**PRELIMINARY MEETING AGENDA**  
**Thursday, December 5, 2019**

If you would like to request an alternate format of the meeting agenda or any of the meeting materials, please contact the State Conservation Commission at (360)407-6200.

<table>
<thead>
<tr>
<th>TIME</th>
<th>TAB</th>
<th>ITEM</th>
<th>LEAD</th>
<th>ACTION/INFO</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 a.m.</td>
<td>5 min.</td>
<td>Call to Order</td>
<td>Chairman Kropf</td>
<td></td>
</tr>
<tr>
<td>10 min.</td>
<td></td>
<td>Additions/Corrections to Agenda Items</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 min.</td>
<td></td>
<td>Introductions/Comments</td>
<td>All</td>
<td></td>
</tr>
</tbody>
</table>

PUBLIC COMMENT WILL BE ALLOWED PRIOR TO ACTION ITEMS. THREE (3) MINUTES PER PERSON. MUST SIGN IN AT FRONT DOOR TO COMMENT.

<table>
<thead>
<tr>
<th>9:15 a.m.</th>
<th>10 min.</th>
<th>Consent Agenda</th>
<th>Chairman Kropf</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td><strong>Approval of the September 19, 2019 Business Meeting Minutes</strong> – 5 min (pgs. 7-12)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Approval of Executive Director and a Commission member to attend the National Association of Conservation Districts Annual Meeting, February 2020 in Las Vegas, Nevada</strong> – 5 min (pg. 13)</td>
<td>Director Smith</td>
<td>Action</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>9:25 a.m.</th>
<th>90 min.</th>
<th>Policy/Programs</th>
<th>Alison Halpern/Ron Shultz</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td><strong>Legislative Preview</strong> – 15 min</td>
<td>Alison Halpern/Ron Shultz</td>
<td>Information</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Annual Review of Policy on Positions on Legislation</strong> – 15 min</td>
<td>Ron Shultz</td>
<td>Information</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Policy Updates: - 15 min</strong></td>
<td>Alison Halpern</td>
<td>Information</td>
</tr>
<tr>
<td></td>
<td></td>
<td>o WSCC/WSDA Sustainable Farm and Fields Budget Proviso</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>o SBOH Animal Keeping Rule Update</td>
<td>Bill Eller</td>
<td>Action</td>
</tr>
<tr>
<td></td>
<td></td>
<td>o Burrowing Shrimp Partnership Workgroup</td>
<td>Ron Shultz</td>
<td>Action</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Voluntary Stewardship Program Update- 15 min</strong> (pgs. 27-29)</td>
<td>Bill Eller</td>
<td>Action</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Elections Discussion – new item added</strong> (30 min)</td>
<td>Ron Shultz</td>
<td>Action</td>
</tr>
</tbody>
</table>

10:55 a.m.  | 10 min.| Break (if needed)                        |                  |             |

PUBLIC COMMENT WILL BE ALLOWED PRIOR TO ACTION ITEMS. THREE (3) MINUTES PER PERSON. MUST SIGN IN AT FRONT DOOR TO COMMENT.
<table>
<thead>
<tr>
<th>TIME</th>
<th>TAB</th>
<th>ITEM</th>
<th>LEAD</th>
<th>ACTION/INFO</th>
</tr>
</thead>
<tbody>
<tr>
<td>11:05 a.m.</td>
<td>3</td>
<td><strong>Policy/Programs continued</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40 min.</td>
<td></td>
<td>• Elections and Appointments Proposed Changes –</td>
<td>Bill Eller</td>
<td>Action</td>
</tr>
<tr>
<td></td>
<td></td>
<td>20 min (pgs. 31-76)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Elections- Franklin CD Update – 10 min (pg. 77)</td>
<td>Bill Eller/Ron</td>
<td>Information</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Drought Update – 10 min (pgs. 79-81)</td>
<td>Shultz</td>
<td></td>
</tr>
<tr>
<td>11:45 a.m.</td>
<td></td>
<td>• <strong>Presentation:</strong> Conservation Practice &amp; Data</td>
<td>CPDS Team</td>
<td>Information</td>
</tr>
<tr>
<td>20 min.</td>
<td></td>
<td>System (CPDS) Update – 20 min</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12:05 p.m.</td>
<td></td>
<td>Lunch is provided to attendees who have notified</td>
<td></td>
<td></td>
</tr>
<tr>
<td>55 min.</td>
<td></td>
<td>the Conservation Commission by November 18, 2019</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1:00 p.m.</td>
<td>2</td>
<td><strong>Budget</strong></td>
<td>Director Smith/</td>
<td>Information</td>
</tr>
<tr>
<td>15 min.</td>
<td></td>
<td>Agency Financial Update – 15 min (pgs. 17-23)</td>
<td>Sarah Groth</td>
<td></td>
</tr>
<tr>
<td>1:15 p.m.</td>
<td>4</td>
<td><strong>District Operations</strong></td>
<td>Jean Fike/</td>
<td>Information</td>
</tr>
<tr>
<td>40 min.</td>
<td></td>
<td>• Regional Manager Report – 15 min (pgs. 85-87)</td>
<td>Shana Joy</td>
<td>Action</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Conservation Accountability Performance</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Program(CAPP) Pine Creek CD follow-up - 15 min</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(pgs. 89-92)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Thurston Conservation District Mid-term</td>
<td>Commissioner</td>
<td>Action</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Appointment- 10 min</td>
<td>Williams</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Center for Technical Development Report (pgs.</td>
<td>Packet item only</td>
<td>Information</td>
</tr>
<tr>
<td></td>
<td></td>
<td>93-97)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1:55 p.m.</td>
<td>5</td>
<td><strong>Commission Operations</strong></td>
<td>Laura Johnson</td>
<td>Information</td>
</tr>
<tr>
<td>70 min</td>
<td></td>
<td>• Communications Update – 20 min (pgs. 99-100)</td>
<td>Director Smith</td>
<td>Information</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Department of Fish and Wildlife as Voting</td>
<td></td>
<td>Action</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Member follow-up – 20 min (pgs.101-109)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Riparian Buffer Update- 30 min</td>
<td>Director Smith</td>
<td>Information</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Chair and Vice Chair Elections – 10 min</td>
<td>Chairman Kropf</td>
<td>Action</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(pgs. 111-112)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3:05 p.m.</td>
<td></td>
<td>Executive Session as allowed by <a href="g">RCW 42.30.110</a>, to review the performance of a public employee.</td>
<td>Chairman Kropf</td>
<td></td>
</tr>
<tr>
<td>3:35 p.m.</td>
<td></td>
<td>Adjourn</td>
<td>Chairman</td>
<td></td>
</tr>
</tbody>
</table>

**Next Meeting:**
The Conservation Commission meeting will be on Thursday, January 16, 2020 with a conservation tour and interaction dinner hosted by the Skagit Conservation District on Wednesday, January 15, 2020. Please visit our website for meeting information and updates, [www.scc.wa.gov](http://www.scc.wa.gov).

The times listed above are estimated and may vary.

**PLEASE NOTE:** To comment at the meeting, please sign in at the front entrance. Please note which agenda item topic you wish to speak about. The chair will call you to the front at the appropriate time. Public comment will be limited to three (3) minutes per person.
The Washington State Conservation Commission (Commission/SCC) met in regular session on September 19, 2019, in Walla Walla, Washington. Chairman Kropf called the meeting to order at 8:34 a.m.

**COMMISSIONERS PRESENT**
- Jim Kropf, Chairman
- Dean Longrie, Vice-chairman, West Region
- Harold Crose, Central Region
- Larry Cochran, Eastern Region
- Sarah Spaeth, Governor Appointed Member
- Daryl Williams, Governor Appointed Member
- Perry Beale, Department of Agriculture
- David Giglio, Department of Ecology
- Jeanette Dorner, WA Association of Conservation Districts

**COMMISSION STAFF PRESENT**
- Carol Smith, Executive Director
- Lori Gonzalez, Executive Assistant
- Shana Joy, District Regional Manager Coordinator
- Laura Johnson, Communications Coordinator
- Alison Halpern, Policy Assistant
- Allisa Carlson, Central Regional Manager
- Bill Eller, Elections and VSP staff
- Sarah Groth, Acting Fiscal Manager
- Alicia McClendon, Administrative Assistant

**PARTNERS AT THE TABLE**
- Lisa Northrup, US Forest Service
- Michael Kuttel Jr., WA Department of Fish and Wildlife
- Roylene Comes at Night, Natural Resource Conservation Service

**GUESTS ATTENDED**
- Ryan Baye, WACD, Renee Hadley, Walla Walla CD, Raymond Brown, Pine Creek, Mike Mumford, Pend Oreille CD, Brian Bell, Whitman CD, Doug Rushton, Thurston CD and NACD Director, Tom Salzer, incoming WACD Exec Director, Megan, Asotin CD, Terry Bruegman, Columbia CD

**INTRODUCTIONS/ANNOUNCEMENTS**

Chair Jim thanked Renee Hadley and the Walla Walla CD staff and board for a very informative tour on Wednesday.

Commissioner and WACD President, Jeanette Dorner announced Tom Salzer as the new incoming association executive director. Tom will finish his work at the Clackamas Conservation District in Oregon, however, he will attend all of the area meetings and will start full time in January. Tom has a breadth of knowledge working with the National Conservation Districts of Employees Association, the WSCC and the Clackamas CD.

**CONSENT AGENDA**

The draft meeting minutes from August 20 and July 19, 2019 were presented for approval.

**Motion by Commissioner Longrie to approve the draft August 20, 2019 special meeting minutes. Seconded by Commissioner Dorner. Motion carried.**
Motion by Commissioner Longrie to approve the draft July 18, 2019 regular business meeting minutes. Seconded by Commissioner Crose. Motion carried.

**BUDGET**

*Returned Funds Update*

Director Smith provided an update on the roll up provided in the member’s packets (pg. 17) of the district returned funds. A lot of the funds returned were funds we were not able to use in other programs. The total returned was $24,073.52. Overall, Director Smith is pleased with the low return number.

Commissioner Crose asked staff if there was anything else that stuck out commissioners should be aware of. Shana Joy responded staff took a look through some instances where there were large dollar amounts and noticed a good chunk of the returned funds was CREP cost share and TA, and some Chehalis funding, but due to permitting reasons the district was not able to complete.

Also noted in discussion was districts returned the difference because they did not need the rest of the funding to complete the projects.

*Supplemental Budget Request*

Motion by Commissioner Longrie to approve the 2020 supplemental budget requests for submittal to the Office of Financial Management. Seconded by Commissioner Spaeth. Motion carried.

<table>
<thead>
<tr>
<th>Budget Request</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>RCPP</td>
<td>$2,248,152</td>
</tr>
<tr>
<td>CREP TA + Pilot Targeted Riparian Restoration</td>
<td>$750,000</td>
</tr>
<tr>
<td>CREP PIP Loan</td>
<td>$350,000</td>
</tr>
<tr>
<td>Community Resiliency</td>
<td>$349,719</td>
</tr>
<tr>
<td>Food Policy Forum</td>
<td>$242,000</td>
</tr>
</tbody>
</table>

*Conservation Reserve Enhancement Program (CREP) Technical Assistance (TA)*

Brian Cochrane, SCC staff provided members information on the distribution of CREP technical assistance (TA) funding. 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. The state legislature passed a re-appropriation capital budget and a new capital budget for 2019-21 for CREP TA at reduced levels from the 2017-2019 biennium. Due to uncertainty in the actual amount of re-appropriation available, SCC previously allocated funds for July – September of 2019. Now that final numbers are in, staff seek approval to allocate funds to districts for the remainder of the biennium.

Brian also noted there are currently 30 districts participating in CREP.

Motion by Commissioner Williams to adopt the proposed distribution of CREP TA funds for the remainder of the 2019-21 biennium with flexibility to adjust based on district use and needs (meeting packet pages 21 & 22) Total approval of $1,767,487. Seconded by Commissioner Longrie. Motion carried.

Commissioner Longrie asked why Walla Walla CD is so successful in CREP. Ms. Hadley, district manager responded that the district has done a lot of outreach as well as having landowners who are really engaged. Also mentioned was how the district really stresses the importance of maintenance to the landowners participating.
**DISTRICT OPERATIONS**

*Thurston Conservation District 2nd Investigation Update*

At the July Commission meeting, Kirk Robinson, SCC staff presented the investigation report to members for their review and recommended action. Members requested additional time to review the information and recommendations presented and would be ready to discuss further at the September meeting.

Members discussed the options and made the following motions.

**Motion by Commissioner Dorner to accept the staff recommendation of option 3 & 5 to take no formal actions against supervisors Pickett and Rushton.** Seconded by Commissioner Williams. Motion carried.

- Option 3: The Commission takes no actions against Paul Pickett.
- Option 5: The Commission takes no formal actions against Doug Rushton.

**Motion by Commissioner Dorner to direct Commission staff to send out a reminder to all district supervisors and staff on the importance of staying current on their trainings on the conduct of meetings under the Open Public Meetings Act, the Public Records Act, the Municipal Ethics Act, and pertinent District Policies.** Seconded by Commissioner Beale. Motion carried.

**Conservation District Supervisor Appointments**

The Commission received three mid-term appointment applications from the Palouse Rock Lake Conservation District, Pacific Conservation District and the Ferry Conservation District. The three elected SCC members and staff conducted interviews with each candidate per procedure on commission CD appointments.

**Motion by Commissioner Cochran to appoint Stuart Elliott to the Palouse Rock-Lake Conservation District Board of Supervisors.** Seconded by Commissioner Crose. Motion carried.

**Motion by Commissioner Longrie to appoint Rebecca Chaffee to the Pacific Conservation District Board of Supervisors.** Seconded by Commissioner Cochran. Motion carried.

**Motion by Commissioner Cochran to appoint James Rochelle to the Ferry Conservation District Board of Supervisors.** Seconded by Commissioner Williams. Motion carried.

**Conservation District Annexation Requests**

The Jefferson County Conservation District submitted a signed Inclusion of Additional Territory petition between the City of Port Townsend and the district to include the City of Townsend within the boundaries of the conservation district, pursuant to RCW. 89.08 established procedures.

Commissioner Spaeth attended the council meetings as a representative of the Jefferson Land Trust.

**Motion by Commissioner Longrie to approve the petition for inclusion of the City of Port Townsend within the boundaries of the Jefferson County Conservation District.** Seconded by Commissioner Spaeth. Motion carried.

The Pend Oreille Conservation District also submitted a signed Inclusion of Additional Territory petition between the City of Metaline and the Pend Oreille Conservation District Board to include the City of Metaline within the district boundaries of the conservation district, pursuant to RCW 89.08 established procedures.
Mike Mumford, Pend Oreille CD thanked the SCC for adding this item on the agenda at last minute. He mentioned the north east part of the state has had set backs due to mines closing in the area.

