deadline.

☐ Encourage your conservation district supervisors to seek out potential election candidates before the candidate filing deadline.

☐ Determine if the incumbent is going to pursue re-election.

☐ Provide PF-A and PF-B to potential candidates. Encourage them to obtain the 25 valid nominating signatures so that their name can appear pre-printed on the ballot. PF-A, PF-B, pgs 12, 15, 30

☐ Verify, for each candidate, that eligibility requirements have been met and, for declared nominated candidates, direct whether or not to place the name of the candidate on the ballot. This is done using Error! Reference source not found., Pgs 4, 13, 18-19, 23, 25, 32-33, 40

☐ Inform candidates found to be ineligible of the reasons for the ineligibility. Ensure that ineligible candidates' names do not appear on the official ballot. If candidate lacks sufficient nominators on the nominating petition, or does not submit a nominating petition, the candidate must be considered a declared write-in candidate and the candidate must be so informed. Pgs 20, 32-33

☐ If the only candidate to file PF-A and PF-B by the candidate filing deadline was the incumbent, determine if the incumbent will be automatically re-elected through WAC 135-110-370. This can be done using Error! Reference source not found.. Error! Reference source not found., Pgs 2, 20, 23, 25, 30, 32

☐ If the incumbent will be automatically re-elected (meaning all provisions of WAC 135-110-370 are met and Error! Reference source not found. is completed), the election must be cancelled and no other election activities may be performed. The district must inform the public that the incumbent has been re-elected. *Skip down this Checklist to the last two bullets under "Before The Election" and the first bullet under "On Election Day."* Error! Reference source not found., Error! Reference source not found., Pgs 2, 20, 23, 25, 30, 32

☐ Encourage candidates to inform voters of the candidate's desire and qualifications to be elected to the office of conservation district supervisor. Error! Reference source not found., Pgs 20-21, 24, 30

☐ Decide if the district will publish candidate statements. Error! Reference source not found., Pgs 20-21.

☐ Create the official election ballot. PF-D, Error! Reference source not found., Pgs 3-15, 17-35

☐ Decide if the district will provide ballots to a pre-determined list of voters. If it will, then do so. Pg 21

☐ Provide absentee ballots to voters who request them. Error! Reference source not found., Pgs 5, 11, 17, 19-30, 34

☐ Obtain the list of current registered voters from the County Auditor or Secretary of State. Pg 22

☐ If holding a mail-in (or remote) election, use the double-envelope voting system. Pgs 8, 21-22, 25-27

☐ Process mail-in and/or absentee ballots. Pgs 26-27

☐ Ensure the poll site location is available and otherwise functional as a poll site location. EF1, Pgs 2-3, 13-14, 16, 20, 22-25, 27, 34

☐ Confirm that the following resources will be available at each poll site (pg 27):

- ☐ Sufficient ballots for the expected number of voters;
- ☐ A reasonable supply of contested ballots (double-envelope system);
- ☐ A ballot box;
- ☐ Voting booth or other means of assuring votes can be cast privately;
- ☐ A list of registered voters (voter list);
- ☐ A map or description of the conservation district legal boundary;
- ☐ A copy of the election manual; and
- ☐ Poll list forms (PF-D)
- ☐ **Error! Reference source not found.**.

☐ Decide whether or not to declare emergency when adverse conditions may negatively affect the health or safety of voters or the timely return of absentee ballots. Pg 34

☐ Before the polls open, review with polling officers the procedures for verifying voters, issuing ballots, issuing contested ballots, and tallying and recording election results. Pg 24

☐ Confirm due notice requirements have been satisfied. Use election calculator. Error! Reference source not found., Pgs 47, 2, 11, 16-17, 19

☐ Submit EF1 by the candidate filing deadline. Confirm that the election resolution has been provided to the Conservation Commission by the candidate filing deadline. Pgs 11, 14-15

ON ELECTION DAY

☐ If your incumbent was automatically re-elected, the district must post signs on Election Day at all polling sites containing that information. *Skip to the last three bullets under "After the Election."* Error! Reference source not found.

☐ Decide whether or not to declare emergency when adverse conditions may negatively affect the health or safety of voters or the timely return of absentee ballots. Pg 34

☐ Assure that voters have privacy when voting. Pgs 24, 27

- Have a copy of the election manual on hand and available for public inspection. Pg 16

- Each polling place must be open for at least four hours at a time convenient for voters in that district. Pgs 2, 17, 23

- Polling places must have sufficient parking to accommodate the expected number of voters. Pgs 2-3, 17

- Polling places must be accessible to those with disabilities and not create undue hardship for them. Pgs 17, 23

- Ensure that information provided by candidates may not be provided to voters within 300 feet of the poll site. Pgs 2, 7, 21, 30-31

- Each poll site must have a ballot box, signage, and be accessible to voters. Pgs 23, 34

- Each poll site must have at least one ballot box. Pgs 5, 9, 23-24, 27-28

- Each poll site must be conspicuously identified to voters as the place to vote. Pgs 2, 23

- Not post the names of candidates at the polls. Pg 24

- Ensure there are at least two polling officers at each poll site (the election supervisor may substitute for one polling officer at one poll site). Pgs 2-3, 17, 20, 23-25

- Control behavior that disrupts or interferes with the election. Pg 2

- Monitor the poll site for compliance with election procedures. Pg 27

- Ensure that the polling officers verify a voter is a qualified district elector before issuing a ballot to the voter and record that determination on the poll list. Pgs 9, 22, 26-29

- Ensure that at least one polling officer is present and in control of the ballot box(es) at all times while the polls are open. Pgs 9, 22, 26-29

- Provide contested ballots to individuals wishing to vote who cannot be verified as eligible to vote prior to the issuance of a ballot. Pgs 4, 6, 21-22, 26-29, 32

- Be able to show or describe the district's legal boundary. Pgs 12, 22, 27-28, 31

- Ensure polling officers use the poll list to track the identity and number of voters, to identify determinations made by polling officers as to voter eligibility, and to identify voters issued contested ballots. Pgs 8-9, 13, 24-25, 27-29, 31

- Ensure that paper ballots are placed into ballot boxes. Pg 24

- Ensure polling officers close the polls at the published time, unless the polls are extended by a conservation district supervisor or the election supervisor. Pg 28

AFTER THE ELECTION

☐ Verify any undeclared write-in candidate is eligible to be elected. This is done using Error! Reference source not found.. Pgs 10, 14, 18, 32-33

☐ Direct polling officers to open the ballot box or boxes and count the votes cast for each candidate. Pg 28

☐ Count all votes. Pg 29

☐ Record all ballot count results on Error! Reference source not found. for each polling site. Pg 29

☐ Receive the following from the polling officers (Pgs 24, 29-30):

- ☐ All poll list pages (PF-C);
- ☐ All ballots;
- ☐ All completed Error! Reference source not found. reports.
- ☐ All working papers and notes made by polling officers.

☐ Receive from the polling officers an announcement of the unofficial results of the election, subject to certification by the Conservation Commission. Pgs 4, 29

☐ Excuse polling officers. Pg 24

☐ Transmit election data to the Commission. EF2 – Election Report, Pg 24

☐ Retain all original data. Pgs 4, 14, 25

☐ If an appointed position's term on the Conservation District Board will expire this current election cycle, and the District has not already advertised the vacancy with the Notice of the Adopted Election Resolution, advertise the vacant appointed position at least one month before March 31. AF-1, Error! Reference source not found., Pg 2, 11, 35

Washington State
Conservation Commission

July 21, 2016

TO: Mark Clark, Executive Director
Conservation Commission Members

FROM: Ray Ledgerwood, District Operations Manager

SUBJECT: Conservation District Good Governance Report

Summary: WSCC Staff have completed the fiscal year 2016 analysis of the 45 Conservation District's Good Governance, whose status was Tier 1 as of July 13, 2016. The Good Governance activities have set a foundation for working with districts on opportunities for district operations improvement and assistance by WSCC staff. Staff are working with 16 districts on improvements. 29 districts met or exceeded all 25 Good Governance elements.

Action Requested:
Receive status report and acknowledge WSCC staff recommendations for the following Conservation District Good Governance Tier Status:

- Forty-five Conservation Districts recommended for Tier 1 status with 18 districts completing work on some Good Governance element with Commission staff.

- No Conservation Districts recommended for either Tier 2, Tier 3, or Tier 4 status at this time.

Materials:
1. Good Governance Status Report 7.13.16

Staff Contact: Ray Ledgerwood

Good Governance

Report of Conservation District
Good Governance Status
July 2016

Washington State Conservation Commission

For more information contact:
Ray Ledgerwood
Regional Manager Coordinator
ray.ledgerwood@scc.wa.gov or
208.301.4728

Summary:

WSCC Staff have completed the FY16 analysis of Conservation District Good Governance status and have found 45 districts in Tier 1 status as of July 13, 2016. The Good Governance activities have set a foundation for working with districts on opportunities for district operations improvement and assistance by WSCC staff. The Good Governance System will be revised for FY17 to include performance based elements.

Status:

As of July 13, 2016;

- **Forty-five Conservation Districts** recommended for **Tier 1** Status with sixteen Conservation Districts completing work on some Good Governance element with Commission staff. Twenty-nine Conservation Districts have met or exceeded the threshold on the twenty-five elements of the current Good Governance evaluation.
- **No Conservation Districts** recommended for Tier 2, Tier 3, or Tier 4 Status

Background:

In early January 2016, the Good Governance analysis form and policy were emailed to each conservation district manager with a request for each district board and staff to do a "self-evaluation" of status. The intention of this district self-analysis was to identify any areas needing improvement with enough time to correct before the May status was determined.

WSCC staff March 21, 2016 met to do an "early" analysis of Conservation District Good Governance status. The intention of this step was to determine if any districts were in a Tier 4 status with time to correct before the analysis in May. Another analysis of Conservation District Good Governance status was conducted on May 9, 2016, June 12, 2016 and July 12, 2016 by WSCC staff and determined 45 districts in Tier 1 status. On July 13, 2016, Regional Managers met to finalize the report of Good Governance status with the result being this report at the July 2016 Commission meeting.

The Commission at its March 2106 meeting passed a motion to revise the Good Governance System to include performance based elements.

Districts Meeting or Exceeding Good Governance Elements:

Twenty-nine Conservation Districts met or exceeded good governance elements including:

Asotin County
Benton
Cascadia
Central Klickitat
Clallam
Clark
Cowlitz
Eastern Klickitat
Ferry
Franklin
Grant County
Jefferson County
Kitsap
Kittitas
Lewis
Lincoln
Okanogan
Palouse Rock Lake
Pierce
Pine Creek
San Juan
Snohomish
South Yakima
Stevens
Underwood
Wahkiakum
Walla Walla
Whidbey Island
Whitman

"Yes" or Good Performance Consider Improvement "No" or Substandard Performance	Green Count	Yellow Count	Red Count
Overall	29	16	
Category 1 Performance Components			
Conservation On the Ground Performance			
1) The funded conservation activities in the district's previous year's Annual Work Plan address the resource concerns identified by the board of supervisors; the district has been in regular consultation with the state and local agencies of record for those resource concerns, and those activities have been implemented.	45		
2) Implementation goals (intermediate outcomes) on WSCC funded work for the last state fiscal year were all met.	44	1	
3) Supervisors and staff are leveraging financial and other resources with other districts to achieve efficiencies	45		
Financial Performance			
4) Financial reporting and vouchering to the WSCC is on time, complete, accurate, and complies with WSCC financial policies and procedures.	42	4	
5) WSCC allocated funding is utilized in a timely manner - and/or - WSCC has been notified by March 31st that funding allocations for that fiscal year cannot be utilized.	45	0	
Supervisor Election and Appointment			
6) The election and appointment of district supervisors complies with WSCC rules and procedures.	40	5	
Audit Resolution – If Any			
7) Has addressed or is in the process of addressing any identified, resolvable State Auditor issues.	42	3	
Category 2 Performance Components			
District Operations and Capacity			
8) Board of Supervisors actively governs the district by demonstrating leadership in conservation stewardship as well as instilling an ethic and culture of constant improvement.	44	1	
9) Each district board holds board meetings attended by a quorum of supervisors who:	45		
i) Has chosen a supervisor to be Chair	45		
ii) Has performed its due diligence to ensure all supervisor seats are filled; and	45		
iii) Has no more than one board meeting cancelled due to lack of a quorum	45		
10) Has a physical location that meets requirements for public offices with regular weekday office hours for public access, information, and services.	45		