**Motion by Commissioner Crose to approve the petition for inclusion of the City of Metaline within the boundaries of the Pend Oreille Conservation District. Seconded by Commissioner Cochran. Motion carried.**

**Conservation Accountability Performance Program (CAPP)**

Shana Joy, SCC regional coordinator provided members with a status update of the four districts not meeting accountability standards under CAPP.

Franklin CD did not get their elections done properly. They have gone to Superior court to redo and has been approved. They are working towards rectifying the situation.

Pomeroy CD did not submit their report on time this last year. This year, Shana reported they turned it in a month early.

Grays Harbor CD they had gone to Superior court to redo their election, were approved and have already completed. Shana reported they are now meeting CAPP requirements.

Shana discussed the issue items 4, 12, and 14 with the Pine Creek CD. The district had submitted a letter to the SCC.

Members expressed displeasure by the lack of progress and effort by the board to meet as a quorum since the last SCC meeting in July. Raymond Brown from Pine Creek noted the district has been clear over the years of having no meeting in the summer due to the volunteer board’s schedules. He said the district makes sure to follow the auditor’s guidance to publish their public meeting notice 24 hours in advance.

Raymond reported the district was able to successfully work with the Palouse Rock-Lake CD on RCPP recently. The POCD has also reached out to Whitman CD but they haven’t had the opportunity to respond yet.

Commissioner Crose asked how a 50% decrease in funding would affect the district in becoming committed and present. This was discussed at the July meeting. Raymond responded if the whole funding was withheld, he would have to go part-time as the only employee of the district.

Discussion among members on concern of withholding funding and how there wouldn’t be enough capacity to fulfill what is being asked of the SCC.

Commissioner Spaeth would like to have a written timeline to address how they plan to accomplish the CAPP requirements with expected progress by November 2019 SCC meeting. Commissioner Dorner pointed out in the July minutes, it mentions a written plan, however it did not make it into the motion.

Shana noted that Raymond has been willing to work with her as their new regional manager. He has sent her an invite to come meet their board at the upcoming board meeting October 9. This will be the beginning of a new relationship and partnership. She mentioned the district has opportunities to work with their neighboring districts as Raymond mentioned earlier.

Members discussed further and made the following motion:

**Motion by Commissioner Dorner to request Pine Creek CD to develop a written work plan with timelines and progress reports on addressing their CAPP deficiencies to be submitted for the Commission to review at their**
December 4 meeting. Failure to address all deficiencies may result in reduction of funds. Seconded by Commissioner Cochran. Motion carried.

**Technical Quality Assurance Plan (TQAP) for Districts**

Larry Brewer, SCC staff presented the draft policy from July. This policy was sent out to the districts for comments. Larry has responded and provide the responses in the meeting packets. Larry noted six of those comments were from the May 2019 Commission meeting and three additional came in during the comment process.

Motion by Commissioner Crose to adopt the draft SCC Technical Quality Assurance Plan (TQAP) for Districts. Seconded by Commissioner Beale. Motion passed.

**POLICY AND PROGRAMS**

**Grays Harbor Conservation District Election**

The Grays Harbor Conservation conducted their election after approval from the Superior Court. Bill Eller, elections officer found no issues with the process used to warrant non-certification. Logan Zepp won the election.

Motion by Commissioner Williams to certify and announce the results of the Grays Harbor Conservation District election. Seconded by Commissioner Cochran. Motion carried.

**Election and Appointments**

Bill provided in the meeting packets the proposed changes the Conservation District Elections and Appointment Committee (CDEAC) has been meeting in person and working on. Mr. Eller noted the SCC was going to have an all-district election meeting in Ellensburg and was cancelled due to lack of RSVPs from districts to attend.

Discussion around having a more robust conversation at the area meetings maybe helpful as well as having some time during the annual meeting to discuss with supervisors further.

Commissioner Dorner and President of WACD would really like to see this presented clearly to all of the districts. As it is currently, it is very detailed and we should get it into a digestible manner to allow folks to respond well to the recommendations being brought forward.

Motion by Commissioner Williams for the Commission to propose to adopt the staff recommendation on changes put forth by the CDEAC as presented. [Meeting packet pages 53-100 and available electronically on the CDEAC web page](http://example.com) Seconded by Commissioner Longrie. Motion carried.

**COMMISSION OPERATIONS**

**Nomination Committee**

Michael Kuttel, DFW representative and Commissioners Beale and Spaeth have volunteered to be the nomination committee to recommend the next chair of the SCC at the December meeting in Tacoma.

**2020 Proposed Meeting Schedule**

Motion by Commissioner Longrie to approve the proposed 2020 Conservation Commission meeting schedule. Seconded by Commissioner Williams. Motion carried.

Public comment: Wolf Post – DFW had teleconferences with the community on the east side. These are not effective. Most of the county is on dial-up for access to internet and only two towers. The districts in this area are
not supported with this lack of access. Ferry CD has signed a letter of concern for President Dorner, Director Smith and Director Susewind.

Mike Kuttel, DFW responded- he fully understands the lack of access. There were threats towards DFW and for safety presented in Webinar format. He said this is not the only avenue to participate in comments, people are welcome to write in their comments. There will be public meetings at some point, however, the threats are so high, agency leadership wanted to do it through this avenue.

1:29 p.m. Chairman Kropf called the meeting into executive session as allowed by RCW 42.30.110 (i) to discuss with legal counsel representing the agency litigation or potential litigation. Chairman requested Director Smith and Lori Gonzalez, agency HR Liaison to remain for discussion. Meeting scheduled to return in session at 2:00 p.m.

Chairman called meeting back to order at 2:01 p.m., thanked everyone for attending and adjourned at 2:02 p.m.
December 5, 2019

TO: Conservation Commission Members

FROM: Carol Smith, Executive Director

SUBJECT: Request for out-of-state travel

Background:
The Executive Director of the State Conservation Commission must seek approval by the Commission to attend out-of-state meetings and conferences. To ensure registrations and logistics are coordinated in a timely manner, the director requests to attend the following:


Requested Action:
Approval for Executive Director to attend the NACD Annual meeting in Las Vegas and approval for Executive Director and Commission member to attend the NACD Legislative Spring Fly-in in WA DC.

Staff Contact: Carol Smith, Executive Director, csmith@scc.wa.gov
Lori Gonzalez, Executive Assistant, lgonzalez@scc.wa.gov
TAB 2
This page intentionally left blank.
Grant Award Allocations
As of 11/12/2019

Shellfish

- Awarded: $3,416,264.38
- Remaining to award: $383,735.62

North Cove (Shellfish)

- Awarded: $812,500
- Remaining to award: $187,500
  Proviso for these funds to only be spent in North Cove

Nat’l Resource Investments

- Awarded: $4,550,769.75
- Remaining to award: $249,230.25

RCPP State Match

- Awarded: $7,033,380.55
- Remaining to award: $0.45
Grant Award Allocations Continued
As of 11/12/2019

CREP Cost Share

$3.35M

- Awarded: $782,380.40
- Remaining to award: $2,571,037.60

CREP Cost Share funding is awarded as cost share & maintenance costs are identified

CREP Technical Assistance

$2.4M

- Awarded: $2,262,948
- Remaining to award: $146,242

Commission Meeting Packet
December 5, 2019
Page 19 of 112
## 4710 - State Conservation Commission
### Appropriations Versus Actuals - Operating and Capital

**Report Number:** CAF040  
**Biennium:** 2021  
**As of Fiscal Month:** Nov FY1  
**Transactions Through:** Nov 8, 2019 8:00PM  
**Date Run:** Nov 12, 2019 8:29AM  
**Page:** 1

### Account 001 - General Fund

<table>
<thead>
<tr>
<th>EA</th>
<th>EA Title</th>
<th>EA Type</th>
<th>Legislative Appropriation</th>
<th>Reserves</th>
<th>Total Biennium</th>
<th>Biennium to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>011</td>
<td>Salaries and Expenses - FY 1</td>
<td>1</td>
<td>7,284,000.00</td>
<td>0.00</td>
<td>2,776,071.49</td>
<td>0.00</td>
</tr>
<tr>
<td>012</td>
<td>Salaries and Expenses - FY 2</td>
<td>1</td>
<td>7,342,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>020</td>
<td>Salaries and Expenses</td>
<td>2</td>
<td>2,301,000.00</td>
<td>0.00</td>
<td>24,799.72</td>
<td>0.00</td>
</tr>
<tr>
<td>031</td>
<td>Landowners/Salmon/Orcas</td>
<td>1</td>
<td>500,000.00</td>
<td>0.00</td>
<td>51,123.50</td>
<td>0.00</td>
</tr>
<tr>
<td>032</td>
<td>Landowners/Salmon/Orcas</td>
<td>1</td>
<td>500,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>051</td>
<td>Food Policy Forum</td>
<td>1</td>
<td>50,000.00</td>
<td>0.00</td>
<td>39.24</td>
<td>0.00</td>
</tr>
<tr>
<td>052</td>
<td>Food Policy Forum</td>
<td>1</td>
<td>50,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>091</td>
<td>Review of Grant Programs</td>
<td>1</td>
<td>20,000.00</td>
<td>0.00</td>
<td>2,146.62</td>
<td>0.00</td>
</tr>
<tr>
<td>P25</td>
<td>Match for Federal RCPP Program</td>
<td>2</td>
<td>1,600,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td>19,647,000.00</td>
<td>0.00</td>
<td>2,854,180.57</td>
<td>0.00</td>
</tr>
</tbody>
</table>

### Account 057 - State Building Construction Account

<table>
<thead>
<tr>
<th>EA</th>
<th>Description</th>
<th>EA Type</th>
<th>Legislative Appropriation</th>
<th>Reserves</th>
<th>Total Biennium</th>
<th>Biennium to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>A00</td>
<td>2019-21 Improve Shellfish Growing Areas</td>
<td>1</td>
<td>3,000,000.00</td>
<td>0.00</td>
<td>193,634.48</td>
<td>0.00</td>
</tr>
<tr>
<td>A01</td>
<td>2019-21 Natural Resource Investments</td>
<td>1</td>
<td>4,000,000.00</td>
<td>0.00</td>
<td>175,065.05</td>
<td>0.00</td>
</tr>
<tr>
<td>A02</td>
<td>2019-21 Match for Federal RCPP</td>
<td>1</td>
<td>4,000,000.00</td>
<td>0.00</td>
<td>320,396.81</td>
<td>0.00</td>
</tr>
<tr>
<td>A03</td>
<td>2019-21 Water Irrigation Efficiencies Program</td>
<td>1</td>
<td>4,000,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>A05</td>
<td>2019-21 CREP Riparian Contract Funding</td>
<td>1</td>
<td>1,900,000.00</td>
<td>0.00</td>
<td>319,710.20</td>
<td>0.00</td>
</tr>
<tr>
<td>A06</td>
<td>2019-21 CREP Riparian Cost Share - State Match</td>
<td>1</td>
<td>1,800,000.00</td>
<td>0.00</td>
<td>186,598.91</td>
<td>0.00</td>
</tr>
<tr>
<td>A07</td>
<td>North Cove Erosion Control</td>
<td>1</td>
<td>1,000,000.00</td>
<td>0.00</td>
<td>12,492.87</td>
<td>0.00</td>
</tr>
<tr>
<td>T64</td>
<td>Conservation Commission Ranch &amp; Farmland</td>
<td>1</td>
<td>4,974,000.00</td>
<td>0.00</td>
<td>46.95</td>
<td>0.00</td>
</tr>
<tr>
<td>T93</td>
<td>Match for Federal RCPP Program</td>
<td>1</td>
<td>1,465,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>U05</td>
<td>CREP Riparian Cost Share - State Match 2</td>
<td>1</td>
<td>1,969,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>U28</td>
<td>Match for Federal RCPP Program 2017-19</td>
<td>1</td>
<td>3,377,000.00</td>
<td>0.00</td>
<td>422.55</td>
<td>0.00</td>
</tr>
<tr>
<td>U55</td>
<td>CREP Riparian Contract Funding 2017-19</td>
<td>1</td>
<td>1,044,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>U78</td>
<td>Natural Resource Investment for the Econ</td>
<td>1</td>
<td>800,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>U89</td>
<td>Improve Shellfish Growing Areas 2017-19</td>
<td>1</td>
<td>800,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td>34,129,000.00</td>
<td>0.00</td>
<td>1,208,367.82</td>
<td>0.00</td>
</tr>
</tbody>
</table>

### Account 058 - Public Works Assistance Account

<table>
<thead>
<tr>
<th>EA</th>
<th>Description</th>
<th>EA Type</th>
<th>Legislative Appropriation</th>
<th>Reserves</th>
<th>Total Biennium</th>
<th>Biennium to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>090</td>
<td>Voluntary Stewardship Program</td>
<td>1</td>
<td>8,456,000.00</td>
<td>0.00</td>
<td>659,263.81</td>
<td>0.00</td>
</tr>
<tr>
<td>110</td>
<td>Salaries and Expenses</td>
<td>1</td>
<td>1,000,000.00</td>
<td>0.00</td>
<td>15,724.34</td>
<td>0.00</td>
</tr>
</tbody>
</table>

### Account 23P - Model Toxics Control Operating Account

<table>
<thead>
<tr>
<th>EA</th>
<th>Description</th>
<th>EA Type</th>
<th>Legislative Appropriation</th>
<th>Reserves</th>
<th>Total Biennium</th>
<th>Biennium to Date</th>
</tr>
</thead>
</table>

Report purpose: The variance for each Expenditure Authority (EA) should be zero or a positive amount. The reserved amounts are not available for agencies to spend. Only includes EA types 1, 2, 4, 7 and 8 (legislative appropriations); legislative appropriation from current biennium EA schedule; reserve amounts in GL 6310; and expenditures in GLs 6505, 6510 and 6560. Refer to RCW 43.88.070. The legislative appropriation column data is from the TALS system and is real time data.
## 4710 - State Conservation Commission

### Appropriations Versus Actuals - Operating and Capital

**Report Number:** CAF040  
**Biennium:** 2021  
**As of Fiscal Month:** Nov FY1  
**Transactions Through:** Nov 8, 2019 8:00PM  
**Date Run:** Nov 12, 2019 8:29AM  

<table>
<thead>
<tr>
<th>EA</th>
<th>EA Title</th>
<th>Legislative Appropriation</th>
<th>Reserves</th>
<th>Expenditures</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FY1</td>
<td>FY2</td>
</tr>
<tr>
<td><strong>Account 489 - Pension Funding Stabilization Acct</strong></td>
<td>050 Salaries and Expenses</td>
<td>254,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>Account 552 - Conservation Assistance Revolving Account</strong></td>
<td>A04 2019-21 CREP PIP Loan Program</td>
<td>100,000.00</td>
<td>0.00</td>
<td>681.60</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>Agency 4710 - State Conservation Commission</strong></td>
<td>Total</td>
<td>63,586,000.00</td>
<td>0.00</td>
<td>4,738,218.14</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Report purpose: The variance for each Expenditure Authority (EA) should be zero or a positive amount. The reserved amounts are not available for agencies to spend. Only includes EA types 1, 2, 4, 7 and 8 (legislative appropriations); legislative appropriation from current biennium EA schedule; reserve amounts in GL 6310; and expenditures in GLs 6505, 6510 and 6560. Refer to RCW 43.88.070. The legislative appropriation column data is from the TALS system and is real time data.
# Appropriations Versus Actuals - Operating and Capital

**Report Number:** CAF040  
**Biennium:** 2021  
**As of Fiscal Month:** Nov FY1  
**Transactions Through:** Nov 8, 2019 8:00PM

### Input Parameters

- **User ID:** sgsa471  
- **Agency:** 471  
- **Fiscal Month:** 05 - Nov FY1  
- **Account:** *  
- **Expenditure Authority Character:** *

### Entered as

- **Interpreted as**

<table>
<thead>
<tr>
<th>Entered as</th>
<th>Interpreted as</th>
</tr>
</thead>
<tbody>
<tr>
<td>sgsa471</td>
<td>471</td>
</tr>
<tr>
<td>471</td>
<td>Nov FY1</td>
</tr>
<tr>
<td>05 - Nov FY1</td>
<td>All</td>
</tr>
<tr>
<td>*</td>
<td>All</td>
</tr>
</tbody>
</table>

---

**Report purpose:** The variance for each Expenditure Authority (EA) should be zero or a positive amount. The reserved amounts are not available for agencies to spend. Only includes EA types 1, 2, 4, 7, and 8 (legislative appropriations); legislative appropriation from current biennium EA schedule; reserve amounts in GL 6310; and expenditures in GLs 6505, 6510 and 6560. Refer to RCW 43.88.070. The legislative appropriation column data is from the TALS system and is real time data.
December 5, 2019

TO: Conservation Commission Members
    Carol Smith, WSCC Executive Director

FROM: Bill Eller, VSP Coordinator

SUBJECT: Voluntary Stewardship Program update

Requested Action: Information Only

Update and Issues:

Commission staff are currently working on a number of items related to VSP implementation:

5-Year Report Review:

All VSP counties are required to submit a progress report to the Commission 5 years after the receipt of funding. The report must indicate whether the watershed group has met the work plan’s protection and enhancement goals and benchmarks. Once received by the Commission, the director of the Commission is to evaluate and assess the report to determine whether the work plan goals and benchmarks have been met. Due to when the county VSP work plans were approved, most have only had between 9-18 months of VSP implementation since approval, rather than a full 5 years.

Issues for the Commission: What are the criteria the Commission will use to evaluate the reports? How are these criteria communicated to the work groups - as requirements or as indicators that will be considered by the Commission in the evaluation?

Next Steps: Staff are developing a policy guidance document in conjunction with the Technical Panel and Statewide Advisory Committee that will define the requirement to “review and evaluate” the five year reports, and to add structure to the review and evaluation process (i.e. report content, how to submit the report, when to submit the report, how long the review will take, what will be reviewed, etc).

Natural Resources Scientist

Additional staff capacity is needed at the Commission to assist in the technical review of VSP plans and technical assistance to counties. A new position of Natural Resource Scientist 2 has been created and funded through VSP funds. The position will assist in the technical review of plans, development of technical resources to assist counties, and conduct spatial analysis of
critical area functions. In the near term, the position will review the first round of reports due for submission in the coming year. Work will also include development of technical resources for monitoring a variety of ecological indicators (soils, wildlife, wetlands, groundwater, streams), provide in-person assistance for county staff developing or analyzing monitoring data, and generate geographically broad analyses for critical area functions that span more than one county. Moreover, the NRS2 will be asked to work with County or Conservation District staff to improve monitoring effectiveness if current methods aren't providing clear enough indications that voluntary conservation is protective of critical areas.

Next Steps: The position hiring announcement has been posted.

Contracts for the 2019-21 Biennium

- All FY 19-21 SCC - county contracts are in place.
- Nearly all FY 19-21 SCC - state agency contracts are in effect. One contract with the Washington State Department of Fish and Wildlife (WDFW) includes a provision for obtaining data relevant to VSP through High Resolution Change Detection. This contract is waiting for signatures from WDFW.

Background:

All 27 VSP counties have approved Voluntary Stewardship Program (VSP) work plans (see map below).
All 27 counties are implementing their work plans. After approval of the plan, among other obligations, each county must meet a five year reporting requirement. Each county five year report is due five years after they receive initial funding in VSP. So, each county has their own unique five year report deadline.

Thurston and Chelan counties, since they were the VSP pilot counties, have already submitted their five year review and evaluation reports. The other 25 VSP counties will begin to submit their five year review and evaluation reports in November 2020 and the last no later than May 2021.

The five year reports are reviewed and evaluated by the VSP Technical Panel and Statewide Advisory Committee, and the Conservation Commission’s Executive Director must concur (or not) with the county watershed work group’s determination in the five year report of whether the work plan’s protection and enhancement goals and benchmarks have been met. There is no definition of “review and evaluate” in the VSP statute.
TO: Conservation Commission Members  
Carol Smith, WSCC Executive Director

FROM: Bill Eller, WSCC Election Officer

SUBJECT: Comments received on proposed CDEAC election and appointment changes

Summary:
Staff presented changes proposed by the Conservation District Election and Appointment Committee to conservation district elections procedures and policies at the September 2019 Commission meeting. The Commissioners put forth the changes for comment and possible adoption at the December 2019 Commission meeting. Comments have been received, adjustments made based on those comments, and a responsiveness document created for consideration.

Staff recommendation:
Staff proposes that the Commission adopt the changes proposed by the Conservation District Election and Appointment Committee to conservation district elections procedures and policies.

Action:
Action Item: That the Commission Staff adopt the changes proposed by the Conservation District Election and Appointment Committee to conservation district elections procedures and policies.

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.

At its September 20, 2018 meeting, the Commission authorized staff to begin the rulemaking process for changes, amendments, and additions to WAC Chapter 135-110. As a result, a committee of Commission staff, conservation district staff, and conservation district supervisors (Conservation District Election and Appointment Committee (CDEAC)) was formed to propose changes, amendments and additions to election and appointment procedure for consideration by the Commission. The CDEAC met five times in 2019, and has its own CDEAC web page that Commission staff created and maintain to disseminate the CDEAC’s purpose, meeting notices, and materials.
The CDEAC finished its work, and recommends a number of changes to election and appointment policy and procedure. Highlights of these changes are set out below, and have been posted on the CDEAC web page since July 2019. For a complete listing of the changes, please download them from the CDEAC web page.

Summary of Proposed Changes

The proposed changes include:

- **Comprehensive changes and amendments to the Election and Appointment Washington Administrative Code (WAC) Title 135-110 (approximately 76 distinct changes or additions).** Highlights include:
  1. Removing the distinction between absentee, mail-in, or in-person ballots
  2. Consolidating candidate types into just two – those who will appear on the ballot and those who will not
  3. Eliminating the automatic disqualification of write-in candidates when a ballot contains a candidate whose name is pre-printed on the ballot
  4. Eliminating nominators and the nominating petition
  5. Creating a distinction between candidate required and optional information
  6. Aligning the CD election retention schedule with the Secretary of State’s schedule
  7. Setting all CD elections during a full calendar week in March, excluding Sunday

  **NOTE: the Commission will need to choose which week in March if it wants to pursue this change.**

  8. Setting deadlines for certain notices, reporting, and form submittal
  9. Requiring CD staff to be trained in conducting elections, as per the proposed EQAP
  10. Explicitly allowing election supervisor duties to be delegated to others
  11. Requiring poll sites to be open for a minimum of 4 consecutive hours
  12. Cancelling an election when just one single candidate files by the filing deadline
  13. Setting out the procedure and effect of candidate withdraw
  14. Clarifying who can serve as polling officers
  15. Clarifying when electronic signatures and filing can be used
  16. Setting out the procedure for complaining about or challenging an election
  17. Setting out the procedure for filling vacancies in elected positions

- **A change to the Revised Code of Washington (RCW) Chapter 42.56.210 exempting telephone numbers and email addresses of ballot requestors from disclosure under the Public Records Act.**

- **An Election Quality Assurance Plan and policy to be adopted by the Commission and administered through the CTD to ensure training for CD personnel charged with running CD elections and to set standards for how CD elections are conducted.**

Comments from Conservation Districts

The proposed changes were made available for comment by CDs as per our Policy on Policies from September 21, 2019 until November 8, 2019. Comments were received, analyzed by Commission staff, and reviewed by senior leadership at the Commission. Thurston CD’s comment came in late, but was still included for response.

Fourteen separate comments were received from ten conservation districts: Cascadia, Clark, Columbia, Cowlitz, King (three comments), San Juan Islands, South Douglas, Thurston (two
comments received from Thurston CD were received after the deadline but included in the responses), Whidbey Island, and Walla Walla County (same staffer submitted two separate comments). Comments were made by district managers, district staff, and supervisors.

Please see the attached spreadsheet for the comments received and responses given.

Effect of Adopting the Proposed Changes

If the above proposed changes are adopted, a number of steps would need to be taken by Commission staff to give effect to the changes:

- A formal WAC administrative code adoption process would be pursued. During the formal WAC adoption process, CDs and the public will have another opportunity to comment on the proposed WAC changes.
- Legislation would need to be pursued in this next legislative session in order to change the RCW that has been proposed.
- A wholesale review and revision of the Elections and Appointment Manual to align it with the changes would need to be undertaken by Commission staff. The intent would be to change the focus of the Manual to just provide best practices for conducting CD elections while retaining the checklists and sample notices and policies in the Manual.

As a result of these ongoing efforts, the proposed changes, if adopted on December 5, 2019, would not be completed in time for them to be in effect during this current election cycle (2019-2020). In other words, adopting these changes on December 5, 2019 would mean that at the earliest, these changes wouldn’t take effect until the 2020-2021 (beginning in September 2020) election and appointment cycle.
<table>
<thead>
<tr>
<th>Comment #</th>
<th>CD staff</th>
<th>Comment Pertains To</th>
<th>Comment</th>
<th>SCC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Cascadia</td>
<td>Washington Administrative Code (WAC) changes</td>
<td>#18 does not indicate whether the choice of weeks is made by the district board or the Commission, nor does it include language limiting those choices to the first or second weeks as indicated in the comments. If any District desires to place their election on the general or special ballot (or if it becomes a requirement), this change should be considered in consultation with the statewide Auditors’ association. Special elections conducted by the county auditor are not permitted in our county during the month of March.</td>
<td>Change #18: Thank you for your comment. With regards to the change to RCW 42.56.210, the Commission must choose to pursue amending that section of the public disclosure act to protect email addresses and phone numbers of voters who request ballots or not. With regards to WAC change #18, which would set one common week for CD elections in March, the Commission understands the some CDs would prefer to have their election during the January - March timeframe and associated with their annual meeting or plant sale. There are benefits to having CD elections in conjunction with those two events, not the least of which is voter participation. However, the Commission must weigh those benefits against the benefits of holding elections during one week for all CDs. Those benefits include increased opportunities to advertise CD elections statewide (with the intention to increase candidate and voter turnout), efficiencies for all CDs related to conducting elections (for example, common deadlines for all candidates and voters), and other potential cost savings related to running elections. The CDEAC made this recommendation to the Commission to hold CD elections during one week in March, but left the choice of which week in March up to the Commission. The Commission, if it chooses to go forward with this change, would need to pick the week. Your comment on the wording of this change is acknowledged, and staff proposes the following language change moving forward (with the caveat that the Commission would need to choose which week in March to hold elections): “A conservation district shall hold an election during the [first / second / third / fourth] full calendar week of March, excluding Sunday, in the year a three-year term of an elected supervisor expires.” The changes proposed to the Commission’s WAC related to elections are not related to any changes that might place CD elections on the general ballot. Without legislative change to RCW 89.08.190, county auditors cannot run CD elections, though they may assist a CD to conduct its own election.</td>
</tr>
<tr>
<td>Change #25: (1) and (2) were eliminated entirely; Change #25: (2) was eliminated entirely; Change #37: WAC 135-110-430 (3) addresses references mailing or delivering candidate information in the context of prohibiting the provision of candidate information to voters at the poll sites on election day, it does not limit the production of candidate information in other formats, so long as those other formats are also not provided to the voters on at poll sites on election day. Change #40: Subsection (3) addresses specifically poll site election procedure. Change #48: Comment noted. A new subsection will be added to read “(7) The provisions listed above shall not apply to a ballot cast during a poll-site election by an individual that has been verified to be eligible to vote in the election.” Change #56: the word “unless” is necessary to give effect to the rest of that section.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Change #37: Are the only options for providing candidate information to the public “mailing or delivering”? Is publishing the information on the web site or in print advertising acceptable?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#40 Section (3) contains similar information to the revised Section (1).</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#46 The new language does not distinguish between types of ballot submissions in requiring a double-envelope system, but later it is specified that ballots will be removed from the envelopes and placed in the ballot box. Is your intent that people at a poll-site election will now receive a ballot and envelopes before being verified as a qualified elector? Or, do they get verified first and then receive a ballot, or if they cannot be verified, a provisional ballot and envelopes? This distinction is not clear. Currently the voter can place the folded ballot in the box free of any outside envelopes, and still maintain privacy. Item 48 should be revised to specify the double envelopes for OTHER than poll-site elections or provisional ballots.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#56 (1) strike “unless”</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thank you for considering my comments.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comment #</td>
<td>CD</td>
<td>Commentator</td>
<td>Comment Pertains To</td>
<td>Comment</td>
</tr>
<tr>
<td>-----------</td>
<td>----</td>
<td>-------------</td>
<td>---------------------</td>
<td>---------</td>
</tr>
<tr>
<td>2</td>
<td>Clerk</td>
<td>CD Supervisor</td>
<td>All of the changes</td>
<td>the only changes I support are revising the RCW to exempt release of phone and e-mail addresses; and election training—AT THIS TIME.</td>
</tr>
</tbody>
</table>
| 3         | Columbia | Other: The Board supported these comments | All of the changes | #18 We do not support this proposal because it will not allow us to hold our election in conjunction with our annual meeting. Our meeting is in January. Supervisors and staff feel this is the best time to have our agriculture education programs and updates, and have a good turn out for our election. Fall work is over and spring work has not started. If or when the election date is moved we would support the 3rd week in January. We feel we would get more of the community to turn out for a Supervisor election at that time.  