11) Regular board meetings are held in accordance with state law ("regular" means monthly unless it can be shown that a different schedule better meets the needs of the public.)	45		
12) There is a board-approved delegation of district managerial responsibilities to a district manager, administrator, executive director, coordinator as a primary point of contact.	44	1	
13) Supervisors & staff participate in annual training (WACD, WADE, WSCC, Enduris, NRCS, etc.).	45		
14) District has the technical capacity to implement and maintain conservation on the ground with reliable and consistent quality	41	4	
Working Within the Constraints of the Law			
15) The conservation district has used the Schedule 22 Internal Assessment to perform an internal audit as required by RCW 89.08.210 for the most recently completed fiscal year.	45		
16) The conservation district has, if needed, begun the process to address any identified opportunities for improvement uncovered by the Schedule 22 Internal Assessment.	45		
17) The conservation district has, if needed, used Enduris, WSCC, MRSC, and/or an attorney for legal questions.	45		
Long Range and Annual Work Plan			
18) Annual Work Plan:	45		
i) Is submitted on time and in the current WSCC template	43	2	
ii) Addresses highest priority resource concerns identified by the board of supervisors with data provided by the district as well as the agencies of record for those resource concerns	45		
iii) Contains achievable and measurable activities, reasonable completion target dates, staffing/task assignments, and a supporting budget	45		
iv) Has priorities compatible with the district submission to WACD budget request	45		
19) Long Range Plan	45		
i) Is on the current WSCC template, annually reviewed and on file with WSCC	45		
ii) Addresses highest priority resource concerns identified by the board with data provided by the district as well as the agencies of record for those resource concerns	44	1	
iii) Has been updated within the past 5 years	44	1	
Public Outreach, Involvement, and Education			
20) Regular communication to the public (such as: newsletters, current and updated website, social or other media, and educational programs or workshops) within the current fiscal year has occurred.	45		
21) All regular and special board meetings as well as other public events are properly publicized, conducted, and contain an official opportunity on the agenda for public comment.	45		
22) Input is sought from stakeholders (which include at least one public meeting) before annual work plan and long range plan are approved by the board. (Note – the public meeting could be either an identified portion of a regular board meeting or a separate public hearing held for that purpose)	45		
23) The annual report of accomplishments was submitted on time, in the prescribed format to the WSCC, and utilized for public/stakeholder education	45		

24) Demonstrated ability to work with all local public, private, and nonprofit partners (as well as entities represented and partnering with the Commission) to identify and target areas for natural resource conservation and improvement.	45		
i) County government			
ii) Cities and towns			
iii) NRCS			
iv) Ecology			
v) WSDA			
vi) WDFW			
vii) DNR			
viii) RCO			
ix) Local Tribal governments			
x) Local watershed groups or other nonprofit partners			
xi) Enduris			
xii) WACD			
xiii) NACD (dues not paid)			
25) The conservation district develops its goals and measures its accomplishments based on data that is self-generated as well as cooperatively received from partner agencies.	44	1	

Opportunities for Improvement:

16 Districts are completing work with Commission staff on one or more of the Good Governance Elements

District		Good Governance Element & Notes
Adams (1 element)		#14 Technical Capacity – District has one technical staff and has been primarily relying on other districts for project work funding spent outside of their district
Columbia (1 element)		#6 Apointment procedure issue that did not effect the outcome of the appointment
Foster Creek (1 elements)		#7 In the process of addressing State Auditor issues (letter)
Grays Harbor (1 element)		#18 Submited Annual Plan late
King (2 elements)		#4 District staff working to correct vouchering issues #6 Election procedure issue that did not effect the outcome of the election, to be addressed in upcoming election
Mason (1 element)		#6 Election procedure issue that did not effect the outcome of the election, to be addressed in upcoming election
North Yakima (1 element)		#7 In the process of addressing State Auditor issues (letter & findings)
Pacific (1 element)		#18 Submited Annual Plan late
Palouse (1 element)		#6 Apointment procedure issue that did not effect the outcome of the appointment
Pend Oreille (5 elements)		District has successfully addressed 9 of the 14 elements needing addressed from FY15 Good Governance and continues to build capacity.
Pine Creek (2 elements)		#4 Financial staff working with district staff on vouchering issues including not vouchering monthly #7 In the process of addressing State Auditor issues (letter & findings)
Pomeroy (3 elements)		#4 Financial staff working with district staff on vouchering issues #6 Apointment procedure issue that did not effect the outcome of the appointment #14 Does the District have the technical capacity to implement and maintain conservation on the ground with reliable and consistent quality…one technical employee
South Douglas (1 elements)		#14 Does the District have the technical capacity to implement and maintain conservation on the ground with reliable and consistent quality…one technical employee
Spokane (1 element)		#4 Financial staff working with district staff on vouchering issues including not vouchering monthly
Thurston (1 element)		#19 Long Range Plan still under development
Whatcom (1 element)		#19 Long Range Plan still under development

July 20, 2016

TO: Mark Clark, Executive Director
Conservation Commission Members

FROM: WSCC Center for Technical Development

SUBJECT: Center for Technical Development Annual 2016 Task Update and FY2017 Budget

We are happy to announce the Technical and Professional Development Workgroup (TPDW) has undergone a name change. We will now be known as the WSCC Center for Technical Development (CTD). The CTD ensures that Conservation Districts and employees have the proper tools and expertise to consistently plan and implement conservation programs in collaboration with the Washington State Conservation Commission (WSCC), Conservation Districts in Washington State, Washington Association of District Employees (WADE), the Washington Association of Conservation Districts (WACD), and other key partners.

Attached you will find deliverables accomplished during FY2016 (June 1, 2015 – June 30, 2016), deliverables to be accomplished during FY2017, and the budget to accomplish the FY2017 deliverables.

Here are a few highlights coming in FY2017 want you to be aware of:

- After successful delivery in 2016, the CTD will once again work with NRCS on development and delivery of NRCS Core Training courses (i.e., Conservation Planner Training, NMP, BARE Training)
- CTD will host 5 CD specific training events in 2016-2017 to support professional needs of planners
- The three Planner Certifications: Dairy, Farm, and Riparian Planner, will launch September 1, 2016
- Three special tracks at WADE 2017 will be held for each of the certification areas to support continuing education
- A new Conservation Plan Quality Assurance documentation and review process will be launched
- The statewide database of experts will be completed and made live to CDs by 2017
- Planning and support groups will be expanded to create statewide consistent planning templates and communication

Please visit our website for more information: **www.wactd.org**

CTD Contact:
Nichole Embertson | nembertson@whatcomcd.org | (360) 526-2381 x 126

WSCC Staff contact:
Jess Davenport | jdavenport@scc.wa.gov | (360) 584-3015

FY16 Work Completed and FY17 Proposed Deliverables and Budget
WSCC Center for Technical Development (CTD)

FY16 Accomplishments	FY17 Upcoming Work	FY17 Budget (FY16-17 budget remaining as of July 1, 2016)
Job Classifications		
Surveyed CD's for consistency in job classification naming and needs for more consistent titling statewide. Found that job descriptions were not needed, but descriptions of classifications are.	Develop statewide district staff job classification definitions and levels (ie. Specialist, Coordinator, Technician, Manager, etc.)	**$1,000**
Training		
Surveyed CD staff in 2015 and 2016 for training needs. Revamped the training needs survey in 2016 to make it web-based and relevant.	Complete an annual training needs inventory survey after WADE to help guide future training events. | Maintain Training calendar. Collect and promote (as appropriate) training events from around WA.	**$ 500**
Worked diligently with NRCS and WSCC to secure TSP of $75,180 to help with coordination and execution of NRCS Core Trainings including CNMP, 2 Basic Planner (36 participants), and 2 Riparian and Stream (upcoming).	Participate in NRCS (Emp Dev Com) & NRCS TAC (tech advisory committee). | Coordinate with NRCS and organize some of the core training events such as Conservation Planner, Nutrient Management, CNMP, Pest Management.	**$ 12,638**
Organized and executed CD lead training events including: 4 ArcGIS trainings in Pierce, Whatcom, Okanogan, and Palouse (32 total participants); 2 Waste Calc Nutrient Management trainings; 1 Feed and Forage Training; 1 Burn Area Emergency (BARE) Training in development. Participation of CTD at WADE 2016. Working with WADE Board on specific certification tracks in 2017.	Develop and conduct CD lead training events (i.e., RUSLE2, SVAP, Soils, Effectiveness monitoring, etc.). | Explore employee training on how to work with landowners on individual basis and group basis to support VSP & CRM. | Provide training opportunities for continuing education toward certification requirements. | Coordinate with WADE conference to include training tracks specific to certifications (CEU for maintaining Dairy, Riparian, and Farm Planner certification) and District employee training needs gathered from the TNI.	**$ 35,720**
Certification		
Finished development for three certifications: Dairy, Riparian, and Farm Planning. All three will launch on September 1, 2016.	Implement and manage current certification processes (Dairy, Riparian, Farm). This includes total program structure and support, planning, communication, and promotion of individual certification programs.	**$ 7,858**
Development and piloting of mentor program for Dairy certification. Piloting of CEU program at WADE 2016.	Coordination of mentoring and continue education for certification program.	**$ 3,877**
Developed the Farm Planner and Riparian Certifications.	Develop new certifications as needed. Identify leaders/coordinators for each certification and provide support for program development.	**$ 1,092**
Planning Tools and Templates		
Continued coordination of dairy group to update certification and DNMP document. Coordinated a Farm Planning face-to-face meeting to begin development of statewide planning templates and information. Additional planning groups have been identified and in progress of coordination.	Develop and support comprehensive planning groups to outline planning programs and define the various types and levels of CD Planning with landowners; create templates for each of the plan types with consistent formatting and content, list all assessment tools and resources for statewide planning.	**$6,420**
Dairy and Farm Planning groups have collected different examples into a shared DB to begin creation of statewide materials.	ID / create planning fact sheets and informational materials. Priority emphasis: dairy, riparian, small farm, LID, shoreline, education and outreach, etc.	**$ 3,203**
The successful Farm Planning meeting created a page on the CTD site for housing and sharing planning templates and information.	Maintain a clearing house for ensuring that technical employees have convenient access to necessary tools for conducting site assessments and evaluations. Add pages and content when needed.	**$ 2,000**
Communications and Outreach		

The CTD newsletter was launched in May 2015 and has continued monthly since. It is being transferred to the GovDelivery system. The CTD contracted with a pro-bono designer to create a logo and assist with a new name selection.	Enhance and maintain communications system including newsletter, emails, calendars, website, and others. Continue and maintain CTD monthly newsletter (formatting, obtaining/writing articles, dissemination, updating, addressing feedback, etc.).	**$ 3,825**
The CTD presented on the success of the workgroup at the 2016 NACD meeting. The CTD continues to promote its work through web meetings, WADE conference, and participate in statewide CD meetings.	Continue general communications promoting and outreach (i.e., phone contacts, presentations, meeting attendance, personal contact).	**$ 3,235**
Technical Expertise, Mentoring and Job Shadowing		
A mentoring work agreement was successfully developed and piloted between Whatcom and Snohomish CDs. The CTD is supporting Planner Certification training mentors and mentees.	Coordinate CD job shadowing and mentoring opportunities with personnel experienced in their discipline (priority service to: conservation planning attendees, and new hires). Cost share for mentor to interact with mentee.	**$ 3,342**
The database foundation was created in Access. CTD task members called all CD staff and populated the DB with basic information.	Update and manage database and develop a list of experts by discipline for purposes of mentoring, peer-to-peer training, and for technical input on policy and programs	**$ 3,433**
The database is being formatted to assist with locating and coordination of expert staff to assist WSCC in policy and program review.	Coordinate with WSCC Policy Director on engagement of CD technical experts in federal, state and local policies and programs related to conservation activities.	**$ 1,000**
Science, Research/Demonstration, and Effectiveness Monitoring		
The CTD worked with Task Members to outline basic templates related to research and monitoring by CDs. In particular, members are working with the Puget Sound Caucus on helping develop an effectiveness monitoring plan for riparian function and on voluntary practice adoption.	Develop framework of the Research, Implementation, and Effectiveness Monitoring Program including: job description/qualifications, collaboration/partners, program activities, legal construct, support webpage, materials (QAPP, SOP, protocols, contacts, etc.).	**$ 10,791**
The Washington Discovery Farms Program was launched in early 2016. Support for field set-up and QAPP/SOP development is being provided by experts. Coordination of partner agencies in the program continues.	Discovery Farms - Development of DF program for WA State including branding, overall framework, field set up, standard operating procedures, research support, and data sharing protocols.	**$ 34,022**
Quality Assurance		
A quality assurance plan was developed, reviewed/and accepted by NRCS technical staff, and sent out for review to select district technical staff. This will be used for future work on assisting CDs document their level of planning and planning process rigor.	Revise & complete Quality Assurance Quality Control (QAQC) Plan for Conservation Planning.	**$ 4,138**
	Coordinate with WSCC to assist with implementation monitoring of practices when needed.	**$ 8,000**
	Work with WSCC to include in the good governance that CDs have an internal plan review process. Draft internal review guidelines and examples to support development of plan review. Develop guidelines and pilot plan quality documentation checks for Districts, with CTD to offer assistance to improve their plan reviews and/or content.	**$ 8,000**
CTD Coordination		
Administration assistance has been provided in budget coordination and monthly reporting to CTD members, as well as WSCC staff.	Administration, budget, and financial support for workgroup tasks, billing, and reporting.	**$ 6,066**
CTD Leadership Team members have met monthly since 2015 to ensure task progress and completion. CTD primary leadership has coordinated and promoted the workgroup.	Participation in Leadership Team meetings	**$ 14,202**
		FY17 $ Total
		$ 174,362