#25 (2) change #6 and #27 says nominating petitions are no longer required, and also says there is no need for a nominating petition anymore.  

#28 Are you going to remove the word undeclared in (2) if there are only 2 types of candidates?  Declared or write in?  

#30 Should undeclared write-in candidate be changed to just a write-in candidate? | Change #18 response: Thank you for your comment. The Commission understands the some CDs would prefer to have their election during the January - March timeframe and associated with their annual meeting or plant sale. There are benefits to having CD elections in conjunction with those two events, not the least of which is voter participation. However, the Commission must weigh those benefits against the benefits of holding elections during one week for all CDs. Those benefits include increased opportunities to advertise CD elections statewide (with the intention to increase candidate and voter turnout), efficiencies for all CDs related to conducting elections (for example, common deadlines for all candidates and voters), and other potential cost savings related to running elections.  

Change #25 response: change made to eliminate mention of nominating petitions to conform to other proposed changes.  

Change #28 response: change made – “undeclared” removed.  

Change #30 response: changes made – instances of “undeclared” removed. |
<table>
<thead>
<tr>
<th>Comment #</th>
<th>CD</th>
<th>Commentator</th>
<th>Comment Pertains To</th>
<th>Comment</th>
<th>SCC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Cowitz CD</td>
<td>Other Board</td>
<td>Washington Administrative Code (WAC) changes</td>
<td>- Setting all CD elections during a full calendar week in March, excluding Sunday As per the Board meeting held Tuesday November 5, 2019. Cowitz CD annual community meetings are held in conjunction with our elections and also are shared with the local chapter of the Farm Forestry Association. When poll site elections are necessary we have a considerable increase in voter participation due to the sharing of location, date and time. Annual meetings are always on an evening in either the 3rd or 4th week of March. Subsequently, we do support a week in March as long as it is one of these 2 weeks.</td>
<td>Change #18: Thank you for your comment. The Commission understands the some CDs would prefer to have their election during the January - March timeframe and associated with their annual meeting or plant sale. There are benefits to having CD elections in conjunction with those two events, not the least of which is voter participation. However, the Commission must weigh those benefits against the benefits of holding elections during one week for all CDs. Those benefits include increased opportunities to advertise CD elections statewide (with the intention to increase candidate and voter turnout), efficiencies for all CDs related to conducting elections (for example, common deadlines for all candidates and voters), and other potential cost savings related to running elections. The Commission will take into consideration your support of holding elections during the third or fourth week in March.</td>
</tr>
<tr>
<td>5</td>
<td>King CD Supervisor</td>
<td>WAC changes, the change to the RCW, the requirement for mandatory CD staff training in elections</td>
<td></td>
<td></td>
<td>Thank you for your comments. With regards to the change to RCW 42.56.210, the Commission must choose to pursue amending that section of the public disclosure act to protect email addresses and phone numbers of voters who request ballots or not. With regards to WAC change #18, which would set one common week for CD elections in March, the Commission understands the some CDs would prefer to have their election during the January - March timeframe and associated with their annual meeting or plant sale. There are benefits to having CD elections in conjunction with those two events, not the least of which is voter participation. However, the Commission must weigh those benefits against the benefits of holding elections during one week for all CDs. Those benefits include increased opportunities to advertise CD elections statewide (with the intention to increase candidate and voter turnout), efficiencies for all CDs related to conducting elections (for example, common deadlines for all candidates and voters), and other potential cost savings related to running elections.</td>
</tr>
<tr>
<td>Comment #</td>
<td>CD</td>
<td>Commentator</td>
<td>Comment Pertains To</td>
<td>Comment</td>
<td>SCC Response</td>
</tr>
<tr>
<td>-----------</td>
<td>----</td>
<td>-------------</td>
<td>---------------------</td>
<td>---------</td>
<td>---------------</td>
</tr>
<tr>
<td>6</td>
<td>King</td>
<td>CD Supervisor</td>
<td>All of the above</td>
<td>18-200: Synchronizing All Elections to One Week in March - King Conservation District strongly disagrees with this proposed change. I'm writing in opposition to the proposed amendment to RCW 89.08.190 -- changing elections to March. King Conservation District will hold the 2020 election on February 11, 2020. February 11, 2020, is the statewide February Special Election date. King County Elections recommended this date to encourage voter participation, take advantage of ballot drop boxes, and get out the vote campaigns. Moving conservation district elections to March is a step backwards not forward. Conservation district elections should be on the regular ballot to maximize voter engagement and turnout.</td>
<td>Thank you for your comments. With regards to the change to RCW 42.56.210, the Commission must choose to amend that section of the public disclosure act to protect email addresses and phone numbers of voters who request ballots or not. With regards to WAC change #18, which would set one common week for CD elections in March, the Commission understands the some CDs would prefer to have their election during the January - March timeframe and associated with their annual meeting or plant sale. There are benefits to having CD elections in conjunction with those two events, not the least of which is voter participation. However, the Commission must weigh those benefits against the benefits of holding elections during one week for all CDs. Those benefits include increased opportunities to advertise CD elections statewide (with the intention to increase candidate and voter turnout), efficiencies for all CDs related to conducting elections (for example, common deadlines for all candidates and voters), and other potential cost savings related to running elections.</td>
</tr>
<tr>
<td>Comment #</td>
<td>CD</td>
<td>Commentator</td>
<td>Comment Pertains To</td>
<td>Comment</td>
<td>SCC Response</td>
</tr>
<tr>
<td>-----------</td>
<td>----</td>
<td>-------------</td>
<td>---------------------</td>
<td>---------</td>
<td>--------------</td>
</tr>
<tr>
<td>7</td>
<td>King</td>
<td>Other: Comments reflect consensus of BOS</td>
<td>Washington Administrative Code (WAC) changes to the Revised Code of Washington (RCW)</td>
<td>The change to the Revised Code of Washington (RCW) 18-200: Synchronizing All Elections to One Week in March. King Conservation District strongly disagrees with this proposed change. One of the key complaints lobbied against CD elections is the perception that they are &quot;off cycle,&quot; &quot;exclusive&quot; or &quot;secret&quot; - the election no one ever heard of... To maintain credibility and legitimacy in the eyes of constituents and fellow elected officials we need to be moving TOWARDS greater synchronization with &quot;regular&quot; elections - not towards even more specialness or exclusiveness. February 11th is currently the Secretary of State designated date for first quarter special elections. If CD elections remain in the first quarter, CDs should hold their first quarter elections as close to, if not ON the same day as mandated by the Secretary of State for first quarter special elections. If funding and/or staffing are barriers in certain counties, the Legislature should be being asked to provide funding to offset that additional burden rather than forcing CDs to further distance their process from the accepted, expected norms.</td>
<td>Change #18: Thank you for your comment. With regards to the change to RCW 42.56.210, the Commission must choose to amend that section of the public disclosure act to protect email addresses and phone numbers of voters who request ballots or not. With regards to WAC change #18, which would set one common week for CD elections in March, the Commission understands the some CDs would prefer to have their election during the January - March timeframe and associated with their annual meeting or plant sale. There are benefits to having CD elections in conjunction with those two events, not the least of which is voter participation. However, the Commission must weigh those benefits against the benefits of holding elections during one week for all CDs. Those benefits include increased opportunities to advertise CD elections statewide (with the intention to increase candidate and voter turnout), efficiencies for all CDs related to conducting elections (for example, common deadlines for all candidates and voters), and other potential cost savings related to running elections. The CDEAC made this recommendation to the Commission to hold CD elections during one week in March, but left the choice of which week in March up to the Commission. The Commission, if it chooses to go forward with this change, would need to pick the week. Many CDs work with their county auditors to make use of the expertise the county auditors have in running elections in general to assist CDs with their elections. Setting CD elections at the same time as general elections would prohibit or curtail the county auditors from assisting CDs in their elections as the county auditor staff would be busy with general election duties and unable to assist CDs.</td>
</tr>
<tr>
<td>Comment #</td>
<td>CD</td>
<td>Commentator</td>
<td>Comment Pertains To</td>
<td>Comment</td>
<td>SCC Response</td>
</tr>
<tr>
<td>-----------</td>
<td>---------------------</td>
<td>------------------------------</td>
<td>---------------------</td>
<td>---------</td>
<td>---------------</td>
</tr>
<tr>
<td>8</td>
<td>San Juan Islands</td>
<td>CD staff</td>
<td>WAC changes</td>
<td>I REQUEST THAT WE DO NOT CHANGE THE ELECTIONS TO ONE WEEK IN MARCH. We are a small CD and I am the Office Manager and Elections Supervisor. I like having the election in January or February so that work is behind me and I can focus on the Annual Report. If the elections are held in March, I will be juggling both of these extra jobs, in addition to my regular job tasks. If we were a bigger CD, we may have these duties divided between staff but here we do not. Other small CD's could be in this same situation. Thank you for this consideration. Phyllis Clem Office Manager/Election Supervisor San Juan Islands Conservation District</td>
<td>Change #18: Thank you for your comment. The Commission understands the some CDs would prefer to have their election during the January - March timeframe and associated with their annual meeting or plant sale. There are benefits to having CD elections in conjunction with those two events, not the least of which is voter participation. However, the Commission must weigh those benefits against the benefits of holding elections during one week for all CDs. Those benefits include increased opportunities to advertise CD elections statewide (with the intention to increase candidate and voter turnout), efficiencies for all CDs related to conducting elections (for example, common deadlines for all candidates and voters), and other potential cost savings related to running elections.</td>
</tr>
<tr>
<td>9</td>
<td>South Douglas</td>
<td>CD Manager</td>
<td>WAC changes</td>
<td>#18 - We hold our election in conjunction with our annual meeting (January or February) to allow for more voters and we should continue to hold it at the best time at our local level.</td>
<td>Comment 18: Thank you for your comment. The Commission understands the some CDs would prefer to have their election during the January - March timeframe and associated with their annual meeting or plant sale. There are benefits to having CD elections in conjunction with those two events, not the least of which is voter participation. However, the Commission must weigh those benefits against the benefits of holding elections during one week for all CDs. Those benefits include increased opportunities to advertise CD elections statewide (with the intention to increase candidate and voter turnout), efficiencies for all CDs related to conducting elections (for example, common deadlines for all candidates and voters), and other potential cost savings related to running elections.</td>
</tr>
<tr>
<td>Comment #</td>
<td>CD</td>
<td>Commentator</td>
<td>Comment Pertains To</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------</td>
<td>----</td>
<td>-------------</td>
<td>---------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Thurston Attorney</td>
<td>WAC changes</td>
<td>Please distribute to Supervisors.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Change #66 – To add a new WAC section for contesting elections. This is structured as a new regulation. This regulation formalizes and codifies what had been internal policy in the WCC. That is good, as it is probably illegal for the WCC to operate a quasi-judicial process without formal codification in the WAC.

However, the internal process was inadequate, and the inadequacies are not fixed by codifying it. There should be an appeal procedure described, with deadlines and appeal rights — or at least a statement that the APA applies or something. This appeal procedure should not only apply to a challenge to the election itself, but also to the determination by the Executive director that a complaint does or does not rise to the level of significant non-compliance. There should also be timelines for the investigation and for the Executive Director determination. Without timelines, the process could produce limbo-like, debilitating uncertainty, such as what we are experiencing — but could produce, even invite, those every election. The WAC should also provide for who gets notice both of the complaint and of the Executive Director determination.

Change #66: Thank you for your comment. The Commission seeks to balance process needs with efficiency in all of its activities, but especially as it relates to election and appointment procedure. The proposed change adds process for the Commission to use pertaining to complaints related to non-compliance with election procedure and does not address process related to contesting CD elections. Actions of the Commission, as a state agency, are subject to RCW Chapter 54.05.
<table>
<thead>
<tr>
<th>Comment #</th>
<th>Commentator</th>
<th>Comment Pertains To</th>
<th>Comment</th>
<th>SCC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>Thurston</td>
<td>CD Supervisor (WAC) changes</td>
<td>I am concerned with removing the requirement for a nominating petition. A candidate should document some community support to be on the ballot. Making candidacy as simple as submitting a form will allow for frivolous candidacies. Some alternative should be allowed for special situations where voting the week specified in March is not feasible. Perhaps an alternative week can be proposed which the SCC can approve for special circumstances. What are the consequences if a CD missed that week in March? No election? Will a late election be valid? Perhaps the SCC should appoint the supervisor when the CD misses the election deadline. Possible consequences of a candidate’s withdrawal: someone who is a very strong candidate runs, then withdraws. This is done on purpose to bump the Supervisor selection to the current Board. Candidates who are ineligible, deceased, or unqualified should simply be ignored and their ballots not counted. Ranked-choice voting would solve all of these problems. Would that be allowed under current state law? Procedures for challenging elections: as currently written has many flaws. The requirement for interviews is too prescriptive. The Commission’s election officer should be required to make a determination of facts and document them. Interviews may not be necessary. What happens if one of the people required to be interviewed refuses? And in general, what if someone organizes hundreds of people to complain. Would this process address that efficiently? The investigation should cover all complaints against a particular election. The rule should be rewritten in the plural - e.g. subsection 3 should say “complaints”; and subsection 6 should say that the report identifies “which elements of the complaints” rise to the level of noncompliance.</td>
<td>Thank you for your comment regarding removing the requirement to submit a nominating petition. The CDEAC chose to propose this change to align this portion of CD election procedure with the general election process. The proposed changes, there would be just two types of candidates – those who file the candidate required information by the deadline and those who don’t. Any candidate submitting their required information on time will get their name pre-printed on the ballot. The community shows its support for that candidate through the number of candidates who file for candidacy.</td>
</tr>
</tbody>
</table>
### Changes made to

**Change #19**: (1), (2) and (3) as identified;  
**Change #25**: (1) and (2) were eliminated entirely;  
**Change #30**: "may" is retained throughout where relevant;  
**Change #31**: "continued" and "another" eliminated;  
**Change #33**: standard phraseology used;  
**Change #47**: changed as you identified;  
**Change #51**: clarifying change made to read "(2) Candidate required information shall not be publicly posted at the poll site or poll sites."

(3) Candidate optional information shall not be publicly posted at the poll site or poll sites."

**Change #52**: clarifying change made to read "Voter eligibility shall be verified before a ballot is counted."

**Change #53**: Subsection (3) "incumbent" replaced with "candidate"  
**Change #61**: a change was made to #30 so that both are aligned. Change is as follows: "If the undeclared write-in candidate who is the unofficial winner is found ineligible and no other persons received votes, the provisions of WAC 135-110-740 shall apply."

**Change #66**: Subsection (3) change made to read "(3) The Executive Director will notify the Chair and Vice-Chair of the Commission, the Chair of the affected district, the election supervisor of the affected district, Commission staff assigned to that district, and the Commission’s elections officer that a complaint has been filed with the Commission. " The suggested change to add "Regional Manager" was not made as employee designations can change.  
**Change #66**: Subsection (4) change made. Added to the end of the sentence "as appropriate and necessary."  
**Change #76**: change made. Language added as follows: "The application process shall require, at a minimum, (1) that the Board of Supervisors pass a resolution declaring the office is vacant if the dates of the 4-week period for applicants: (a) describing the minimum requirements of applicants: (2) the resolution shall then be advertised to the public one week prior to the commencing of the 4-week period and, in the same manner as the due notice of an election resolution.

This way, if anyone complies, we can fall back on having just followed policy.
<table>
<thead>
<tr>
<th>Comment #</th>
<th>CD</th>
<th>Commentator</th>
<th>Comment Pertains To</th>
<th>SCC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Walla Walla County</td>
<td>CD staff</td>
<td>Washington Administrative Code (WAC) changes</td>
<td>Comment #18: Thank you for your comment. The Commission understands the some CDs would prefer to have their election during the January-March timeframe and associated with their annual meeting or plant sale. There are benefits to having CD elections in conjunction with those two events, not the least of which is voter participation. However, the Commission must weigh those benefits against the benefits of holding elections during one week for all CDs. Those benefits include increased opportunities to advertise CD elections statewide (with the intention to increase candidate and voter turnout), efficiencies for all CDs related to conducting elections (for example, common deadlines for all candidates and voters), and other potential cost savings related to running elections. The CDEAC made this recommendation to the Commission to hold CD elections during one week in March, but left the choice of which week in March up to the Commission. The Commission, if it chooses to go forward with this change, would need to pick the week. Your comment on the wording of this change is acknowledged, and staff proposes the following language change moving forward (with the caveat that the Commission would need to choose which week in March to hold elections): &quot;A conservation district shall hold an election during the [first / second / third / fourth] full calendar week of March, excluding Sunday, in the year a three-year term of an elected supervisor expires.&quot;</td>
</tr>
</tbody>
</table>

18 Sec 230: The text as written is not clear. I heard the intent is for the SCC to declare one week in March as "CD Elections Week" and require districts to hold their elections during that week. (It should be noted that March is usually a very busy time for our constituents and they are unlikely to come in to vote, which is why we hold elections during our January annual meeting.) That said, I suggest the following revision to the text: The State Conservation Commission shall designate one full calendar week of March, excluding Sunday, as CD Election Week. A conservation district shall hold an election during that week in the year a three-year term of an elected supervisor expires.
<table>
<thead>
<tr>
<th>Comment #</th>
<th>Commentator</th>
<th>Comment Pertains To</th>
<th>Comment</th>
<th>SCC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>18-200</td>
<td>Whidbey Island CD Manager</td>
<td>WAC changes; the requirement for mandatory CD staff training in elections</td>
<td>We prefer the flexibility to hold elections when it works best for our small staff, which is the first week in February. Holding an election the first week of March would burden our small staff given that our plant sale is the prior week. If the proposed week in March passes, our preference is the 2nd week. Also, clarify that “A conservation district shall hold an election on ONE DAY during a full calendar week of March.”</td>
<td>We agree that training is important but to add this requirement may have unintended consequences. It doesn’t make sense to train an elections supervisor who can then delegate their duties to an untrained person. Either drop the training requirement altogether or require that the backup/delegate is trained as well.</td>
</tr>
<tr>
<td>21-230</td>
<td></td>
<td></td>
<td>Proposed language in #3e and #4 - We agree that training is important but to add this requirement may have unintended consequences. It doesn’t make sense to train an elections supervisor who can then delegate their duties to an untrained person. Either drop the training requirement altogether or require that the backup/delegate is trained as well.</td>
<td></td>
</tr>
<tr>
<td>30-360</td>
<td></td>
<td></td>
<td>Under proposed language in #4, remove “next” from sentence. Should read: “In the event that some, but not all candidates withdraw, the unofficial winner of the election will be the remaining eligible candidate receiving the highest vote count after all the votes are tallied for each candidate, including those candidates who have withdrawn but remain on the ballot as per Section (3) above.”</td>
<td></td>
</tr>
<tr>
<td>31-370</td>
<td></td>
<td></td>
<td>Proposed language in #4 - we feel 14 days is a more reasonable timeframe given that our elections supervisor is a part-time employee.</td>
<td></td>
</tr>
<tr>
<td>31-600</td>
<td></td>
<td></td>
<td>Remove “not” from sentence “Neither candidate required information nor candidate optional information shall be publicly posted at the poll site or poll sites.”</td>
<td></td>
</tr>
<tr>
<td>62-750</td>
<td></td>
<td></td>
<td>Proposed language in #1 - we feel 14 days is a more reasonable timeframe given that our elections supervisor is a part-time employee.</td>
<td></td>
</tr>
</tbody>
</table>

Change #18: Thank you for your comment. With regards to the change to RCW 42.56.210, the Commission must choose to amend that section of the public disclosure act to protect email addresses and phone numbers of voters who request ballots or not. With regards to WAC change #18, which would set one common week for CD elections in March, the Commission understands the some CDs would prefer to have their election during the January - March timeframe and associated with their annual meeting or plant sale. There are benefits to having CD elections in conjunction with those two events, not the least of which is voter participation. However, the Commission must weigh those benefits against the benefits of holding elections during one week for all CDIs. Those benefits include increased opportunities to advertise CD elections statewide (with the intention to increase candidate and voter turnout), efficiencies for all CDs related to conducting elections (for example, common deadlines for all candidates and voters), and other potential cost savings related to running elections.

Change #21: New section added to read “(5) if the election supervisor in subsection 4 above chooses to delegate their responsibilities to another person, that other person shall be trained in election policy and procedure as per Commission requirements, as set out in section (1)(e) above.”

Change #30: Though your comment is directed at Change #30, the correct number of #32 (4). Change made. Section (4) of Change 32 now reads “(4) In the event that some, but not all candidates withdraw, the unofficial winner of the election will be the remaining eligible candidate receiving the highest vote count after all the votes are tallied for each candidate, including those candidates who have withdrawn but remain on the ballot as per Section (3) above.”

Change #31: change made.
Change #51: change made.
Change #62: change made.
Change #68: change made.
<table>
<thead>
<tr>
<th>CHANGE #</th>
<th>WAC SECTION</th>
<th>CURRENT WAC LANGUAGE</th>
<th>FINAL PROPOSED LANGUAGE CHANGE</th>
<th>CDEAC COMMENTS</th>
<th>EFFECT OF CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>135-110-110</td>
<td>&quot;Absentee ballot&quot; or &quot;mail-in ballot&quot; 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.</td>
<td>&quot;Absentee ballot&quot; or &quot;mail-in ballot&quot; 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.</td>
<td>Removes this entire definition. There will no longer be any distinction between types of ballots other than a ballot and a provisional ballot.</td>
<td>Ballots will be referred to as either a &quot;ballot&quot; or a &quot;provisional ballot,&quot; as defined in the WAC.</td>
</tr>
<tr>
<td>2</td>
<td>135-110-110</td>
<td>&quot;Declared nominated candidate&quot; and &quot;nominated candidate&quot; 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.</td>
<td>&quot;Declared nominated candidate&quot; and &quot;nominated candidate&quot; 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.</td>
<td>Removes this entire definition. There will no longer be any distinction between types of candidates beyond those candidates who appear on the ballot and those who do not.</td>
<td>There will only be two types of candidates - those who file their candidate required information before the deadline and those who do not.</td>
</tr>
<tr>
<td>3</td>
<td>135-110-110</td>
<td>&quot;Declared write-in candidate&quot; 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.</td>
<td>&quot;Declared write-in candidate&quot; 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.</td>
<td>Removes this entire definition. There will no longer be any distinction between types of candidates beyond those candidates who appear on the ballot and those who do not.</td>
<td>There will only be two types of candidates - those who file their candidate required information before the deadline and those who do not.</td>
</tr>
<tr>
<td>Page</td>
<td>135-110-110</td>
<td>135-110-110</td>
<td>135-110-110</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>------------</td>
<td>------------</td>
<td>------------</td>
<td>------</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>&quot;Nominating petition&quot; means a list of signatures of nominators who desire a candidate's name be placed on the official ballot for a conservation district election.</td>
<td>Removes this entire definition. Any candidate submitting their required information on time will get their name pre-printed on the ballot.</td>
<td>Nominating petitions will no longer be required to have a candidates' name pre-printed on the ballot.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>&quot;Nominator&quot; means a qualified district elector who signs a petition nominating an individual seeking the office of elected supervisor.</td>
<td>Removes this entire definition. Nominators are not needed anymore since any candidate who submits their required information on time will get their name pre-printed on the ballot.</td>
<td>Nominators will no longer be required to get a candidates' name printed on the ballot.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>&quot;Qualified nominating petition&quot; means a nominating petition which contains at least twenty-five signatures of nominators.</td>
<td>Removes this entire definition. Nominating petitions are not needed anymore since any candidate who submits their required information on time will get their name pre-printed on the ballot.</td>
<td>Nominating petitions will no longer be required to get a candidates' name printed on the ballot.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>None</td>
<td>New definition added. There will now be two types of candidate information - required and optional. If the required information is provided prior to the deadline, a candidate will have his or her name pre-printed on the ballot. Optional information is that information a candidate might supply as indicated in WAC 135-110-430.</td>
<td>Clarification only - no discernable change to election procedure or policy.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

"Qualified nominating petition" means a nominating petition which contains at least twenty-five signatures of nominators.

"Candidate required information" – means the factual information included on the Candidate Information Form.
<table>
<thead>
<tr>
<th>Page</th>
<th>Section</th>
<th>Text</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>135-110-110</td>
<td>&quot;Candidate optional information&quot; – information provided by the candidate about their candidacy.</td>
<td>New definition added. There will now be two types of candidate information - required and optional. If the required information is provided prior to the deadline, a candidate will have his or her name pre-printed on the ballot. Optional information is that information a candidate might supply as indicated in WAC 135-110-430.</td>
</tr>
<tr>
<td>9</td>
<td>135-110-110</td>
<td>&quot;Significant noncompliance&quot; is the failure to follow the requirements in this rule that shall affect the outcome of an election or deny voters their right of privacy in voting.</td>
<td>Definition moved from Section .120 to .110</td>
</tr>
<tr>
<td>10</td>
<td>135-110-110</td>
<td>Definitions not numbered.</td>
<td>Definitions should be numbers for ease of reference</td>
</tr>
<tr>
<td>11</td>
<td>135-110-120</td>
<td>RELOCATED WAC SECTION</td>
<td>This WAC section deals with compliance and it has been moved so that it can be grouped with the sections related to the Commission certification process.</td>
</tr>
<tr>
<td>12</td>
<td>135-110-130</td>
<td>(1) All election forms and documents submitted to the conservation commission must be copies. Original documents must remain in the care and custody of the conservation district. (2) The conservation commission may inspect original documents upon request.</td>
<td>&quot;Shall&quot; should be used in place of &quot;must,&quot; when relevant, for clarification purposes.</td>
</tr>
</tbody>
</table>
| 13 | 135-110-140 | Unissued or undeliverable ballots **must** be retained for ten days after the election is certified and the official results announced, and then may be destroyed.

(2) All ballots submitted by voters, and all candidate filing records (including candidate information, nominating petitions, verification of eligibility, and withdrawals of candidacy), **must** be retained for six months after the election is certified and the official results announced, and then may be destroyed.

(3) The Commission **shall** abide by the records retention schedule as set out for conservation district elections in the Local Government Common Records Retention Schedule (CORE), as established by the Office of the Secretary of State, Washington State Archives, and its own records retention policy. | The Commission and conservation district **must** abide by the Local Government Common Records Retention Schedule (CORE). | Change in record retention schedule to match Secretary of State requirements as set out in the Local Government Common Records Retention Schedule (CORE). |
<p>| 14 | 135-110-150 | No conservation district supervisors, municipal officers or employees <strong>may</strong> adopt or state an official position about any candidate that promotes, or is prejudicial to, a candidate. | No conservation district supervisors, municipal officers or employees <strong>may</strong> adopt or state an official position about any candidate that promotes, or is prejudicial to, a candidate. | <strong>&quot;Shall&quot;</strong> should be used in place of &quot;must,&quot; when relevant, for clarification purposes. |
| 15 | 135-110-160 | The election supervisor and polling officer(s) <strong>shall</strong> be able to produce the description of the legal boundary of the conservation district to any person at a physical poll site or at the conservation district office. | The election supervisor and polling officer(s) <strong>must</strong> be able to produce the description of the legal boundary of the conservation district to any person at a physical poll site or at the conservation district office. | <strong>&quot;Shall&quot;</strong> should be used in place of &quot;must,&quot; when relevant, for clarification purposes. |
| 16 | 135-110-170 | In the event more than one ballot is submitted by a voter, the first ballot tallied is the only vote counted. Any subsequent ballots from the same voter will be disqualified and <strong>must</strong> not be counted. | In the event more than one ballot is submitted by a voter, the first ballot tallied is the only vote counted. Any subsequent ballots from the same voter will be disqualified and <strong>must</strong> not be counted. | <strong>&quot;Shall&quot;</strong> should be used in place of &quot;must,&quot; when relevant, for clarification purposes. |</p>
<table>
<thead>
<tr>
<th>17</th>
<th>135:110-180</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Behavior that disrupts or interferes with the election of conservation district supervisors is prohibited.</td>
<td></td>
</tr>
<tr>
<td>(2) A conservation district supervisor, polling officer, or election supervisor may require disruptive persons to leave a physical poll-site election. Such disruptive persons must remain at least three hundred feet away from the polling place or facility where official election functions are being performed.</td>
<td></td>
</tr>
<tr>
<td>(3) A conservation district supervisor, polling officer, or election supervisor may enlist the aid of law enforcement personnel to assist in identifying disruptive persons and preventing such persons from disrupting or interfering with any election processes.</td>
<td></td>
</tr>
</tbody>
</table>

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Behavior at the physical polling site that disrupts or interferes with the election of conservation district supervisors is prohibited.</td>
<td></td>
</tr>
<tr>
<td>(2) A conservation district supervisor, polling officer, or election supervisor may require disruptive persons to leave a physical poll-site election. Such disruptive persons shall remain at least three hundred feet away from the polling place or facility where official election functions are being performed.</td>
<td></td>
</tr>
<tr>
<td>(3) A conservation district supervisor, polling officer, or election supervisor may enlist the aid of law enforcement personnel to assist in identifying disruptive persons and preventing such persons from disrupting or interfering with any election processes at the physical polling site.</td>
<td></td>
</tr>
</tbody>
</table>

Clarifies that the focus of controlling disruptive behavior is at the poll site. 
Clarification only - no change to election procedure or policy.
<table>
<thead>
<tr>
<th>135.110-200</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation district must hold election. A conservation district must hold an election during January, February, or March in the year a three-year term of an elected supervisor will expire.</td>
</tr>
</tbody>
</table>

Conservation district **shall** hold election. **A conservation district must hold an election during January, February, or March in the year a three-year term of an elected supervisor will expire.** **A conservation district shall hold an election during the first quarter of the year, as per RCW 89.08.190, but this amendment would require that all district hold elections during one week of that first quarter of the year.** Sunday is excluded as a day that is not convenient for the public and/or voters. Availability of county auditor staff to assist with CD elections shall be hampered in February. Setting the week during the general election special election date in February would cause confusion. There are 3 options for which week in March to choose - (1) first, (2) second, (3) expanding the one week to the first two weeks in March. MINORITY comment: one member of CDEAC, from Cowlitz and Wahkiakum, wanted it noted that their district do not support this proposal because it does not allow them to hold their election in conjunction with their annual community meetings. |
Conservation district must adopt election resolution.
(1) Each year the conservation district supervisors must adopt a resolution establishing the election.
(2) The election resolution adopted by the conservation district supervisors must include the following information:
   (a) The name of the conservation district;
   (b) The date(s), the physical location(s), and the times polls will open and close for each polling place;
   (c) The election methods selected for the election;
   (d) 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;
   (e) The filing deadline for candidates;
   (f) Identification of an individual appointed by the conservation district to fulfill the duties of election supervisor; and
   (g) The dated signature of at least one conservation district supervisor attesting to this information.
(3) This information must be provided to the conservation commission by the candidate filing deadline.