July 2016 Commission Meeting

District Operations Staff Report

(May 2016 to July 2016)

Conservation District Assistance Topics

1. Shellfish funding, Non-shellfish project funding
2. Voluntary Stewardship Program
3. Supervisor appointments
4. Training materials
5. Assistance to financial staff
6. Fire recovery projects
7. FireWise project applications
8. Annual plan of work
9. Grants questions
10. District operations
11. Supervisor elections
12. Cost share
13. WADE conference
14. Good Governance
15. Staff recruitment
16. Application screening
17. Task order development
18. Schedule 22
19. State motor pool vehicle
20. 20-21 meeting follow-up
21. RCPP project questions
22. Accounting procedures
23. State Auditor meetings
24. Training
25. Rates and charges
26. Employee recruitment & employment policies
27. Board member engagement
28. Project funding
29. Outreach strategy and methods
30. New supervisor orientations
31. SAO annual reports
32. Annual work plan submittals
33. HR issues and working with Enduris
34. Public records requests
35. District event logistics
36. Supervisor development
37. District Supervisor elections
38. Chehalis Basin Flood Authority
39. Strategic planning
40. Annual financial reports

On Going Services

- Cultural Resources Assistance
- District Operations Issues Resolved
- Orientation & Open Government Training of new Supervisors & employees
- Good Governance District Assistance
- District Capacity Building Assistance
- CPDS & Project Development
- Sharing of Examples, Templates, Information
- Fire Recovery Assistance
- FireWise Project Assistance
- CRM Facilitation

41. Public meetings
42. Open government training
43. Healthcare & retirement
44. Small & attractive assets policy
45. Annexation of city
46. Contracting
47. CREP project visit & discussion
48. New district manager coordination
49. FY2016 budgets/ grants
50. Financial planning
51. Stakeholder outreach efforts
52. District policies and procedures development
53. CD audits
54. District mapping
55. Commission Meeting hosting
56. WACD Area Meeting Host
57. Sexual harassment
58. SAO Audit Scheduling
59. Envirothon funding
60. Grant budgets and addendums
61. DES purchasing agreements
62. End of year funding
63. Open public meetings
64. Chehalis Basin
65. Implementation monitoring
66. New FLSA requirements on exempt employee threshold
67. Area Awards
68. Stakeholder & landowner outreach
69. Mid-term Supervisor appointments
70. Project permitting
71. Donations and fund raising
72. OPMA and PRA guidance and training
73. Engineering funding

See Listing on page 4 & 5 for summary listing of Regional Managers in-person assistance and follow-up with Conservation Districts

Fire Recovery and Firewise

Mike Baden continued work this reporting period on fire recovery needs, federal funds and program tracking, issues resolution, project applications, funding coordination, and cultural resources work. Mike coordinated with NRCS regarding fire task orders and fire EQIP; Worked on ECP and EQIP related items; Continued to keep tabs on federal funding status; Fire recovery check-in meeting at WADE (notes available); Mike also compiled submitted projects for review; planned and facilitated the first meeting of fire recovery project review committee including six projects approved which included the following Districts: Stevens and Okanogan; all were perimeter fencing projects. Suggestions from the committee included possibly showing a map of where projects were located and before photos if possible; worked on ECP related items; reviewed NRCS wildfire and drought recovery process chart (Larry Johnson); met with Karla Heinitz to evaluate process thus far; compiling and mapping submitted fire recovery projects; Met with review committee to review submitted projects and awarded 8 more projects to Stevens County CD.; worked on fire recovery cultural resources tasks, work regarding Chelan County EWP and Chelan County NWCB; meeting with Rod Hamilton to discuss ECP, For more information contact Mike Baden.

FireWise

The legislature included $1,000,000 in the Commission's supplemental operating budget for the conservation districts to implement Firewise. Firewise is an outreach and educational program focused on helping landowners prepare for and prevent damage on their property from wildfire. DNR is the lead for the Firewise program and conservation districts have historically worked with DNR to provide this service to landowners. The Regional Managers met with DNR staff last week to explore ways to strengthen our partnership with DNR around this current funding opportunity and future, periodic partnership meetings with DNR are being scheduled as needed. A methodology for allocating the Firewise funding to conservation districts was developed by Shana Joy with assistance from conservation district employees, input from DNR has been incorporated, was presented to the Commissioners at their May Meeting.

Firewise funding to conservation districts has largely been awarded. Many great proposals were received. All Regional Managers met this reporting period and reviewed and discussed the conservation district Firewise proposals that have been received. Dean Longrie participated in this meeting as well. Seven proposals were selected for immediate funding awards. The review committee had a few clarifying questions on the remaining thirteen proposals so follow up will occur with those districts, A couple of clarifications remained outstanding with districts and those are anticipated to be wrapped up before the July Commission meeting. DNR's Firewise coordinator has also provided feedback into the review of all the proposals received and we are looking forward to working together with her and the funded districts over the next year to leverage resources for the greatest possible impact. For more information contact Shana Joy.

WACD Plant Materials Center:

Ray Ledgerwood planned and facilitated a strategic planning work session for the WACD Plant Materials Center Board Members and staff. Goals were developed for four lines of business; Marketing, Sales & Information; Production & Operations; Physical Plant & Equipment; Administration & Finances. For more information, contact Ray Ledgerwood

Governors Wildland Fire Council
Ray Ledgerwood facilitated the 3rd public input meeting of the Governor's Wildland Fire Council. 43 people participated. He also facilitated the 4th public input meeting of the Governor's Wildland Fire Council in Spokane on 6.11.16. Three panels of presentations to the Council at each meeting included; Resilient Landscapes; Safe and Efficient Response; Fire Adapted Communities.
The Governor's Wildland Fire Council is made up of Brian Bonlender -- Director of Commerce, Bret Daugherty -- Adjutant General, and Peter Goldmark - Commissioner of Public Lands.

The Governor has charged state agencies with supporting local efforts in developing recovery plans for impacted communities and supporting the coordination of state resources related to recovery of the local economy, citizen health, housing infrastructure, as well as natural and cultural resources. Through conducting multiple listening sessions, the Wildland Fire Council is charged with gathering data/information, and assessing plans, policies and resources related to wildfire preparedness, resiliency, response and recovery in Washington State. This assessment shall address short-term, intermediate- and long-term goals. This assessment will help inform the Governor's 2017-19 budget to meet policy and funding needs that would increase preparedness, resilience, response and recovery capacity related to wildfires.

Each panel member spoke for 5 minutes about their experience around the fire events and solution-based suggestions. There will be opportunity for Council members to ask questions and clarify points at the end of each panel. The next scheduled public outreach session will be June 11 in Spokane. For more information, contact Ray Ledgerwood

Center for Technical Development (CTD)
Jess Davenport continues to work with CTD leadership to review planner certifications, applications for upcoming training opportunities, and to set up logistics for CTD and Commission leadership team meetings. Jess also worked on logistical arrangements and preparation for two training courses for CD employees coming up in Olympia in August and in Spokane in September. Applications to participate in these courses are already coming in.

A Training Needs Inventory went out to district employees. Jess worked with Alicia Johnson to create documents for the upcoming *Riparian and Instream Considerations in Conservation Planning* training courses coming up in Olympia in August and in Spokane in September. Jess worked with the CTD workgroup to draft a flyer (name change, introduction of Continuing Education Credits pilot program, join out effort, highlights from the year, how to find us via newsletter and website) for WADE;

Work was completed on the Riparian and Instream Considerations in Conservation Planning Course application to post on the website; Finalized list of students Brian Cochran provided to the CTD and found there are six eligible students who can attend the Riparian and Instream Considerations in Conservation Planning Course. Rachel Maggi also provided a list of NRCS students who will attend the course as well. The NRCS students have been added to our list for each course (Olympia and Spokane);

Jess worked with James Weatherford on the mentor & student match list along with "to do" items; Sent out a notification email to students from the Conservation Planning Course (class 1 & class 2) that they will be receiving their mentor by the end of the week 6/7; Jess Davenport worked with the TPDW on the following activities; Compiled list of students from the first and second classes for the Conservation Planning Course and organized them by region so mentors could be paired and assigned;

Sent out the GovDelivery newsletter and addressed issues in delivery; Participated with Larry Brewer in the In-person TPDW meeting at King Conservation District where the group went over deliverables, tasks and budgets for the next year and for the next biennium. Jess is working with the group on major assignments included taking over the website and newsletter, becoming the General Certification Coordinator, Coordinating meetings for the group, connecting with RMs to see what trainings are being offered by Districts in their regions. For more general information about the CTD please visit: http://www.tpdw.org/training. For more information contact Jess Davenport.

Washington Cattlemen's Association:
Ray Ledgerwood planned and facilitated a strategic planning work session for the Washington Cattlemen's Association this week. Goals were developed for four lines of business; influence, information exchange, member services, association operations. For more information, contact Ray Ledgerwood

Engineering:
Shana Joy and Ray Ledgerwood are providing assistance to work toward resolution of NW Engineering Cluster issues. For more information contact Shana Joy

Year End Funding
Regional Managers met with financial staff at the WADE Conference on district requests for year-end funding needs. Financial staff prepared emails and grant addendums for each of the #1 priority needs identified by participating districts. Total estimated at $138,000. For more information contact Karla Heinitz

Shellfish Funding:
Shana Joy reviewed potential projects and participated in a shellfish funding allocation meeting with other Commission staff. Several projects were selected for funding in this round. For more information contact Shana Joy

Non-shellfish Projects:
Regional Managers finished work with districts on a summary of the next priority non-shellfish projects that could be considered for another round of funding for districts that have not met the $150,000 limit per biennium, nor have 3 projects funded, and still have viable projects for funding. For more information, contact Ray Ledgerwood

RCO's Farmland Preservation Advisory Committee:
Stu Trefry represented the Commission as a member of RCO's Farmland Preservation Advisory Committee. The Committee received 27 presentations over two days and provided input to applicants in preparation for final presentations in late August. For more information contact Stu Trefry

RM In-Person Meeting:
RMs met in Zillah to work on Good Governance interim report, 20-21 meeting follow-up with districts, engineering cluster issues, Supervisor orientation & training, Fire Recovery program, FireWise draft procedures. For more information, contact Ray Ledgerwood

Eastern WA Stormwater Group:
Ray Ledgerwood planned and facilitated a work session for the Eastern WA Stormwater Group for ranking stormwater effectiveness studies to be done by permittees and the development of a June 16 public input session design. For more information, contact Ray Ledgerwood

Supervisor Training:
Stu Trefry finalized materials and confirmed speakers for the WADE Supervisors Track; participated on a conference call of WADE board and track coordinators; Contacted Supervisors about the requirement to take Open Government Training; Drafted the June issue of Quick Notes; and developed an outline for Regional Managers to do new Supervisor orientations using online resources. For more information contact Stu Trefry

Conservation Practice Data System (CPDS) Regional managers participated in the CPDS all-districts meeting on Wednesday in Ellensburg. There was a good turn-out of district staff who are CPDS – users, many good ideas shared, and lots of feedback collected. Regional managers will continue to encourage district participation as testing of an updated CPDS occurs later on this calendar year. For more information contact Shana Joy.