Districts forget to set a deadline for ballot requests because the current WAC section .210 doesn't specifically set out that requirement.

Clarification only - no discernable change to election procedure or policy.
### Section 135-110-220

<table>
<thead>
<tr>
<th>20</th>
<th>135-110-220</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Due notice of the intent to adopt a resolution establishing the election must be provided by the conservation district to potential qualified district electors of the conservation district prior to adopting the resolution.</td>
<td><strong>(1)</strong> Due notice of the intent to adopt a resolution establishing the election must be provided by the conservation district to potential qualified district electors of the conservation district prior to adopting the resolution.</td>
</tr>
<tr>
<td>(2) Following the conservation district’s adoption of the election resolution, due notice containing all election information in the resolution must be transmitted to the conservation commission, using the filing deadline as the date for determining compliance with due notice requirements.</td>
<td><strong>(1) Not later than 7 days</strong> Following the conservation district’s adoption of the election resolution, due notice containing all election information in the resolution <strong>must</strong> be published, using the filing deadline as the date for determining compliance with due notice requirements.</td>
</tr>
<tr>
<td>(3) If a conservation district adopts a standing resolution establishing a repeating annual election, due notice of expiring terms and the filing deadline must be provided to constituents, using the filing deadline as the date for determining compliance with due notice requirements.</td>
<td><strong>(2) If a conservation district adopts a standing resolution establishing a repeating annual election schedule,</strong> due notice of expiring terms and the filing deadline must<strong>be provided to constituents,</strong> using the filing deadline as the date for determining compliance with due notice requirements.</td>
</tr>
</tbody>
</table>

### Section 135-110-210

<table>
<thead>
<tr>
<th>21</th>
<th>135-110-210</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) The conservation district supervisors must appoint a person or firm as the election supervisor.</td>
<td><strong>(1)</strong> The conservation district supervisors <strong>must</strong> appoint a person or firm as the election supervisor.</td>
</tr>
<tr>
<td>(2) The election supervisor:</td>
<td><strong>(2)</strong> The election supervisor:</td>
</tr>
<tr>
<td>(a) Serves as the primary point of contact between the conservation district and the conservation commission for the conservation district election;</td>
<td>(a) Serves as the primary point of contact between the conservation district and the conservation commission for the conservation district election;</td>
</tr>
<tr>
<td>(b) Organizes, coordinates, and facilitates election-related activities of the conservation district;</td>
<td>(b) Organizes, coordinates, and facilitates election-related activities of the conservation district;</td>
</tr>
<tr>
<td>(c) Assures that required election procedures are properly conducted; and</td>
<td>(c) Assures that required election procedures are properly conducted; and</td>
</tr>
<tr>
<td>(d) Assures that required information is properly transmitted to the conservation commission.</td>
<td>(d) Assures that required information is properly transmitted to the conservation commission.</td>
</tr>
<tr>
<td>(3) Conservation district supervisors remain responsible for the conducting the election in compliance with this section.</td>
<td><strong>(e)</strong> Shall be trained in election policy and procedure as per Commission requirements.</td>
</tr>
<tr>
<td>(4) If the election supervisor cannot fulfill his or her duties under WAC Chapter 135-110, the election supervisor shall delegate their responsibilities to another person provided that such a delegation is in accordance with WAC Chapter 135-110.</td>
<td><strong>(3) Conservation district supervisors remain responsible for the conducting the election in compliance with this section.</strong></td>
</tr>
<tr>
<td>(5) If the election supervisor in subsection 4 above chooses to delegate their responsibilities to another person, that other person shall be trained in election policy and procedure as per Commission requirements, as set out in section (1)(e) above.</td>
<td><strong>(4)</strong> If the election supervisor cannot fulfill his or her duties under WAC Chapter 135-110, the election supervisor shall delegate their responsibilities to another person provided that such a delegation is in accordance with WAC Chapter 135-110.</td>
</tr>
</tbody>
</table>

This change eliminates the requirement to public the intent to adopt an election resolution and sets a firm date by which the only remaining notice of the election shall be published. The definition of "due notice" in WAC 135-110-110 shall need to be changed. Discussion should be done with the SCC Communications work group.

Removes the requirement to publish the first election notice - the intent to adopt an election resolution. This would leave just one notice requirement - the notice of the time, place and manner of the election.

Requires the election supervisor to be trained in election policy and procedure and provides a mechanism to delegate the election supervisors duties and responsibilities in times when they cannot perform their duties and responsibilities.
<table>
<thead>
<tr>
<th>Page</th>
<th>Section</th>
<th>Text</th>
<th>Note</th>
</tr>
</thead>
</table>
| 22   | 135-110-240 | (1) The conservation district supervisors must choose the method of the election using physical poll sites, or by remote methods, or by any combination of these methods that assures fair treatment of candidates and voters, provides privacy in voting, and complies with all other parts of this rule.  
(2) Every physical poll site must be open for at least four consecutive hours at a time convenient for voters, and every physical poll site must have at least two polling officers present during the hours the polls are open.  
(3) Ballots submitted by mail must be postmarked no later than the day of the election, or the last day if multiple election days. Ballots submitted by physical delivery must be received at the district office by the announced final polling time of the day of election, or the last day if multiple election days. Remote ballots transmitted by any other means shall be transmitted by the last day of election. | Clarifies that each poll site must be open a minimum of four consecutive hours. |
<p>| 23   | 135-110-250 | Voting must be accessible. Disabled voters must be offered a voting method accessible to them. | &quot;Shall&quot; should be used in place of &quot;must,&quot; when relevant, for clarification purposes. |
| 24   | 135-110-300 | Every candidate must be a qualified district elector. A candidate for election to the office of conservation district supervisor must be a qualified district elector at the time of filing. | Clarification only - no change to election procedure or policy. |</p>
<table>
<thead>
<tr>
<th>Section</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>135-10-30</td>
<td>(1) Only persons who file candidate information with the conservation district by the filing deadline and who are found by the conservation district to be eligible to be elected may be elected, unless no person has filed for the office by the filing deadline. (2) The name of a person who files candidate information by the filing deadline but does not file a qualified nominating petition must shall not be printed on the official ballot, but may shall be elected as a declared write-in candidate. (3) Information to be submitted to the conservation district by a person seeking to be a candidate for election must shall include: (a) The name of the conservation district; (b) The person’s name, residential address, mailing address (if different), and phone number; (c) Whether the person is a registered voter in the county where the conservation district is located; (d) Whether the person resides inside the conservation district boundary; (e) Whether the person is a landowner or an operator of a farm; and (f) The dated signature of the person attesting to the accuracy of the information so provided.</td>
</tr>
<tr>
<td>135-10-30</td>
<td>(1) The filing deadline for candidates is four weeks before election day. (2) By formal action the conservation district supervisors may make the filing deadline on a day more than four weeks before the election.</td>
</tr>
<tr>
<td>135-10-30</td>
<td>(1) The filing deadline for candidates is set by the district board and shall be, at a minimum, not less than is four weeks before election day. (2) By formal action the conservation district supervisors may make the filing deadline on a day more than four weeks before the election.</td>
</tr>
<tr>
<td>26</td>
<td>Some CDs currently allow for potential candidates to submit candidate information electronically. This change would specifically allow for the electronic submittal of the candidate required information. Allows for the electronic submittal of the candidate required information.</td>
</tr>
</tbody>
</table>
| 27 | 135-110-340 | Only nominated candidates may appear on official ballot.  
(1) A qualified nominating petition is required for each candidate who wishes for his or her name to appear on the official ballot.  
(2) The qualified nominating petition must contain at least twenty-five signatures of nominators and provide the following information:  
(a) The name of the conservation district;  
(b) The name of the candidate;  
(c) The name and address of each nominator sufficient to allow verification of the nominator as a qualified district elector; and  
(d) The signature of each nominator, who by his or her signature, states his or her wish for the candidate named in the petition to be placed on the official ballot.  
(3) For purposes of this section, electronic signatures contained in an electronic submittal of the nominating petition are acceptable. | Eliminate this section entirely.  
This would result in just two types of candidates - those that submit their required candidate information before the deadline and thus their names appear on the ballot, and those who do not.  
The is no need for a nominating petition anymore. | Nomination candidates and nominating petitions will no longer be required to get a candidates' name printed on the ballot. |
| 28 | 135-110-350 | (1) A declared candidate is a qualified district elector who has submitted candidate information to the conservation district by the filing deadline.  
(2) A declared nominated candidate is a declared candidate who has submitted a qualified nominating petition to the conservation district by the filing deadline.  
(3) An undeclared write-in candidate is a person who has not submitted candidate information to the conservation district by the filing deadline, and who has not submitted a qualified nominating petition by the filing deadline.  
(32) An undeclared write-in candidate is a person who has not submitted candidate information to the conservation district by the filing deadline, and who has not submitted a qualified nominating petition by the filing deadline. | Eliminate declared, nominated candidates.  
This would result in their just being two types of candidates - declared - those that submit their required candidate information before the deadline and thus their names appear on the ballot, and those who do not.  
The is no need for a nominating petition anymore. |

There will be only declared or write-in candidates in CD elections.
Election supervisor must verify candidate eligibility.
(1) The election supervisor must verify the eligibility of each person who submits candidate information required by WAC 135-110-320. The election supervisor may call upon the county auditor or the conservation commission for assistance in verifying eligibility.
(2) For a candidate to be eligible, the election supervisor must make a determination that:
(a) The name of the person who filed candidate information is the correct legal name of the individual;
(b) That the person submitted candidate information by the filing deadline;
(c) That the person submitted a valid nominating petition by the filing deadline;
(d) That the person was a qualified district elector on the day of filing; and
(e) 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 person is elected.
(3) For a nominated candidate, the conservation district must also verify that at least twenty-five eligible nominators signed the nominating petition.

Election supervisor shall verify candidate eligibility.
(1) The election supervisor shall verify the eligibility of each person who submits candidate information required by WAC 135-110-320. The election supervisor may call upon the county auditor or the conservation commission for assistance in verifying eligibility.
(2) For a candidate to be eligible, the election supervisor shall make a determination that:
(a) The name of the person who filed candidate information is the correct legal name of the individual;
(b) That the person submitted candidate information by the filing deadline;
(c) That the person submitted a valid nominating petition by the filing deadline;
(d) That the person was a qualified district elector on the day of filing; and
(e) 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 person is elected.
(2) For a nominated candidate, the conservation district must also verify that at least twenty-five eligible nominators signed the nominating petition.

This change aligns this section with other new proposed amendments.

Eliminates the requirement to verify nominators or nominating petitions, in line with other new changes.
Undeclared write-in candidate may be elected if no person files.
(1) 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.
(2) The undeclared write-in candidate, deemed the unofficial winner, must submit required candidate information to the conservation district, and 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.
(3) 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.
(4) 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.

Undeclared A write-in candidate may be elected if no eligible person files.
(1) 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.
(2) The undeclared write-in candidate, deemed the unofficial winner, must submit required candidate information to the conservation district, and 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.
(3) If the conservation district is unable to verify eligibility of the unofficial winner within four weeks twenty-eight calendar days 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.
(4) 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. The provisions of WAC 135-110-740 shall apply.
Incumbent automatically reelected if no other person files.

1. The incumbent is automatically reelected to another three-year term if:
   a. Due notice of the election resolution has been duly published by the conservation district;
   b. The only one person filing by the filing deadline is the incumbent;
   c. The conservation district verifies the eligibility of the incumbent to serve another term of office; and
   d. The incumbent has not resigned on or before the last date of election.

2. When an incumbent is automatically reelected, no other election activities at physical poll sites or through remote election processes may be performed.

3. 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 sites, mail, or absentee balloting will be performed, and on election day, signs containing this information must be posted at poll sites.

4. 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.

CDs want to retain the ability to cancel their election if just one candidate files before the candidate deadline to save costs. This change allows for a CD election to be cancelled if only one candidate applies by the candidate filing deadline. It eliminates the need for that one candidate to be the incumbent.

Sets the date for notifying the SCC of a cancelled election to be 7 days after the candidate filing deadline because most CDs forget to notify the SCC of the cancellation under the current section. It clarifies the information the CD needs to publish in its cancellation notice. It aligns this section with other new changes.
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>32</td>
<td>135-10-380</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Candidate may withdraw candidacy in writing.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(1) Before election day, a candidate may withdraw his or her candidacy by submitting a written request to the conservation district.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(2) A person who withdraws his or her candidacy is not eligible to be elected in the current election.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(3) If a person withdraws his or her candidacy, the conservation district is not required to revise official ballots.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(1) Before election day, a candidate may withdraw his or her candidacy by submitting a written request to the conservation district.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(2) A person who withdraws his or her candidacy is not eligible to be elected in the current election.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(3) If a person withdraws his or her candidacy, the conservation district is not required to revise official ballots.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(4) In the event that some, but not all candidates withdraw, the unofficial winner of the election will be the remaining eligible candidate receiving the next highest vote count after all the votes are tallied for each candidate, including those candidates who have withdrawn but remain on the ballot as per Section (3) above.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This change clarifies the effect of withdraw on the remaining candidates.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Clarification only - no change to election procedure or policy.</td>
<td></td>
</tr>
<tr>
<td>Page</td>
<td>Section</td>
<td>Text</td>
</tr>
<tr>
<td>------</td>
<td>---------</td>
<td>------</td>
</tr>
</tbody>
</table>
| 33   | 135-110-380 | **NEW PROPOSED SECTION**

**New Section: WAC 135-110-385**

**Effect of votes cast for withdrawn, deceased or ineligible candidate.**

(1) If the name of a deceased, withdrawn, or ineligible candidate appears on the ballot under this chapter, the votes cast for the candidate shall be counted and entered on the official election returns in the same manner as for the other candidates.

(2) If the deceased, withdrawn, or ineligible candidate receives the vote required for election, the resulting vacancy shall be filled in the regular manner.

(3) If the deceased, withdrawn, or ineligible candidate and another candidate tie for the most votes in an election in which a plurality vote is sufficient for election, the other candidate is considered to be elected. If more than one other candidate is tied with the deceased, withdrawn, or ineligible candidate, the winner of the election shall be determined by resolving the tie between the other candidates in the regular manner for resolving a tie vote in the election as set out in WAC 135-110-730.

This section is meant to further clarify what happens when candidates withdraw from the election after ballots have been printed but before Election Day. Clarification only - no change to election procedure or policy.

<table>
<thead>
<tr>
<th>Page</th>
<th>Section</th>
<th>Text</th>
</tr>
</thead>
</table>
| 34   | 135-110-400 | By the first election day, the conservation district must obtain a current list of registered voters from the county auditor for all territory within the conservation district boundary.

By the first election day, the conservation district **must** obtain a current list of registered voters from the county auditor for all territory within the conservation district boundary.

"Shall" should be used in place of "must," when relevant, for clarification purposes. Clarification only - no change to election procedure or policy.

<table>
<thead>
<tr>
<th>Page</th>
<th>Section</th>
<th>Text</th>
</tr>
</thead>
</table>
| 35   | 135-110-410 | Conservation district must set deadline for requesting absentee and mail-in ballots. To provide sufficient time for voters to obtain and return ballots to the conservation district, the conservation district must set a reasonable deadline for voters to request an absentee or mail-in ballot.

Conservation district **must** set deadline for requesting **absentee and mail-in** ballots **be mailed or sent**.

To provide sufficient time for voters to obtain and return ballots to the conservation district, the conservation district **must** set a reasonable deadline for voters to request an **absentee or mail-in** ballot **be sent or mailed to them**.

"Shall" should be used in place of "must," when relevant, for clarification purposes. Clarification only - no change to election procedure or policy.
<table>
<thead>
<tr>
<th>36</th>
<th>135-110-400</th>
<th>Conservation district must not use certain lists. 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.</th>
<th>Conservation district <strong>must</strong> not use certain lists. 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 <strong>must</strong> 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.</th>
<th>&quot;Shall&quot; should be used in place of &quot;must,&quot; when relevant, for clarification purposes.</th>
<th>Clarification only - no change to election procedure or policy.</th>
</tr>
</thead>
<tbody>
<tr>
<td>37</td>
<td>135-110-430</td>
<td>Conservation district may publish candidate 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.</td>
<td>Conservation district may publish candidate-provided optional information. (1) To assist voters in the selection of a candidate during voting, a conservation district may publish candidate optional information provided by nominated and declared write-in candidates. (2) If a conservation district chooses to publish information about candidates, it <strong>shall</strong> 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 <strong>may</strong> not be provided to voters at poll sites on election day.</td>
<td>This section clarifies that optional information provided by a candidate may be published by a conservation district, subject to certain requirements further set out in this section. Candidate optional information is newly defined in WAC 135-110-110. This section information for publication. Changes to this section also align this section with other new changes.</td>
<td>Clarification only - no change to election procedure or policy.</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>Employees and municipal officers of district must not be polling officers. 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.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>(1) During a poll-site election, polling officers must monitor the voting place for compliance with this section, and also serve as guardians of all issued and unissued ballots, under the supervision and direction of the election supervisor. (2) If the election supervisor is present, the election supervisor may also perform these functions as described in WAC 135-110-470.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>(1) A polling officer must verify a voter is a qualified district elector before issuing a ballot to the voter. (2) At a poll-site election, at least two polling officers must be present and in control of the ballot box(es) at all times while the polls are open. (3) At a poll-site election, a provisional 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 provisional ballot. (4) Polling officers count votes.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Clarifies who is eligible to serve as a polling officer. Neither interns of the CD nor SCC employees are eligible to serve. Interns are too closely associated with the CD and thus compromise the appearance of impartiality if allowed to serve, as would SCC employees who are involved with assisting the SCC commissioners with election certification.

Establishes that neither CD interns nor SCC employees are eligible to serve as polling officers.

“Shall” should be used in place of “must,” when relevant, for clarification purposes.

Clarification only - no change to election procedure or policy.

Simplifies language.

Clarification only - no change to election procedure or policy.
<table>
<thead>
<tr>
<th>Page</th>
<th>Line</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>41</td>
<td>135-110-470</td>
<td>Election supervisor may perform polling officer duties. The election supervisor may serve as a polling officer at one poll site. <strong>Election supervisor may perform polling officer duties. The election supervisor may serve as a polling officer at one poll site.</strong> Eliminate this section entirely as it is addressed in other amendments. Clarification only - no change to election procedure or policy.</td>
</tr>
<tr>
<td>42</td>
<td>135-110-500</td>
<td>Conservation district must create official ballot. (1) A conservation district must create a ballot and provide a ballot to each person who wishes to vote in the conservation district election. (2) The official ballot must: (a) List the name of each candidate the conservation district has verified as eligible and who has submitted a qualified nominating petition; (b) List names on the ballot in alphabetical order by last name, from top to bottom, with an empty checkbox or blank space next to each candidate's name; and (c) Contain at least one blank line where a voter can enter the name of a declared write-in candidate, or if there are no declared candidates, the name of an undeclared write-in candidate. Conservation district must create official ballot. (1) A conservation district must create a ballot and provide a ballot to each person who requests a ballot to vote in the conservation district election. (2) The official ballot: (a) List the name of each candidate the conservation district has verified as eligible and who has submitted a qualified nominating petition; (b) List names on the ballot in alphabetical order by last name, from top to bottom, with an empty checkbox or blank space next to each candidate's name; and (c) Contain at least one blank line where a voter can enter the name of a declared write-in candidate, or if there are no declared candidates, the name of an undeclared write-in candidate. This change aligns this section with other new proposed amendments, specifically those associated with the two types of candidates. Clarifies the requirements related to printing the ballot.</td>
</tr>
<tr>
<td>43</td>
<td>135-110-515</td>
<td>Conservation district must make ballots available. (1) The conservation district must provide a ballot to any person who requests a ballot. (2) The conservation district may make ballots available to all potential voters within the conservation district. (3) Ballots may be provided electronically if a suitable means of determining voter eligibility and preventing voter fraud are utilized. (4) The 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. Conservation district must make ballots available. (1) The conservation district must provide a ballot to any person who requests a ballot. (2) The conservation district may make ballots available to all potential voters within the conservation district. (3) Ballots may be provided electronically if a suitable means of determining voter eligibility and preventing voter fraud are utilized. (4) The 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. Eliminate this section entirely as it is addressed in other amendments. Clarification only - no change to election procedure or policy.</td>
</tr>
</tbody>
</table>
| Page | 135-110-520 | Absentee ballots must be provided on request.  
(1) **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.  
(2) **Absentee ballots** may be returned to the conservation district by mail, by personal delivery, or by electronic means previously approved by the election supervisor.  
(3) **Ballots** may be provided electronically if a suitable means of determining voter eligibility and preventing voter fraud are utilized.  
(4) At a poll-site election, a provisional ballot shall be provided to any individual wishing to vote when the individual cannot be verified as eligible to vote prior to the issuance of a ballot. |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>44</td>
<td><strong>This change aligns this section with other new proposed amendments, and places language take from other WAC sections here.</strong> Clarification only - no change to election procedure or policy.</td>
<td></td>
</tr>
</tbody>
</table>
| 45 | **Provisional ballots** must be provided when voter eligibility is in question.  
At a poll-site election, a provisional ballot must be provided to any individual wishing to vote when the individual cannot be verified as eligible to vote prior to the issuance of a ballot.  
(3) Provisional ballots must be provided when voter eligibility is in question.  
At a poll-site election, a provisional ballot must be provided to any individual wishing to vote when the individual cannot be verified as eligible to vote prior to the issuance of a ballot. |
| 46 | **Functional equivalent of paper ballot required.**  
For electronic voting, the functional equivalent of a paper ballot must be utilized.  
(3) For poll lists at poll sites, each voter must provide:  
(a) His or her name, sufficient to allow identification in the voter registration list;  
(b) An address sufficient to allow identification in the voter registration list; and  
(c) The signature of the voter.  
(4) For poll lists in mail-in elections, the name and address of the voter must be recorded. |
| 47 | Poll lists must be used.  
(1) In every conservation district election, the conservation district must create a record of who has submitted a ballot and whether the person was found eligible or ineligible to vote.  
(2) Each poll list must contain:  
(a) The name of the conservation district;  
(b) Whether the poll list is for a poll-site or mail-in election, and if a poll-site election, the location of the poll site and the date of polling must be specified;  
(3) For poll lists at poll sites, each voter must provide:  
(a) His or her name, sufficient to allow identification in the voter registration list;  
(b) An address sufficient to allow identification in the voter registration list; and  
(c) The signature of the voter.  
(4) For poll lists in mail-in elections, the name and address of the voter must be recorded. |
| 48 | **Poll lists** must be used.  
(1) In every conservation district election, the conservation district **must** create a record of who has submitted a ballot and whether the person was found eligible or ineligible to vote.  
(2) Each poll list **must** contain:  
(a) The name of the conservation district;  
(b) Whether the poll list is for a poll-site or mail-in election, and if a poll-site election, the location of the poll site and the date of polling **must** be specified;  
(3) For poll lists at poll sites, each voter **must** provide:  
(a) His or her name, sufficient to allow identification in the voter registration list;  
(b) An address sufficient to allow identification in the voter registration list; and  
(c) The signature of the voter.  
(4) For poll lists in mail-in elections, the name and address of the voter **must** be recorded. |
| 49 | **Simplifies language.** Clarification only - no change to election procedure or policy. |

<p>| Commission Meeting Packet | December 5, 2019 | Page 66 of 112 |</p>
<table>
<thead>
<tr>
<th>Page</th>
<th>Section</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>48</td>
<td>135-10-560</td>
<td>Mail-in, absentee, and provisional ballots must be double-envelope balloting. Ballots cast in a mail-in election, or as a paper absentee ballot, or as a paper provisional ballot, must use a double-envelope paper balloting system, in which: (1) The voter places the completed ballot inside the inner envelope; (2) The inner envelope is sealed to prevent tampering, and no personally identifying marks are to be placed on the inner envelope; (3) The inner envelope containing the completed ballot is placed in the outer envelope; and (4) The voter provides sufficient identifying information on, or inserted into, the outer envelope to allow polling officers to verify the eligibility of the voter. This change aligns this section with other new proposed amendments, and simplifies language.</td>
</tr>
<tr>
<td>49</td>
<td>135-10-570</td>
<td>Election supervisor safeguards ballots except in a poll-site election. Ballots cast by mail-in or absentee methods are to be received and safeguarded by the election supervisor. The election supervisor is charged with the overall safeguarding of ballots. Clarifies the role of the election supervisor.</td>
</tr>
<tr>
<td>50</td>
<td>135-110-580</td>
<td>No poll site selected by the conservation district may appear on the county auditor's list of inaccessible polling sites as described in RCW 29A.16.140. Every poll site shall be accessible, as described in No poll site selected by the conservation district may appear on the county auditor's list of inaccessible polling sites as described in RCW 29A.16.140(5). Simplifies language and updates the RCW to the correct reference. Clarification only - no change to election procedure or policy.</td>
</tr>
<tr>
<td>51</td>
<td>135-110-600</td>
<td>Electioneering prohibited. (1) On election day, information provided by candidates may not be provided to voters within three hundred feet of the poll site. (2) Names of nominated and declared write-in candidates must not be publicly posted at the polls. Electioneering prohibited at poll sites. (1) On election day, information provided by candidates may not be provided to voters within three hundred feet of the poll site. (2) Candidate required information Names of nominated and declared write-in candidates must not be publicly posted at the polls site or poll sites. (3) Candidate optional information shall not be publicly posted at the poll site or poll sites. Simplifies language and aligns this section with other new proposed amendments. Clarification only - no change to election procedure or policy.</td>
</tr>
<tr>
<td>Page</td>
<td>Section</td>
<td>Content</td>
</tr>
<tr>
<td>------</td>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td>52</td>
<td>135-110-610</td>
<td><strong>Every voter must be verified as eligible.</strong>&lt;br&gt;(1) Every individual requesting a ballot for any conservation district election must be verified as a qualified district elector before his or her ballot is counted.&lt;br&gt;(2) At a poll-site election, a provisional ballot must be issued if the voter's eligibility to vote cannot be determined during polling and the individual wishes to vote.</td>
</tr>
<tr>
<td>53</td>
<td>135-110-620</td>
<td>Conservation district must provide polling officers at each poll site.&lt;br&gt;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.</td>
</tr>
<tr>
<td>54</td>
<td>135-110-630</td>
<td>Each poll site must have ballot box and signage.&lt;br&gt;(1) Each poll site must have at least one ballot box.&lt;br&gt;(2) Each poll site must be conspicuously identified to voters as the place to vote.</td>
</tr>
<tr>
<td>Page</td>
<td>Section</td>
<td>Text</td>
</tr>
<tr>
<td>------</td>
<td>---------</td>
<td>------</td>
</tr>
</tbody>
</table>
| 55   | 135-110-640 | Conservation district must assure privacy in voting.  
(1) 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.  
(2) 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.  
Conservation district must shall assure privacy in voting.  
(1) 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, except in circumstances necessary to allow a disabled voter to cast their ballot, as set out in WAC 135-110-250.  
(2) 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. |
| 56   | 135-110-650 | (1) Polling officers are to close the polls at the published time, unless the polls are extended by the election supervisor.  
(2) The election supervisor may extend the time polls are open, if needed to accommodate voters.  
(3) Persons waiting in line at a poll site when the polls are scheduled to be closed must be allowed to check in and vote.  
(4) Poll times may not be less than advertised unless the incumbent was automatically reelected as allowed under WAC 135-110-370.  
(1) The polls shall be closed. Polling officers are to close the polls at the published time, unless the polls are extended by the election supervisor.  
(2) The election supervisor may extend the time polls are open, if needed, to accommodate voters.  
(3) Persons waiting in line at a poll site when the polls are scheduled to be closed must be allowed to check in and vote.  
(4) Poll times shall not be less than advertised unless the incumbent candidate was automatically reelected as allowed under WAC 135-110-370. |
| 57   | 135-110-700 | (1) Only polling officers and the election supervisor may open and count ballots.  
(2) Mail-in and provisional ballots must be verified as having been submitted by a qualified district elector before the outer envelope is opened, and upon verification, the outer envelope must be opened and set aside, and the inner envelope placed into the ballot box.  
(1) Only polling officers and the election supervisor may open and count ballots.  
(2) Mail-in and provisional ballots shall be verified as having been submitted by a qualified district elector before the outer envelope is opened, and upon verification, the outer envelope shall be opened and set aside, and the inner envelope placed into the ballot box. |
| 58   | 135-110-710 | Ballots cast in a poll-site election are to remain in the custody and control of polling officers until all ballots have been counted and properly tallied.  
Ballots cast in a poll-site election are to remain in the custody and control of polling officers until all ballots have been counted and properly tallied. |
| 59   | 135-110-720 | (1) Polling officers may announce the unofficial results of the election, subject to certification and official announcement by the conservation commission.  
(2) The unofficial winner is known as the supervisor-elect and may not be seated until after the conservation commission certifies the election and announces the official winner.  
(1) Polling officers may announce the unofficial results of the election, subject to certification and official announcement by the conservation commission.  
(2) The unofficial winner is known as the supervisor-elect and shall not be seated until after the conservation commission certifies the election and announces the official winner. |
(1) In the case of two or more candidates receiving the most votes, and each receives an equal number of votes, polling officers must recount the ballots.
(2) 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.
   (a) If no more than two candidates are tied, a coin toss may be used in lieu of drawing names to determine the unofficial winner.
   (b) If more than two candidates are tied, only a drawing of names may be used to determine the unofficial winner.
   (c) 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.