WADE
All regional managers participated in the WADE Conference this week. Some highlights for the work included; Stu Trefry and Craig Nelson coordinated the Supervisor Track; Ray Ledgerwood facilitated a session on Good Governance revisions; Stu Trefry and Laura Johnson with the Communications Group; Mike Baden and RMs meeting on fire recovery update; Jess Davenport meeting with Center for Technical Development leaders; and multiple district capacity and relationship building opportunities. For more information, contact Ray Ledgerwood

Coordinated Resource Management
Ray Ledgerwood participated in the CRM Task Force in-person meeting in Ellensburg. Topics included a CRM Training and Facilitation Training in late October; funds expenditure policy approval; database for CRM status; and the Executive Committee meeting. For more information, contact Ray Ledgerwood

Whatcom County Cattlemen
Ray Ledgerwood planned and facilitated a strategic thinking session for the Whatcom County Cattlemen at the request of a WCA board member. Topics included showing the conservation work completed in county, in-county slaughtering facility, public outreach about beef production including youth programs. For more information, contact Ray Ledgerwood

Mud Creek Landowner Meeting:
Ray Ledgerwood planned and facilitated a landowner meeting held in Lowden (Walla Walla County) for discussion of combining two irrigation districts and a ditch company as well as a pipeline project. 13 sensing interviews were conducted before the session. Jess Davenport and Jack Myrick also participated. For more information, contact Ray Ledgerwood

17 -19 Budget Development Regional Managers participated in the webinar this reporting period on building the budget for the 17-19 biennium. RMs are standing by to assist Commission leadership and conservation districts with budget decision packages. For more information contact Shana Joy.

WA Grown Shana Joy and Jess Davenport worked with Laura Johnson on two segments of the WA Grown television program that will feature Clallam and North Yakima Conservation Districts. The Clallam CD segment features a success story in the Dungeness Bay and was filmed this reporting period. The North Yakima segment is under development now and is scheduled to be filmed in early August. For more information contact Shana Joy or Laura Johnson.

Chehalis Basin Stu Trefry continues to work with the impacted conservation districts in the Chehalis River Basin (Lewis County, Thurston, Grays Harbor). He participated in a state team meeting this week on issues in the Basin. The impacted CDs and Stu also met this week and reviewed potential projects for possible funding this biennium. For more information contact Stu Trefry.

NRCS – WSCC Task Orders
Ray Ledgerwood and Mike Baden coordinated TSP task orders with Alan McBee including CRP field checks, meeting facilitation, potential fire recovery technical assistance. NRCS and WSCC will be coordinating on adding additional funding to the overall agreement between NRCS and WSCC. Regional managers continue to work with NRCS staff and conservation districts on task order development and implementation including participation in a check-in meeting this reporting period to keep tabs on progress and status of task orders. For more information contact Ray Ledgerwood.

Audits
Shana Joy worked with SAO and Leadership Team on agency audit wrap-up. Shana also worked with SAO staff on a summary of district schedules reporting…all 45 conservation districts filed their financial reports (schedules) on or before the end of May deadline. Shana also met with the State Auditor's Office to open a dialogue about the schedule of audits for CDs in fiscal year 2017. For more information contact Shana Joy

Commission Meetings Preparation Stu Trefry and Shana Joy met with their respective districts hosting the July and September Commission meetings and discussed tour and interaction dinner options and arrangements. For more information contact Stu Trefry or Shana Joy.

Elections:
Bill Eller continued to work on the proposal to consolidate five electronic election forms into just two to solve deadline compliance issues for districts, further simplify the process, and cut down on procedural and substantive errors. For more information, please contact Bill Eller

Wildfire & Flood Committee
Mike Baden attended the state wildfire and flood committee meeting in Wenatchee. For more information contact Mike Baden.

WACD Annual Meeting
Shana Joy participated in WACD annual planning committee conference call and followed up on assigned tasks. For more information contact Shana Joy

Good Governance Revision:
Ray Ledgerwood developed the timeline for revision of the Good Governance policy, checklist and procedure. For more information, contact Ray Ledgerwood

STAC Meeting:
Mike Baden participated in the State Technical Advisory Committee Meeting. For more information contact Mike Baden.

Quick Notes The July edition of Quick Notes was sent out this week through GovDelivery. Quick Notes contains timely information on a variety of topics for conservation districts. For more information contact Stu Trefry.

National Partnering Stu Trefry participates on the review team representing NASCA for NACD's Urban Agriculture Conservation Grants. The discussions have centered on finalizing outreach materials for a $1 million urban agriculture grant program to conservation districts. Review of proposals is underway. Stu Trefry and Shana Joy participated in a regular teleconferences of the NASCA Policy Committee where threats to locally led conservation were discussed. This topic will be incorporated into a session at the NASCA Annual Meeting in September. Shana Joy participated in the NASCA Board Retreat this reporting period. For more information contact Stu Trefry or Shana Joy.

In-Person & Follow-up Work with Districts:
Regional Managers provided in-person assistance with Grays Harbor, North Yakima, Foster Creek, Cascadia, Jefferson County, Pierce, Pend Oreille, Lincoln County, Stevens County, Kitsap, Walla Walla, Benton, Kittitas, Whatcom, Adams, Palouse Rock Lake, Ferry, South Douglas, Whitman, Asotin County, King, South Yakima, Eastern Klickitat, and Central Klickitat Conservation Districts this reporting period.

Regional Managers provided in-person or follow up assistance with Ferry, Spokane, Lincoln, Lewis County, Lincoln Co., Okanogan, Pend Oreille, Underwood, Grays Harbor, Pacific, Thurston, Mason, Skagit, Central Klickitat, and Kittitas, Foster Creek, Grant County, Clark, Cowlitz, Lewis, Franklin, Clallam, Pierce, Palouse, Pine Creek, Columbia, Wahkiakum, Eastern Klickitat, King, Stevens, County, Whatcom, Whitman, Palouse Rock Lake, Walla Walla, Pomeroy, Adams, Asotin County, North Yakima, South Douglas, Conservation Districts.

Washington State
Conservation Commission

July 13, 2016

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Ron Shultz, WSCC Policy Director

SUBJECT: Food Policy Forum – Background and Next Steps

Summary: The Food Policy Forum has been established at the WSCC via a proviso in the supplemental operating budget passed this session. This memo describes the elements of the Forum and the process for moving forward on implementation.

Action Requested: Review and comment.

Staff Contact: Ron Shultz, WSCC Policy Director

Description:

The recently completed 2016 Legislative Session saw the passage of a supplemental operating budget. Included in the supplemental budget is additional, one-time funding ($50,000) for the implementation of a Food Policy Forum. The funding and direction on the Forum are described in a proviso to the WSCC budget, the complete text of which is at the end of this memo.

Some key points on the funding:

- The $50,000 is new funding from the state general fund.
- There are no restrictions on the use of the funds – i.e. sometimes such funding is not allowed to be used for administrative costs. This isn't the case for these funds.
- Funding is "one-time" for the current biennium only.
- Funding is for fiscal year 2017. Work on the project cannot begin – or more accurately cannot be charged to the funds provided – until July 1, 2016.

Implementation guidance in the proviso:

- The WSCC shall coordinate with the Office of Farmland Preservation and WSDA to avoid duplication of effort.
- The WSCC must report to the appropriate committees with the forum's recommendations by October 31, 2017.

Legislative members of the Forum:

- Four legislators may serve on the Forum in an ex officio capacity.
- Legislative participants must be appointed as follows:
  (i) The speaker of the House shall appoint one member from each of the two largest caucuses of the House; and
  (ii) The president of the Senate shall appoint one member from each of the two largest caucuses of the Senate.

Other members of the Forum:

- The WSCC director is responsible for appointing participating members.
- Appointments are made in consultation with the director of WSDA.
- Appointments must attempt to ensure a diversity of knowledge, experience, and perspectives by building on the representation established by the food system roundtable initiated by executive order No. 10-02. [NOTE: Executive order No. 10-02 was rescinded by Governor Inslee in his executive order No. 15-04.]

Executive order No. 10-02 does not provide for a list of representatives on the Roundtable other than specifying agency participation:

> The Departments of Health, Agriculture, and Social and Health Services shall work collaboratively with other agencies and non-governmental organizations to examine state food policy, food-related programs, and food-related issues. In addition, I request the Conservation Commission and the Office of Superintendent of Public Instruction join as full partners in this effort.

Given no specified membership for the Roundtable was outlined in the executive order, the state agencies set out to develop a charter identifying participation. The charter identifies membership as:

> "…individuals committed to improving the Washington State food system through active participation in the Roundtable. 25-30 representatives from varied food system sectors will be chosen/elected to manage direction for the Roundtable. Members will be ultimately responsible for decision making."

See the list of members of the Food Policy Roundtable in the attached "Food Policy Roundtable – Members".

A key point in the current member composition of the Roundtable is the absence of agricultural representatives. This has been an issue as the Roundtable moves forward to complete their work. It was also an issue in the recent legislative discussions on the Food Policy Forum. It will be a key focus of member participation in the Forum.

Path Forward and Next Steps

Commission staff have been in contact with legislative staff to discuss legislative expectations around the Forum. Next steps in the proviso implementation include:

1. Letters to the House Speaker and Senate President requesting appointments to the Forum.
2. Meeting with WSDA and OFP leadership to discuss the Forum and WSDA perspectives on moving it forward.
3. Discussion with various stakeholders including those participating in the Roundtable and those in the agricultural community and other entities who did not participate in the Forum.
4. Proposed list of appointees presented to the WSCC executive director for final appointment to the forum.
5. Possible RFP for contract consultation and facilitation of the Forum.

2016 Supplemental Operating Budget – 2ESHB 2376

Section 306:

(4)(a) $50,000 of the general fund—state appropriation for fiscal year 2017 is provided solely for the commission to convene and facilitate a food policy forum. The director of the commission is responsible for appointing participating members of the food policy forum in consultation with the director of the department of agriculture. In making appointments, the director of the commission must attempt to ensure a diversity of knowledge, experience, and perspectives by building on the representation established by the food system roundtable initiated by executive order No. 10-02.28

(b) In addition to members appointed by the director of the state conservation commission, four legislators may serve on the food policy forum in an ex officio capacity. Legislative participants must be appointed as follows:
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(c) The commission shall coordinate with the office of farmland preservation and the department of agriculture to avoid duplication of effort. The commission must report to the appropriate committees 43.01.036, with the forum's recommendations by October 31, 2017.

Food Policy Roundtable Members (as of April 2016)

Vic Colman**
Roundtable Co-Chair, Childhood Obesity Prevention Coalition

Babs Roberts**
Roundtable Co-Chair, Washington State Department of Social & Health Services

Branden Born**
University of Washington College of Built Environments

David Bobanick**
Rotary First Harvest

Christy Carr*
American Farmland Trust

Janet Charles**
Washington State Department of Health

Richard Conlin**
Puget Sound Food Policy Council

Lael Duncan**
Okanogan County Community Action Council

Bev Emery*
Washington State Department of Commerce

Josh Giuntoli**
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Dick Grader*
National Frozen Foods

Ellen Gray**
Washington Sustainable Food & Farming Network

Rosalinda Guillen**
Farmworker Representative

Karen Kinney**
Washington Farmers Market Association

Claire Lane**
Anti-Hunger & Nutrition Coalition

Kara Martin**
Healthy Community Planning, LLC

Jason McGill**
Washington State Office of the Governor

Jennifer Mitchell**
Washington State Office of Superintendent of Public Instruction

Sharon Ness*
United Commercial & Food Workers

Sara Osborne**
Safeway, Inc.

Marcia Ostrom**
Washington State University Center for Sustaining Agriculture & Natural Resources

Jennifer Otten**
University of Washington Center for Public Health Nutrition

Kirk Robinson*/Kyle Merslich**
Washington State Department of Agriculture

Shelley Rotondo**
Northwest Harvest

Valerie Segrest**
Muckleshoot Food Sovereignty Project

Phyllis Shulman**
Community Relations & Public Policy Consultant

Lisa Smith**
Enterprise for Equity

Linda Stone*
Children's Alliance

Tom Tebb* / Sage Park**
Washington State Department of Ecology

Julie Washburn*
Washington Food Coalition

Brenda Weist**
Teamsters Local 11

*Former Member
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TAB 4

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Conservation Commission

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Washington State
Conservation Commission

July 13, 2016

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Ron Shultz, WSCC Policy Director

SUBJECT: Draft CAFO Permits

Background: On June 15, Ecology announced the release for public comment of the draft Concentrated Animal Feeding Operation (CAFO) National Pollution Discharge Elimination System (NPDES) and State Waste Discharge General Permit. These drafts are open for public comment until August 17, 2016.

This memo describes the content of the draft CAFO permit for discussion by the Commission regarding implications for conservation districts.

Requested Action: Info and discussion only.

Discussion:

Current Permit Structure:

In 2003 EPA revised the federal CAFO rule and stated CAFOs discharging or proposing to discharge to waters of the state are point source polluters and regulated by the National Pollution Discharge Elimination System (NPDES) permit program. The EPA rule was appealed, as were subsequent modifications to the federal rule. However, based on the EPA rule and subsequent federal court decisions, Ecology issued a CAFO NPDES General Permit on June 21, 2006. This permit became effective July 7, 2006 and expired July 21, 2011. The current proposed CAFO permit is a replacement for the expired permit.

The CAFO General Permit is part of a split livestock program covered by a Memorandum of Understanding (MOU) overseen by both Ecology and WSDA. Ecology is responsible for administering the permit, while Agriculture provides inspection and technical assistance to CAFO permitted facilities and to dairies covered under the Dairy Nutrient Management Act (RCW 90.64).

Nutrient management plans (NMPs) play a central role in CAFO permits. CAFO facilities that apply for permit coverage are required to submit to Ecology a NMP that conforms to USDA NRCS Field Office Technical Guide (FOTG) or equivalent best management practices (BMPS). Ecology reviews and, if appropriate, accepts the application. When

the NMP is accepted and permit coverage issued, the terms of the NMP become the terms of the CAFO Permit that the Permittee must meet.

If a facility meets the definition of a CAFO and has or had discharges to waters of the state, it has a duty to apply for coverage under the CAFO General Permit. CAFOs that do not have a duty to apply for permit coverage due to discharge may voluntarily choose to apply for permit coverage.

The 2006 CAFO permit covers large animal feeding operations if they discharge or propose to discharge to state waters. Any designated CAFO or medium animal feeding operation (AFO) that discharges to state waters must also get a permit. Any AFO may choose to get a permit.

Proposed 2016 CAFO Permit:

According to communications from Ecology staff, the proposed permit does the following:

1. Changes in the new permit will address protection of groundwater health, and will primarily cover dairies.

2. The updated permit potentially expands coverage from 10 facilities to an estimated 150-200 facilities across Washington, accounting for up to 95 percent of all dairy cows in Washington.

3. After issuing a preliminary draft permit in 2015, we spent nearly a year meeting with producers, environmental groups, agencies, legislators and tribes to solicit their concerns and input. The updated permit is a result of that engagement.

4. Since the last draft, we added a permitting threshold where small facilities with less than a threshold number of animals (e.g. less than 200 mature dairy cows) based on EPA CAFO definitions will not be required to seek coverage, focusing instead on the larger operations.

5. Two types of permits will be available under the proposal. CAFOs with groundwater discharges only would need a state-only permit, but could opt-in to the combined state/federal permit. CAFOs with discharges to surface water would need a combined state/federal permit.

6. Draft CAFO permit at a glance:
    a. CAFOs with unlined manure-storage lagoons that discharge to groundwater would need a permit.
    b. CAFOs with discharges to surface waters would need a permit.
    c. Covers animal feeding operations with 200 head or more that have a discharge, primarily dairies.
    d. Covers up to 95 percent of all dairy cows in Washington.
    e. Requires soil testing and restricts winter-application of manure on land.

f. Department of Agriculture dairy inspectors will help Ecology identify which CAFOs need a permit.
g. Setbacks and buffers from streams and ditches remain unchanged from federal EPA CAFO regulations.

What the Draft Permit Says:

There are two proposed permits – a state only permit, and a combined state/federal permit:

State only permit:	Combined Permit:
Conditionally authorizes the discharge of pollutants to groundwater from the production area and land application fields or management units that result from operating a CAFO. The terms land application field or field will be taken to include management unit for the purpose of this permit. This permit does not authorize any discharge to surface water from the CAFO production area or land application fields except for agricultural stormwater from land application fields. All authorized discharges and activities must be consistent with the terms and conditions of this permit.	Conditionally authorizes the discharge of pollutants to both surface and ground waters from the production area and land application fields or management units that result from operating a CAFO. The terms land application field or field will be taken to include management unit for the purpose of this permit. All authorized discharges and activities must be consistent with the terms and conditions of this permit.

<u>ISSUE</u>: Dispute as to whether the permit should be a state only permit, or a combined state/federal permit.

An issue came up during the last legislative session when the Dairy Federation and others sought legislation to establish a state general permit. The real difference between a state permit and a federal based permit is the federal permit allows for third-party lawsuits and provides more transparency for the public to review an individual farm plan.

Although legislation did not pass there was a series of communications to Maia Bellon from state legislators on both sides of the issue. Attached you will find copies of the letters and Director Bellon's response.

Ecology addresses this issue in the proposed draft permit by providing for both a state-only permit and a combined permit. The elements of concern by stakeholders in this debate are still relevant and are reflected in their respective positions on the issues. The dairy community are concerned about: continued lawsuits and their impact on the industry; ability of third parties to review a management plan or business plan; requirements for protections that are too burdensome. The environmental community is concerned about: a permit that may be too weak to address the environmental impacts from dairy or CAFO operations; inability to take action if a dairy is violating the terms of the permit and they don't believe the regulatory agencies are taking sufficient action to address the harm; ability to review and monitor farm progress on improving operations that protect the environment.

Who must apply for permit coverage?

State Permit	Combined Permit
1. **Large and Medium CAFOs** The owner or operator of a large or medium CAFO must apply for a permit and is eligible to apply for coverage under this permit if the CAFO only has a discharge groundwater. Refer to permit condition S1 Table 2 to determine CAFO size. 2. **Small CAFOs** The owner of operator of a small CAFO is must apply for a permit and is eligible to apply for coverage under this permit if the CAFO has been designated by Ecology to be a significant contributor of pollutants to groundwater only. If the CAFO has a discharge to surface water after permit coverage has been issued except for agricultural stormwater, the owner or operator must submit a permit application for the combined National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge CAFO General Permit (combined permit) which covers discharges to surface water and groundwater.	1. **Large and Medium CAFOs** The owner or operator of a large or medium CAFO must apply for a permit and is eligible to apply for coverage under this permit if the CAFO has or had a discharge surface water. CAFOs discharging only to groundwater are eligible for coverage under this permit or the State Waste Discharge CAFO General Permit (state permit). Refer to permit condition S1 Table 2 to determine CAFO size. 2. **Small CAFOs** The owner of operator of a small CAFO must apply for a permit and is eligible to apply for coverage under this permit if the CAFO has been designated by Ecology to be a significant contributor of pollutants to surface water or groundwater.

Both permits apply to lots or facilities (other than aquatic animal production facilities) referred to as concentrated animal feeding operations (CAFOs) that meet the following conditions:

TABLE 2: CAFOs Requiring Permit Coverage			
Type of CAFO	• Animals are or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period. The same animal individuals need not be confined for the entire 45 day period. • Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility where the animals are confined.		
	Large CAFO	***Medium CAFO***	***Small CAFO***
	• Has a ***discharge*** to ***groundwater***. • Has or had a discharge to surface water that is not ***agricultural stormwater.*** • Confines the following animal numbers:	• Has a discharge to groundwater. • Has or had a discharge to surface water that is not agricultural stormwater. • Confines the following animal numbers:	• Designated a ***significant contributor*** of pollutants to surface or groundwater by Ecology. • Confines the following animal numbers:
Mature Dairy Cows[1]	≥ 700	200-699	≤ 199
Veal Calves	≥ 1,000	300-999	≤ 299
Other Cattle[2]	≥ 1,000	300-999	≤ 299
Swine (55 lbs. or more)	≥ 2,500	750-2,499	≤ 749
Swine (less than 55 lbs.)	≥ 10,000	3,000-9,999	≤ 2,999
Horses	≥ 500	150-499	≤ 149
Sheep and Lambs	≥ 10,000	3,000-9,999	≤ 2,999
Turkeys	≥ 55,000	16,500-54,999	≤ 16,499
Laying Hens or Broilers w/liquid waste system	≥ 30,000	9,000-29,999	≤ 8,999
Chickens other than layers w/dry waste system	≥ 125,000	37,500-124,999	≤ 36,999
Laying Hens w/dry waste system	≥ 82,000	25,000-81,999	≤ 24,999
Ducks w/liquid waste system	≥ 30,000	10,000-29,999	≤ 1,499
Ducks w/dry waste system	≥ 5,000	1,500-4,999	≤ 9,999
Other animal types	• Designated by Ecology to be a CAFO. • Size determined based on equivalency to existing animal categories via 1000 pounds live weight per animal unit.		
[1] Milked or Dry [2] Including, but not limited to Heifers, Steers, Bulls, Cow/Calf Pairs			

ISSUE: While it's clear both permits apply to large and medium CAFO's when the described conditions are met, there's the potential for the permits to be required to cover those identified in the "small CAFO" category.

Press releases from Ecology and other background informational materials have focused on the applicability of the permits to dairy operations. But the permit coverage is broader than just dairies. The permits are required for those operations with the animal types and numbers shown in the table *AND* with the conditions identified – discharge to groundwater; discharge to surface water not agricultural stormwater. The impact to non-dairy operations with these animal numbers and conditions is unknown without an understanding of how many farms have these animals.

According to the most recent NASS data (2012):
NOTE: NASS ranges for numbers of animals do not match with the permit range numbers. Consider these as estimates only.

Type	Large # of farms	Medium # of farms	Small # of farms
Dairy Cows	152	99	563
Cattle	84	350	7,986
Hogs	2	4	928
Horses	6	6	9,917
Sheep	0	1	1,966
Laying Hens	13	5	6,261
Poultry	NASS does not break down farm size for other poultry.		
Pocket Gophers			1

Both permits will be required for a small CAFO if "designated a **significant contributor** of pollutants to surface or groundwater by Ecology." The term "significant contributor" is not defined in either permit, so it's unclear when a small farm would fall under the requirements. It's assumed Ecology could, under this term, require a permit of a small landowner if a water quality violation is found in the course of Ecology's existing water quality enforcement authority.

Discharge Limits

State Permit	Combined Permit
Discharges authorized by this permit must not cause or contribute to a violation of ***water quality standards***. Discharges not in compliance with these standards are not authorized.	Discharges authorized by this permit must not cause or contribute to a violation of ***water quality standards***. Discharges not in compliance with these standards are not authorized.

The Permittee is prohibited from discharging manure, litter, feed, process wastewater, or water that has come into contact with those materials to surface water from their production area or land application fields except for agricultural stormwater from land application fields.	The Permittee is prohibited from discharging manure, litter, feed, process wastewater or other water that has come into contact with those materials to surface waters of the state from the production area, except when: A. Rainfall events cause an overflow of manure, litter, and process wastewater management and storage facilities designed, constructed, operated, and maintained to contain all manure, litter, and process wastewater including the contaminated runoff and direct precipitation from a 25-year, 24-hour rainfall event; and B. The production area is operated in accordance with the applicable inspection, maintenance, recordkeeping, and reporting requirements of this permit. The Permittee is prohibited from discharging manure, litter, feed, process wastewater or other water that has come into contact with those materials from its land application fields except in compliance with this permit or if the discharge is agricultural stormwater.

Manure Pollution Prevention

In both permits, the permittee must implement measures to address the pollution prevention performance objectives in the permit conditions.

<u>Production area run-off controls</u>

State Permit	Combined Permit
The Permittee must prevent all discharges to surface water from its production area except for directing clean	The Permittee must prevent discharges to surface water from its production area except: If the production area is designed,

water away from the production area pursuant to permit condition S4.D.	constructed, operated and maintained to contain all manure, litter, and process wastewater generated on site and when lagoon is full still have enough room to contain the direct precipitation and contaminated run-off from the production area generated by a 24-hour, 25-year storm event for the location the production area is built and still have 1-foot of lagoon freeboard, or directing clean water away from the production area pursuant to permit condition S4.D.

Under both permits, the permittee must prepare, keep up-to-date, and implement a Manure Pollution Prevention Plan (MPPP). The MPPP must be designed and implemented to limit the discharge of manure, litter, process wastewater, and other sources of pollution related to the operation of a CAFO to waters of the state for the purpose of complying with state water quality standards. The MPPP must be prepared within six months of the date the permittee receives permit coverage.

A one-time lagoon report is required under both permits. This report must be provided within two years of permit coverage. The report must provide the physical, environmental, and operational details of permittee's lagoons or other structure used for storing manure, litter, or process wastewater excluding structures used solely for movement or processing or manure, litter, or process wastewater, for example pumping pits, temporary storage tanks.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

June 15, 2016

Re: Announcing a Draft Concentrated Animal Feeding Operation National Pollutant Discharge Elimination System and State Waste Discharge General Permit and a Draft Concentrated Animal Feeding Operation State Waste Discharge General Permit

Dear Interested Party:

Proposed Permit
The Washington State Department of Ecology (Ecology) is proposing to reissue the Concentrated Animal Feeding Operation (CAFO) National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit (permit).

The permit will be reissued as two separate permits, the CAFO State Waste Discharge General Permit (state permit) and the CAFO NPDES and State Waste Discharge General Permit (combined permit).

The state and combined permits regulate the discharge of pollutants such as manure, litter, or process wastewater from CAFOs into waters of the state. The state permit will conditionally authorize discharges to groundwater. No surface water discharges other than agricultural stormwater are allowed. The combined permit will conditionally authorize discharges to surface and groundwater as well as agricultural stormwater.

Coverage under the proposed general permit will be available to facilities that meet the definition of a CAFO and that have a discharge or that voluntarily apply for permit coverage.

Copies of the Draft Permit
You may download copies of the draft permit, fact sheet and SEPA determination from the following website: http://www.ecy.wa.gov/programs/wq/permits/cafo/index.html. You may request copies of the documents from Jon Jennings at jonathan.jennings@ecy.wa.gov or (360) 407-6283.

Submitting Written Comments
Ecology will accept written comments on the draft permit, fact sheet, and supporting documents until ***5 p.m., August 17, 2016***. Ecology prefers comments be submitted through the comment form on the permit webpage. Comments may also be submitted through email or standard mail to the addresses provided below. Comments should reference specific permit text when possible.

Submit comments through webpage: http://www.ecy.wa.gov/programs/wq/permits/cafo/index.html

Submit comments by email to: jonathan.jennings@ecy.wa.gov

Submit written comments to: Jon Jennings
Washington State Department of Ecology
PO Box 47696
Olympia, WA 98504-7696

You must send comment form and email comments before ***5 p.m., August 17, 2016***. Written comments must be postmarked no later than ***5 p.m., August 17, 2016***.

Public Workshop and Hearing
The purpose of the workshop is to explain the general permits and to answer questions prior to the formal public hearing. The purpose of the hearing is to provide an opportunity for people to give formal oral testimony and comments on the proposed draft permits. Written comments will receive the same consideration as oral testimony. The public hearing will begin immediately following the public workshop and will conclude when public testimony is complete.

Tuesday, July 26 at 6 pm
Whatcom Community College - Heiner Theater
237 W Kellogg Rd
Bellingham, WA 98226

Thursday, July 28 at 6 pm
Yakima Convention Center – Room B
10 North 8th Street
Yakima, WA 98901

Webinar: Wednesday, July 27 at 2 pm

An additional workshop and hearing may also be attended as a webinar where individuals may view the presentation and provide testimony via computer or mobile device. To register for the webinar go to: http://www.ecy.wa.gov/programs/wq/permits/cafo/index.html. Once the host approves your request, you will receive a confirmation email with instructions for joining the meeting.

Issuing the Permit
The final decision on permit issuance will be made after Ecology receives and considers all public comments. If public comments cause a substantial change in the permit conditions from the original draft permits, another public notice of draft and comment period may ensue. Ecology expects to issue the general permit by the end of 2016. If you have any questions, please contact Jon Jennings at jonathan.jennings@ecy.wa.gov or (360) 407-6283.

Sincerely,

Heather R. Bartlett
Water Quality Program Manager

From: Jean Mendoza
To: ashepherd@hecweb.org; bweaver@hecweb.org; skipfer@hecweb.org; mholland@hecweb.org; ifg@ifg.org; Shultz, Ron (SCC); rsweany@hecweb.org; jjenkins@hecweb.org
Subject: Fwd: Ecology"s New CAFO NPDES Permit
Date: Friday, July 08, 2016 12:38:31 PM

Washington's Final Draft Concentrated Animal Feeding Operation General Permit Fails to Protect Washington Waters

The Department of Ecology, the state agency charged with protecting Washington's ground and surface waters, just issued a new permit for industrial dairy farms that won't protect our waterways and drinking water supplies. Their permit, supported by Big Ag, has no clear and enforceable limits on pollution, no requirements to use best management practices that stop pollution, and no ground and surface water testing.

There are at least 20 Reasons to oppose this Permit

****

Number One: The permit gives growers permission to eliminate riparian buffers that protect fish and fish habitat

Number Two: Soil testing at only two feet allows leaching to groundwater with no monitoring or accountability

Number Three: The only reliable way to assess impact on groundwater is by water testing. Groundwater monitoring is not part of the permit.

Number Four: The permit allows farmers to apply manure on land where the water table is 12 inches !!!

Number Five: Citizens have a right to protect themselves through the courts

Number Six: There are no serious penalties or consequences

Number Seven: The permit requires Ecology to prove pollution in order to require a permit. This is not done for any other industry and is cost prohibitive for tax payers

Number Eight: Application of manures to fields by third parties is not addressed

Number Nine: Composting is barely addressed

Number Ten: Groundwater feeds surface water. There is no need for two permits

Number 11: The informational needs of minority populations are ignored

Number 12: This permit installs the dairy industry as a gatekeeper for water in Washington State

Number 13: Pollution of the waters is illegal

Number 14: Contrary to popular opinion dairies are not well regulated

Number 15: Contrary to popular opinion the WSDA Dairy Nutrient Management Program does not prevent pollution of waters of the state as required by law.

Number 16: Unlined lagoons leak – a lot

Number 17: AKART is required by the law. AKART is not required by the permit

Number 18: The huge costs to neighbors and tax payers is not addressed

Number 19: The permit ignores the serious pollution in the Lower Yakima River; TMDLs are needed to address the problem

Number 20: The permit is a license to pollute

Thank you for reading and taking action.

The Friends of Toppenish Creek

Action Plan

People can read the permit and comment at http://www.ecy.wa.gov/programs/wq/permits/cafo/publicinvolvement.html

People can send comments to Washington State Department of Ecology Water Quality Program, Attn: Jon Jennings, PO Box 47696, Olympia, WA 98504-7696

People can send comments to political leaders.

People can attend public meetings:

Tuesday, July 26 at 6 pm
Whatcom Community College - Heiner Theater
237 W Kellogg Rd
Bellingham, WA 98226

Webinar: Wednesday, July 27 at 2 pm
Register at
http://www.ecy.wa.gov/programs/wq/permits/cafo/publicinvolvement.html

Thursday, July 28 at 6 pm
Yakima Convention Center – Room B
10 North 8th Street
Yakima, WA 98901

Washington State Legislature

March 25, 2016

Maia Bellon
Director
Washington State Department of Ecology
300 Desmond Drive
Lacey, Washington 98503-1274

Dear Director Bellon,

We write to express our appreciation for your commitment to consider developing a state groundwater discharge general permit for certain dairy farms. We are particularly grateful for your willingness to work with representatives of the dairy industry to develop a fair and reasonable permit option. We respectfully request for you to continue these efforts as they are critical in allowing Washington dairies to operate successfully for years to come.

During the legislature's supplemental budget negotiations, it became clear that there is significant support among many legislators for the Department of Ecology to take action on developing a state groundwater discharge general permit for dairy farms that are not required to obtain permit coverage for surface water discharge. This support grows out of concern over uncertainty resulting from recent judicial decisions that raise important questions about the future of the dairy industry in Washington. Indeed, the 2016 legislature considered bills on the subject of state groundwater discharge general permits for dairy farms, and the 2017 legislature likely will too if the department is not able to satisfactorily address the issue in the meantime. However, this is an issue which is too important to wait.

We emphasize the urgency of this matter. The dairy industry is a major contributor to Washington's economy. The Washington Dairy Products Commission reports that dairy is the second-largest agricultural commodity produced in our state, with an annual economic impact exceeding $3.2 billion. This means jobs with good wages. This means rural communities with an economic anchor. And this means tax revenue that can be put to work for the benefit of the people of Washington. We support the continued health and growth of this mainstay of Washington agriculture, and we ask the department to do the same. Thank you for your consideration.

Sincerely,

Bruce Chandler 15th
Senator Judy Warnick 13th
Jim Honeyford 15th
Luanne Van Werven 42
Dean Takko 19th
14th
R. E. Bale 19th
D. V. Lytton 15th
42

Washington State Legislature

June 1, 2016

Maia Bellon
Director
Washington State Department of Ecology
300 Desmond Drive
Lacey, WA 98503

Dear Director Bellon,

We write to urge you to continue moving toward adoption of a comprehensive NPDES clean water act permit that would cover all medium and large Confined Animal Feeding Operations (CAFOs) in Washington State. We believe that this approach is necessary to protect surface waters and aquifers which are used for drinking water, while also ensuring a strong agricultural economy by providing clear guidance and limiting those few bad actors who undermine clean water resources in our state.

As you know, legislation was proposed during the 2016 legislative session (HB 2840 and SB 6568) which would have directed the Department to adopt a state discharge permit as an alternative to the NPDES CAFO permit. Tribes, conservation groups, and community groups raised serious concerns regarding both the transparency and the enforceability of a state discharge permit. We agree with these concerns. The bills failed to pass in both chambers, and we oppose any steps by the Department to move forward with a state-only discharge permit without explicit direction from the Legislature to do so.

We urge the Department to continue on its path to adopt an NPDES CAFO General Permit that governs both medium and large dairies in this state. This approach will allow: 1) Transparency, so the public can see relevant permit related data; and 2) Accountability, so that local communities have another option to protect their drinking water if the state is unable to enforce permit conditions. A state discharge permit would not meet these objectives.

Thank you for your consideration of our concerns and for all your work on behalf of the citizens of Washington State.

Representative Derek Stanford, PhD
1st Legislative District

Representative Mia Gregerson
33rd Legislative District

Representative Cindy Ryu
32nd Legislative District

Representative Kristine Lytton
40th Legislative District

Representative Roger Goodman
45th Legislative District

Representative Patty Kuderer
48th Legislative District

Senator Christine Rolfes
23rd Legislative District

Representative Luis Moscoso
1st Legislative District

Senator Karen Keiser
33rd Legislative District

Representative Joe Fitzgibbon
34th Legislative District

Representative Brady Walkinshaw
43rd Legislative District

Representative Jake Fey
27th Legislative District

Representative Steve Bergquist
11th Legislative District

Representative Gerry Pollet
46th Legislative District

Senator Marko Liias
21st Legislative District

Senator Pramila Jayapal
37th Legislative Ditrict

Senator Bob Hasegawa
11th Legislative District

Representative Sherry Appleton
23rd Legislative District

Representative Joan McBride
48th Legislative District

Senator Sharon Nelson
34th Legislative District

Representative Strom Peterson
21st Legislative District

Representative Jessyn Farrell
46th Legislative District

Senator Annette Cleveland
49th Legislative District

Senator Jeannie Darneille
27th Legislative District

Representative Mike Sells
38th Legislative District

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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June 13, 2016

See Distribution List

Dear Senators and Representatives:

I am writing in light of your engagement with the Department of Ecology (Ecology) regarding water quality permitting of concentrated animal feeding operations (CAFO). I want you to know that the formal draft CAFO permits will be available for public review and comment on June 15, 2016. Ecology will be accepting comments through August 17, 2016.

As you know, the 2016 Legislature considered bills that would have directed Ecology to adopt a water quality permit based on state authorities only, as an alternative to a permit issued under both federal and state water quality laws. Those bills did not pass.

Objections to a state-only discharge permit focus on concerns that such a permit would be less transparent and would lack the accountability of a combined federal-state permit. Those promoting a state-only discharge permit are concerned about potential third party liability under a permit issued under combined federal and state authorities.

After careful consideration, I have directed my staff to develop two CAFO permits available to producers. A permit issued under state authorities only, and a second permit issued under combined federal and state authorities. CAFO operators with a documented discharge to surface waters will be required to obtain the combined federal-state permit. Operators with only a discharge to groundwater may choose either the state-only permit or the combined federal-state permit.

Substantively, the two permits are virtually identical – including the public's access to relevant permit related data. The primary difference between the combined federal-state permit and the state-only permit is the ability of third parties to independently take action to enforce permit compliance if Ecology fails to take action. I am committed to fully and fairly administering both CAFO permits, including enforcement when necessary, to ensure compliance. We are also working closely with the Department of Agriculture to effectively coordinate the implementation of the CAFO permits and the state Dairy Nutrient Management Act.

If you would like additional information and/or a briefing on the draft CAFO permits, please contact: Denise Clifford at (360) 407-7003 or by e-mail at: denise.clifford@ecy.wa.gov.

Thank you very much for your interest in water quality and Ecology's CAFO permitting work.

Sincerely,

Maia D. Bellon
Director

Distribution List:

Senator Annette Cleveland
Senator Jeannie Darneille
Senator Bob Hasegawa
Senator Jim Honeyford
Senator Pramila Jayapal
Senator Karen Keiser
Senator Curtis King
Senator Marko Liias
Senator Sharon Nelson
Senator Christine Rolfes
Senator Dean Takko
Senator Judy Warnick

Representative Sherry Appleton
Representative Steve Bergquist
Representative Brian Blake
Representative Vincent Buys
Representative Bruce Chandler
Representative Jessyn Farrell
Representative Jake Fey
Representative Joe Fitzgibbon
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Representative Joan McBride
Representative Luis Moscoso
Representative Strom Peterson
Representative Gerry Pollet
Representative Cindy Ryu
Representative Mike Sells
Representative Derek Stanford
Representative David Taylor
Representative Luanne Van Werven
Representative Brady Walkinshaw

Washington State
Conservation Commission

July 13, 2016

TO: Mark Clark, Executive Director
Conservation Commission Members

FROM: Mike Baden, Regional Manager

SUBJECT: **Fire Recovery Funding Status Update**

Background/Summary:
Fire Recovery projects are currently being accepted from Conservation Districts. Currently 22 projects have been submitted for consideration of which all have been funded to date. The total funding allocated to projects at this point is $303,832.26. These projects consist primarily of fence replacements and plantings for erosion control. Projects submitted to date have all been from Stevens or Okanogan Counties. We continue to consider how to address potential projects that may meet funding intent but don't necessarily "fit within the box" of normal cost-share projects. Examples of these would be addressing noxious weeds and irrigation projects where there is an irrigation district involved with several landowners. We expect more projects to be coming in in the near future as Districts are able to work with landowners. We have confirmation that more projects will be submitted from Asotin and Okanogan CD's. Stevens County CD also has more potential projects. There are other eligible districts that are working on identifying landowners with potential projects

After July 31st, the initial funding that was allocated by county will revert to a statewide funding pool to which all eligible districts may apply.

As a reminder, projects can be submitted by CD's on an ongoing basis and will be compiled on the 1st and 3rd Thursday of each month. The project review committee will meet following each of these submittal deadlines to evaluate each project. The members of the committee are as follows:

- Commissioner Longrie
- Commissioner Beale
- Karla Heinitz
- Courtney Woods
- Mike Baden
- RM for project area

Cultural Resources will be addressed through the Cascadia Conservation district and coordinated by their staff archaeologists for efficiency and consistency in Cultural Resources review. They have already started initial consultations with DAHP and tribes for the affected areas. The Cascadia CD has entered into cooperative agreements with those districts where work may take place.

We continue to work with NRCS and FSA on the status of **federal funds:**

EWP

Projects in Okanogan County have gone out for bid and will be under way soon. In addition, match for an exigency project in the amount of $7,500 was awarded to the Chelan County Natural Resources Dept. The Commission has a contract with Chelan County Natural Resources not to exceed $150,000 for additional projects with Federal funding such as EWP but subsequent projects must be approved prior to formal award. There have been no other project requests to date.

EQIP

NRCS has received $2 million to fund fire recovery projects under EQIP for structural and forestry practices. $1 million will be provided for private sign-ups and $1 million for tribal sign ups. NRCS had approximately $4 million in sign-ups by private landowners for structural and forestry practices and approximately $34 million in tribal sign-ups. Preliminary award notifications are in process. CD's may be able to work with NRCS as the list of awards is finalized as there may be an opportunity to use state funding to cover some projects that were not funded by EQIP.

ECP

After many discussions the effect that adding state funds to funded ECP contracts would have on the federal funding has made it impractical in most cases to provide any additional funding to projects that have received ECP funding. We anticipate funding for a task order to assist NRCS with ECP post-inspections. The total state match requirement will be approximately $18,300 for approximately 1,000 miles of fencing. This amount is lower than originally estimated. Funds for these task orders had to be approved by national headquarters and the earliest estimated date for approval is 7/22.

We will continue to monitor funds and shift funds as necessary as well as adjust the guidelines as necessary as more experience is gained and emerging needs become apparent.

Action Requested:

None

Staff contact:

Mike Baden

Fire Recovery Funding Status 7.13.16

Funding Available	**$6,800,000**

Committed/Awarded Funding		Reserved Funding	
Item	**Amount**	**Item**	**Amount**
Okanogan Weed Board*	$300,000.00	ECP task order**	$18,300.00
Chelan County Weed Board*	$13,000.00	EQIP task order**	$0.00
Chelan County Natural Resources***	$7,500.00	Chelan County Natural Resources (balance of agreement)***	$142,500.00
Cascadia - Cultural Resources TA and Admin	$50,000.00	Asotin Initial Allocation	$58,880.00
Cascadia - Cultural Resources Surveys for Fire Recovery Projects	$200,000.00	Cascadia Initial Allocation	$206,080.00
Stevens County CS Approved Projects	$208,761.26	Douglas Initial Allocation	$206,080.00
Okanogan County CS Approved Projects	$95,071.00	Ferry Initial Allocation	$88,320.00
Stevens County TA Approved Projects****	$52,190.32	Klickitat Initial Allocation	$176,640.00
Okanogan County TA Approved Projects****	$23,767.75	Okanogan Initial Allocation (balance)	$1,789,089.00
		Pend Oreille Initial Allocation	$29,440.00
		Spokane Initial Allocation	$29,440.00
		Stevens County Initial Allocation (balance)	$18,946.24
		Yakima Initial Allocation	$29,440.00
		TA Hold Back Balance for Initial Allocations by County****	$660,041.93
		Rain Guages	$50,000.00
	$950,290.33		$3,503,197.17

Unattached Funds	**$2,346,512.50**

* Included in CD Addendums (not a contract directly with Weed Boards)

** Current accurate number for anticpated task order. Initial estimate was $60,000 each for ECP and EQIP

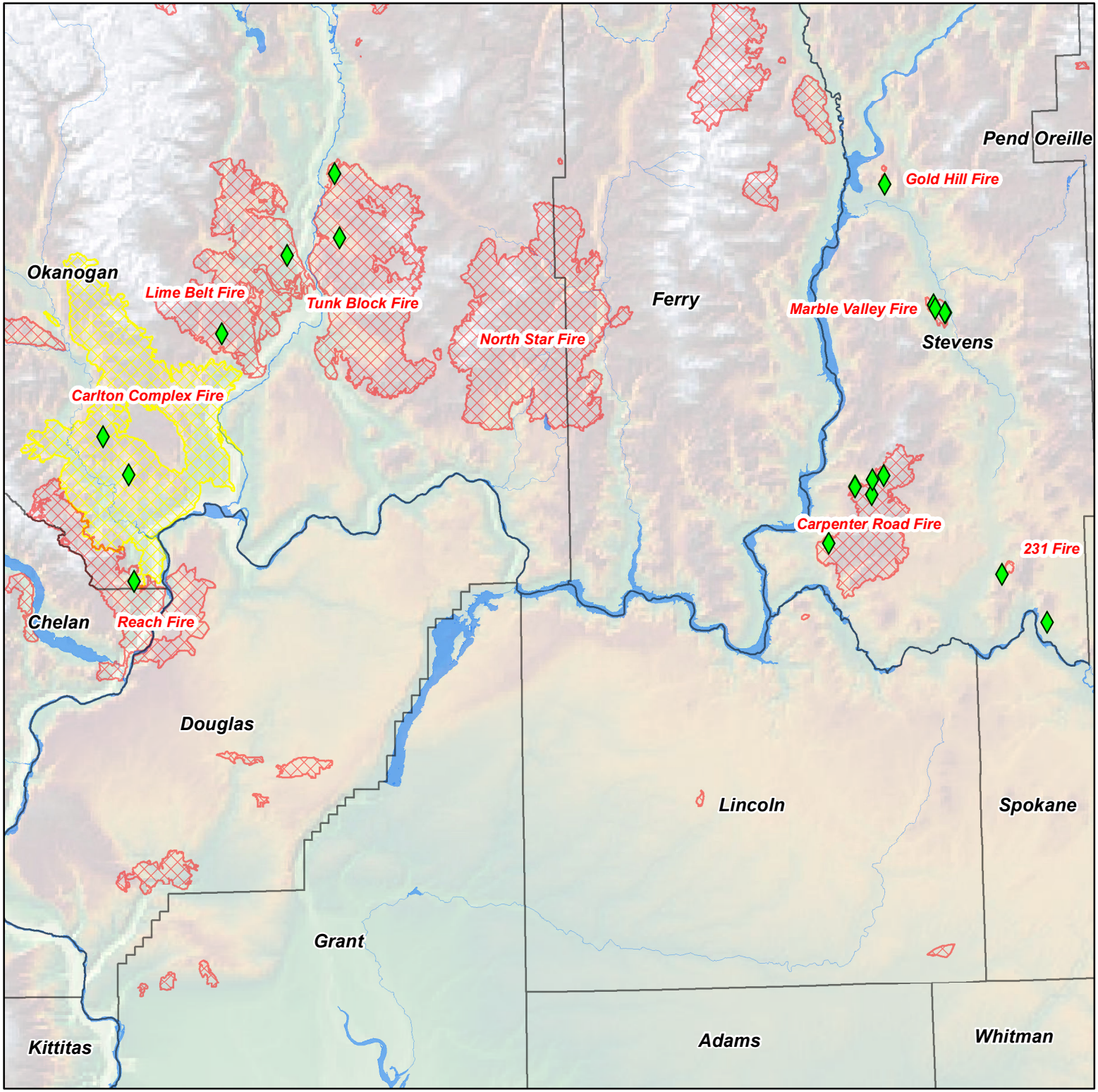
*** Up to $150,000 for total agreement, $7,500 currently approved for 1 project

**** Total cost-share that was initally reserved for impacted counties is $2,944,000. 25% TA needed for this amount is $736,000

	Funded Cost Share Projects													
County	**Asotin**	**Chelan**	**Douglas**		**Ferry**	**Klickitat**			**Okanogan**	**Pend Oreille**	**Skamania**	**Spokane**	**Stevens**	**Yakima**
Initial Allocation	$58,880.00	$206,080.00	$206,080.00		$88,320.00	$176,640.00			$1,884,160.00	$29,440.00	$0.00	$29,440.00	$235,520.00	$29,440.00
District	Asotin	Cascadia	S. Douglas	Foster Creek	Ferry	E. Klickitat	C. Klickitat	Underwood	Okanogan	Pend Oreille	Underwood	Spokane	Stevens County	S. Yakima
1									$4,200.00				$4,200.00	
2									$14,063.00				$1,755.00	
3									$20,815.00				$11,062.00	
4									$7,303.00				$6,075.00	
5									$18,259.00				$50,000.00	
6									$24,345.00				$4,725.00	
7									$6,086.00				$50,000.00	
8													$50,000.00	
9													$9,000.00	
10													$3,096.00	
11													$787.50	
12													$3,244.50	
13													$3,886.88	
14													$6,013.13	
15													$4,916.25	
16														
17														
18														
19														
20														
21														
22														
23														
Sum Allocated	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$95,071.00	$0.00	$0.00	$0.00	$208,761.26	$0.00
Initial Allocation Balance	$58,880.00	$206,080.00	$206,080.00		$88,320.00	$176,640.00			$1,789,089.00	$29,440.00	$0.00	$29,440.00	$26,758.74	$29,440.00

Funded Fire Recovery Projects

Current 7.13.16



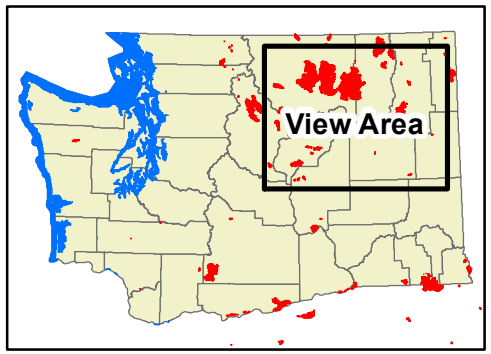
Legend

- Fire Recovery Projects
- County Line
- Hydro
- 2015 Wildfires

N

0 8 16 32 Miles

1 in = 16 miles



Washington State Conservation Commission

Map created by: MB
Coordinate System: State Plane Washington South
Units: Feet, Datum: NAD 1983

Washington State
Conservation Commission

July 21, 2016

TO: Conservation Commission Members
Mark Clark, Executive Director

FROM: Shana Joy, Puget Sound Regional Manager and Policy Assistant

SUBJECT: Firewise supplemental funding

Summary: In the 2016 legislative session, the legislature appropriated one-time funding of $1,000,000 to the Conservation Commission for conservation districts to implement Firewise. Commissioners approved funding guidelines for the allocation of the funds to conservation districts on May 10, 2016. Since that time, the following actions have occurred to distribute the Firewise funds:

- 19 project proposals were received from conservation districts by the deadline of June 10th,
- The review committee composed of regional managers, financial staff, Commissioner Dean Longrie, and the DNR Firewise Coordinator reviewed the proposals on June 24th,
- The committee acted to immediately award funds to 8 of the project proposals, follow up with clarifying questions on 7 proposals, and provide an opportunity for proposal revision on the remaining 3 proposals,
- Each district responded quickly with additional information to the clarifying questions, 3 revised proposals were received from those afforded the opportunity to do so, and one late proposal came in,
- The revised and late proposals were reviewed and the committee took action to award funding to all of them,
- To date $940,165 in Firewise funding has been allocated to 20 conservation districts

Districts awarded funding: Asotin, Cascadia, Central Klickitat, King, Kitsap, Kittitas, Lincoln, North Yakima, Okanogan, Pend Oreille, Pierce, San Juan Islands, Skagit, Spokane, South Douglas, Stevens, Underwood, Walla Walla, Whatcom, and Whidbey Island.

Regional managers will continue to collaborate with the DNR Firewise Coordinator and regional DNR staff to leverage resources and seek efficiencies wherever possible.

Staff Contact: Shana Joy, Puget Sound Regional Manager and Policy Assistant, sjoy@scc.wa.gov

TAB 5

Washington State
Conservation Commission

July 21, 2016

TO: Commission Members

FROM: Mark Clark
Executive Director

SUBJECT: Remaining 2015 Washington Association of Conservation District Resolutions

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Background Summary:
Below are the remaining 2015 Washington Association of Conservation District Resolutions that needs to be reviewed and discussed for possible action. Followed by this memo are the full descriptions of each resolution listed below for reference.

Resolution #	Title	Comments from Director Clark
2015-11	Professional Engineering Program Funding	*Does not specifically say Commission, asks WACD to work with partners? It will come up again in budget development. See also 23*
2015-12	District Building Capacity Needs	*The resolution says districts shall bring their needs to WACD Board prior to budget development. CC role would be in decision on budget inclusion.*
2015-20	Preparedness for Resource Assessments after a Natural Disaster	*Much of this is underway or in discussion.* ***Recommend support***
2015-23	Increased Funding for Professional Engineer Grant	*Will come up in budget development and again in budget allocation.* ***Recommend support***
2015-24	Cultural Resources Review Process Efficiencies	*Many actions underway.* ***Recommend support***

WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2015-11

Title: Professional Engineering Program Funding

Problem:

The WSCC Professional Engineering Services Grants Program provides base funding to support an engineering program in each of 9 regions across Washington State to serve all 45 conservation districts. Engineering services provided include: feasibility studies, assessments, grant application writing, surveys, design, construction management, inspection, contract oversight, project management, program management, project scoping, cost estimating, and budgeting.

The current WSSC budget for each of the 9 areas provides sufficient funding to cover cost of overhead and a portion of one full time engineer's salary. Several of the engineering program regions have struggled to maintain a consistent program due to challenges associated with acquiring and retaining engineering staff due to the funding constraints, lack of technical staff resources, and high workload. The current funding levels have resulted in a high rate of turnover and excessive workload which has adversely affected both programs and projects.

Recommendation:

It is recommended that WACD work with partners to increase the Professional Engineering Services Grants Program funding. This increased support from beyond our traditional funding sources will allow the program sufficient funding to acquire resources to address back logged workload and improve support to each of the districts the program serves.

Presented by: South Central Engineering Area
Approved by the South Central Area Association on 10/14/15
Amended and passed by Legislative Committee on 12/1/15
Passed by General Assembly on 12/2/15

WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2015-12

Title: District Building Capacity Needs

Problem:

Conservation districts in Washington continue to evolve and adapt to the needs of their communities. Districts develop annual and long range plans that address the resource needs within their district. In order to implement these plans and to address the resource needs, districts have also identified physical building space needs as a potential limiting factor that needs to be addressed. Funding for these building needs is an action that these districts, WACD, the Commission, and potentially other partners need to address.

Recommendation:

WACD and the Washington State Conservation Commission shall develop an action plan to address the land acquisition and physical building space needs of conservation districts. This action plan shall be developed prior to the WACD area meetings in 2016, and potential resolutions shall be developed to implement the plans prior to the 2016 area meetings.

The WACD Board of Directors shall guide the Executive Committee in soliciting a response from all member conservation districts to assess their needs for increased building/space capacity. Districts shall bring their needs to the attention of the Board of Directors prior to development of a WCC biennial budget. The Board of Directors shall determine from this assessment the degree of member districts' interest in pursuing an action plan to secure funding from the Legislature to address this collective need as part of the WSCC – prepared biennial budget. If the Board of Directors incorporates this specific funding item into the WACD legislative/budget strategy for 2017 or beyond, WACD shall support this collective funding request in accordance with priorities set by the Board of Directors. WACD shall work with WSCC, the Governor's Office and the Legislature as directed by the Board of Directors, to support and advance a legislative budget request, including capital budget and other funding options.

If the Board of Directors does not incorporate a collective districts' building/space capacity request into the WACD legislative/budget strategy, the Board shall determine whether any individual capital request from a conservation district is consistent with or conflicts with WACD legislative/budget priorities, in directing a proper level of WACD support or response.

Presented by: Snohomish Conservation District Board of Supervisors
Approved by the Northwest Area Association on 10/6/15
Amended and passed by Legislative Committee on 12/1/15
Passed by General Assembly on 12/2/15

WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2015-20

Title: Preparedness for Resource Assessments after a Natural Disaster

Problem:

There is a lack of planning, coordination and assistance for resource assessments after a natural disaster, in particular wildfire for state and private lands. Federal agencies have a Burned Area Emergency Response (BAER) program and protocol to assess damages and identify future threats to life, safety and structures. This process also helps with long-term recovery planning.

Specific to Stevens County, the Carpenter Road Fire burned over 60 thousand acres; approximately 50% private ground. The federal and tribal ground was assessed immediately and with no consideration of the private and state lands. A last minute state team was able to assess the private and state grounds. Three separate analyses of the Carpenter Road Fire were made with no cooperation or comparison of results between teams. This cannot be the most efficient use of funds with the best possible results.

Another problem arising from the disaster is timeliness to receive required permits for riparian restoration projects and salvage logging.

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Recommendation:

WACD and Conservation Commission work to develop a state natural resource assessment program with stable funding and standard protocols to evaluate state and private ground immediately after a disaster.

WACD and Conservation Commission will ~~try to~~ develop a working relationship with federal agencies to ensure that the entire disaster area is evaluated instead of separating out federal, state and private ownerships.

WACD and Conservation Commission will work to develop this assessment team so it will provide information required by the permitting agency to expedite issuance of permits after a disaster.

WACD and Conservation Commission should invite large corporate landowners to participate in the development and funding of this natural resource disaster assessment program.

Presented by: Stevens County Conservation District
Approved by the Northeast Area Association on 10/20/15
Passed by Natural Resources Policy Committee on 12/1/15
Passed by General Assembly on 12/2/15

WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Resolution No. 2015-23

Title: Increased Funding for Professional Engineer Grant

Problem:

A knowledgeable and competent Professional Engineer is vital for habitat restoration projects and structural BMPs. Unfortunately, the current Engineering grant funds are inadequate for maintaining a quality Professional Engineer and the support system for the position. Our Engineering Area districts have been struggling to find and keep an engineer able to do the work because of the low salary. Those interested in the position usually do not have the experience or knowledge needed or only stay a short time until they find something else that pays more. Districts need to offer a competitive salary and support to attract and retain a quality natural resource engineer.

Recommendation:

WACD work with WSCC to prioritize the Professional Engineer grant and increase funding for the program in 2017-2019 biennium.

Presented by: Clark Conservation District
Approved by the South West Area Association on 10/7/15
Amended and passed by District Operations and Education Committee on 12/1/15
Passed by General Assembly on 12/2/15

Resolution No. 2015-24

Title: Cultural Resources Review Process Efficiencies

Problem:

Conservation Districts value cultural resources and actively work to preserve local heritage in our work with private landowners. Much of the work Conservation Districts do in the community rely on grant funding from various different agencies. Various funding agencies have different processes and policies for cultural resource considerations. As of May 2015 nine different agencies have lists of practices exempt from doing a cultural resources review from Department of Archaeological and Historic Preservation (DAHP) review. It is likely additional agencies will seek exemption lists. These lists vary vastly and some of the lists are quite extensive. For example; several agencies are exempted from review if work is taking place in a previously disturbed area and Department of Natural Resources (DNR) is exempted from review for postholes. However, the State Conservation Commission's (WSCC) exemption list does not include these same exemptions. This lack of consistency puts undo stress on smaller organizations, like Conservation Districts, who relies on a variety of funding yet lack the resources to have a designated cultural resource department to sift through different policies and exemptions.

Valuing cultural resources is a high priority, therefore finding efficient and cost-effective ways to ensure cultural resources are not disturbed and are protected is key to compliance while continuing to deliver conservation on the ground.

Recommendation:

With the goal of respecting cultural resources, while efficiently implementing conservation practices on the ground in a cost-effective way, we suggest:

A. The Conservation Commission and WACD continue to work on behalf of Districts to propose consistency in exempted activities between all appropriate agencies, including consulting with the DAHP, to have a single list of exempted activities with common definitions to bring more efficiency and consistency to the process so that the organizations implementing projects on the ground may have more clarity.

B. Conservation Commission should allow staff time spent by conservation district staff managing cultural resources review be eligible expenses for grant reimbursement.

Districts should cooperate within districts, WSCC and cooperators to find the most cost effective and time efficient ways.

Resolution No. 2015-24 *(continued)*

Presented by: Pierce Conservation District
Approved by the Northwest Area Association on 10/6/15
Amended and passed by District Operations and Education Committee on 12/1/15
Amended and passed by General Assembly on 12/2/15

Conservation Commission
Mission, Vision, Values Summary
May 15, 2015

Mission Statement

To conserve natural resources on all lands in Washington State, in collaboration with conservation districts and other partners.

Vision

Washington State shall have healthy soils, water, air, and ecosystems, with sustainable human interaction with these resources including maintaining long term sustainability of agriculture and forestry.

The Conservation Commission is recognized as the independent and trusted agency that implements stewardship in the state of Washington through support of and partnership with conservation districts and through partnership with other agencies and organizations.

Conservation districts are recognized as the leaders and implementers of actions in local areas to accomplish natural resource conservation goals.

Values

- The Conservation Commission values all Washington lands, private, public and tribal; the state's natural resources, and the people who own and use them. We demonstrate this by valuing:

- Healthy, diverse landscapes that reflect sustainable economic use of natural resources;
- Voluntary application of conservation systems on working lands that reflect state, local, and community priorities;
- Partnerships in resource management that involve communities; local, state, federal and tribal agencies, groups, and organizations;
- Bringing people together for conservation and wise use of natural resources
- The highest standards of ethics and personal and institutional integrity for Conservation Commission members and staff, and the conservation districts supervisors and staff;
- Accountability for the effective and efficient use of public funds;
- Policies and governance procedures that assure the effective and efficient use of public resources;
- Open communications and transparency of operations that create trust;
- Diverse cultures and ideas; and,
- Education for current and future generations.
- Locally led conservation

Washington State
Conservation Commission

July 21, 2016

TO: Commission Members

FROM: Mark Clark, Executive Director

SUBJECT: Save the Date – October 5 & 6, 2016 – Tri State Meeting (Washington, Oregon, and Idaho)

Washington State will be the host for a Tri-State Meeting. We will be holding this meeting in conjunction with the Coordinated Resource Management (CRM) group.

Save the Date for Tri-State

When: October 5-6, 2016

Location: Sun Mountain Lodge
Winthrop, Washington

Draft Itinerary:

October 4 Travel Day
October 5 Tri-State Meeting all day, members are welcomed to join the CRM Executive Committee dinner meeting later that evening.
October 6 Joint Tri-State and CRM Tour
October 7 Travel Day

More details will be sent out as they become available. If you are able to participate, please mark your calendars and let Lori Gonzalez know at lgonzalez@scc.wa.gov.