Clarification only - no change to election procedure or policy.

(1) 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.
(2) 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.

Simplifies language and aligns this section with other new proposed amendments.

Clarification only - no change to election procedure or policy.
| 62 | Ballot results must be reported.  
(1) The results of balloting must be reported to the conservation commission within twenty-eight days of the election.  
(2) Ballot results must be reported separately for each poll site, for each mail-in or remote election, and for all absentee ballots. If the same poll site is open on more than one day, separate reports for each day are required.  
(3) Information provided about the election must include:  
(a) The name of the conservation district; and  
(b) Whether the report is for a specific poll site or for a mail-in election, and if for a poll site, the location of the poll site and the date of polling must be specified.  
(4) Information provided about candidates must include:  
(a) The name of each candidate; and  
(b) For each candidate, the number of eligible votes counted and the total number of votes cast for the person.  
(5) The total number of ballots invalidated must be reported.  
(6) The conservation district must identify the unofficial winner and whether the unofficial winner is a nominated candidate, a declared write-in candidate, or an undeclared write-in candidate.  
(7) The ballot results report must be signed and dated by the polling officers who counted the ballots. If the election supervisor participated in counting ballots, the election supervisor must also sign the report. |
|---|---|
| 62 | Ballot results **must** be reported.  
(1) The results of balloting **must** be reported to the **Conservation Commission** within twenty-eight **fourteen** days of the election, unless, after consultation with the Conservation Commission, the election supervisor determines more time is needed.  
(2) Ballot results **must** be reported separately for each poll site, for each mail-in or remote election, and for all **absentee** ballots. If the same poll site is open on more than one day, separate reports for each day are required.  
(3) Information provided about the election **must** include:  
(a) The name of the conservation district; and  
(b) Whether the report is for a specific poll site or for a mail-in election, and if for a poll site, the location of the poll site and the date of polling **must** be specified.  
(4) Information provided about candidates **must** include:  
(a) The name of each candidate; and  
(b) For each candidate, the number of eligible votes counted and the total number of votes cast for the person.  
(5) The total number of ballots invalidated **must** be reported.  
(6) The conservation district **must** identify the unofficial winner and whether the unofficial winner is a nominated candidate, a declared write-in candidate, or an undeclared write-in candidate.  
(7) The ballot results report **must** be signed and dated by the polling officers who counted the ballots. If the election supervisor participated in counting ballots, the election supervisor **must** also sign the report. |
| 135-110-750 | Reduces the time to report preliminary election results to the Conservation Commission from 28 days to 7. Simplifies language.  
Clarification only - no change to election procedure or policy. |
Conservation commission canvasses returns, determines compliance, announces winners.  
(1) The conservation commission must 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. 
(2) The conservation commission must announce the official election results for each conservation district election the conservation commission has certified as being substantially in compliance with this rule. The conservation commission may decline to announce the official results of elections found not to be substantially in compliance with this rule. 
(3) The conservation commission must act on elections for full-term positions annually at its regular meeting on the third Thursday in May. 
(4) Action at any other time will be for short terms of office or for any other reason that the conservation commission deems such later action to be necessary.

Simplifies language.  
Clarification only - no change to election procedure or policy.

Conservation commission canvasses returns, determines compliance, announces winners.  
(1) The conservation commission must 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. 
(2) The conservation commission must announce the official election results for each conservation district election the conservation commission has certified as being substantially in compliance with this rule. The conservation commission may decline to announce the official results of elections found not to be substantially in compliance with this rule. 
(3) The conservation commission must act on elections for full-term positions annually at its regular meeting on the third Thursday in May. 
(4) Action at any other time will be for short terms of office or for any other reason that the conservation commission deems such later action to be necessary.

Simplifies language.  
Clarification only - no change to election procedure or policy.

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. 
(2) A candidate may not perform the duties of a conservation district supervisor before the third Thursday in May and until the conservation commission has announced that person as the official winner of a conservation district election, unless the person is an incumbent conservation district supervisor.

Simplifies language.  
Clarification only - no change to election procedure or policy.

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. 
(2) A candidate may not perform the duties of a conservation district supervisor before the third Thursday in May and until the conservation commission has announced that person as the official winner of a conservation district election, unless the person is an incumbent conservation district supervisor.
Declaration voiding an election.
The office held by a conservation district supervisor is vacant upon the decision of a court of competent jurisdiction declaring his or her election to be void.

Procedure for contesting elections.
(1) Written complaints regarding conservation district elections shall be received by the Commission using an on-line form no later than April 30th.
(2) Complaints will be forwarded to the Executive Director.
(3) The Executive Director will notify the Chair and Vice-Chair of the Commission, the Chair of the affected district, the election supervisor of the affected district, Commission staff assigned to that district, and the Commission's elections officer that a complaint has been filed with the Commission.
(4) The Executive Director will inform the Chair and Vice-Chair of the Commission of the estimated length of the investigation, and will provide updates on the status of the investigation as needed.
   (a) The Commission's elections officer will investigate the complaint. The investigation shall include personal interviews with the person filing the complaint, the district board, appropriate district staff, polling officers, and members of the public, as appropriate and necessary.
   (b) When the investigation is completed, the Commission's elections officer shall make a written report to the Executive Director of the results of the investigation.
(5) The Executive Director shall review the report of the investigation and make a determination that:
   (a) The complaint does not rise to the level of significant non-compliance with election procedure sufficient to warrant the non-certification of the election, as per WAC 135-110-790, or
   (b) The complaint does rise to the level of significant non-compliance with election procedure sufficient to warrant the non-certification of the election, as per WAC 135-110-790.
(6) If the Executive Director determines that:
   (a) The complaint does not rise to the level of significant non-compliance with election procedure sufficient to warrant the non-certification of the election, the Executive Director may recommend that the election be certified and announced by the Commission.
   (b) The complaint does rise to the level of significant non-compliance with election procedure sufficient to warrant the non-certification of the election, the Executive Director may recommend that the election not be certified and announced, and request that the district hold another election as per the procedure in WAC 135-110-950.

The Commission currently has a procedure for contesting elections or investigating election complaints, but it is not written in policy or procedure. This WAC establishes the procedure for contesting current elections.

Establishes the procedure for contesting current elections.
| 67 | 135-110-795 | **RELOCATED WAC SECTION** | Compliance.  
(1) The Conservation Commission shall make a determination of significant noncompliance when parties act in variance of this section.  
(2) Significant noncompliance is the failure to follow the requirements in this rule that shall affect the outcome of an election or deny voters their right of privacy in voting.  
(3) The conservation commission shall decline to certify an election found in significant noncompliance. If the Conservation Commission certifies an election found to be in significant noncompliance, the Commission shall provide written rationale. | Moves existing WAC 135-110-120 here, to a new numbered WAC section more closely aligned by subject. | Clarification only - no change to election procedure or policy. |
| 68 | 135-110-800 | (1) A conservation district may change the date(s) or location(s) or times for poll sites only in an emergency.  
(2) 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:  
(a) Weather conditions;  
(b) Damage to roads, buildings, or other infrastructure;  
(c) Chemical spills;  
(d) Fire and smoke;  
(e) Volcanic eruption, earthquake, landslides, mudflows, and floods; or  
(f) Disruptions in information network infrastructure.  
(3) When an emergency is so declared, the election supervisor should make reasonable efforts to inform all conservation district supervisors and candidates listed on the ballot. | (1) A conservation district may change the date(s) or location(s) or times for poll sites only in an emergency.  
(2) 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:  
(a) Weather conditions;  
(b) Damage to roads, buildings, or other infrastructure;  
(c) Chemical spills;  
(d) Fire and smoke;  
(e) Volcanic eruption, earthquake, landslides, mudflows, and floods; or  
(f) Disruptions in information network infrastructure.  
(3) When an emergency is so declared, the election supervisor should make reasonable efforts to inform all conservation district supervisors, **and** candidates listed on the ballot, **and the Conservation Commission.** | Adds duty to inform the Commission in the event of an emergency which causes change in the election. | Adds duty to inform the Commission. |
| 69 | 135-110-810 | (1) When a polling site is changed in response to an emergency, 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.  
(2) When the election date or location is changed in response to an emergency, due notice should be given to the public of the change. If due notice is not possible, the conservation district must take reasonable measures to inform the public of the change. Such 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. | (1) When a polling site is changed in response to an emergency, 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.  
(2) When the election date or location is changed in response to an emergency, due notice should be given to the public of the change. If due notice is not possible, the conservation district **must** take reasonable measures to inform the public of the change. Such 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. | Simplifies language. | Clarification only - no change to election procedure or policy. |
<table>
<thead>
<tr>
<th>Section</th>
<th>Text</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>70 135-110-820</td>
<td>Conservation commission to be informed. The conservation commission must be informed of all emergency changes to poll locations or dates before voting begins.</td>
<td>Eliminate this section entirely as it is addressed in other amendments.</td>
</tr>
<tr>
<td>71 135-110-900</td>
<td>Only vacant offices may be filled. 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.</td>
<td>Simplifies language. Clarification only - no change to election procedure or policy.</td>
</tr>
<tr>
<td>72 135-110-910</td>
<td>Supervisors must be eligible to serve. (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.</td>
<td>Simplifies language. Clarification only - no change to election procedure or policy.</td>
</tr>
<tr>
<td>73 135-110-920</td>
<td>(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.</td>
<td>Simplifies language and clarifies the resignation process. Clarifies when resignations become effective.</td>
</tr>
<tr>
<td>74 135-110-950</td>
<td>RELOCATED WAC SECTION</td>
<td>Section moved to earlier in the WAC Chapter. This WAC section deals with declaring an election void and has been moved to where it is more relevant with similar WAC sections. Clarification only - no change to election procedure or policy.</td>
</tr>
</tbody>
</table>
(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 shall 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.
December 5, 2019

TO: Conservation Commission Members
    Carol Smith, Executive Director

FROM: Bill Eller, WSCC Election Officer

SUBJECT: Franklin Conservation District Election

Staff recommended action: The Commission should certify and announce Mr. Mark Weiseler as the official winner of the 2019 Franklin Conservation District election.

Franklin Conservation District Election Background

Franklin Conservation District (FCD) had issues with its first election held this year related to failure to give proper notice and failure to have the proper number of polling officers at its poll site. As a result, the Commission declined to certify and announce the FCD election at the May 2019 Commission meeting.

FCD was given permission by the Franklin County Superior Court to hold an election outside of the statutorily mandated January – March timeframe. FCD’s new election was set for December 3, 2019. The candidate filing deadline was set for November 1, 2019. As of November 1, 2019, no other candidate filed for candidacy other than the incumbent, Mr. Mark Weiseler. Therefore, WAC 135-110-370, directs the FCD to cancel the election as Mr. Weiseler is automatically re-elected.

Commission staff reviewed the operations of the FCD in holding its new election, and found no significant noncompliance with WAC Title 135-110 or the election procedures published for this cycle that would prohibit the Commission from certifying and announcing the result of FCD’s new election.
TO: Carol Smith, Executive Director
    Conservation Commission Members

FROM: Jon Culp, Water Resources Manager

SUBJECT: 2019 Drought Response by Conservation Districts

Background/Summary: The Washington State Conservation Commission, in partnership with the Department of Ecology, implemented a drought hardship mitigation grant process through local conservation districts under the Governor's 2019 drought emergency declaration. The Commission administers this process in compliance with RCW 43.83B and WACs 173-166 and 173-167. The Commission has contracted with the conservation districts below to administer the listed activities within their local areas.

<table>
<thead>
<tr>
<th>District</th>
<th>Activity</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cascadia Conservation District</td>
<td>Drought Resource Newsletter “What About Drought” developed and mailed to 36,000 mailboxes in Chelan County. Eight state and local partners contributed articles</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Offering technical assistance to larger irrigation districts throughout Chelan County. Work has begun and is ongoing</td>
<td>Commenced and ongoing</td>
</tr>
<tr>
<td></td>
<td>Partnering with WDFW and Cascade Columbia Fisheries Enhancement Group to identify and remove passage barriers for anadromous fish in the Wenatchee and Entiat River basins</td>
<td>Commenced and ongoing</td>
</tr>
<tr>
<td></td>
<td>Directed water users suffering from hardship to report their plight on the Drought Conditions and Impact Reporter: (<a href="https://survey123.arcgis.com/share/2a2a183c3ff04c2686d8018f93848183">https://survey123.arcgis.com/share/2a2a183c3ff04c2686d8018f93848183</a>)</td>
<td>Complete</td>
</tr>
<tr>
<td>District</td>
<td>Activity</td>
<td>Status</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Clallam Conservation District</td>
<td>Purchased 6 and installed 8 district owned soil moisture monitoring equipment deployments with 8 producers</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Irrigation water management planning with 8 producers</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>In partnership with the City of Forks and the Quillayute Valley Parks and Recreation District to design and install a rainwater collection system</td>
<td>Complete</td>
</tr>
<tr>
<td>Jefferson County Conservation District</td>
<td>Technical assistance to implement an on-farm rainwater infiltration demonstration project.</td>
<td>Complete</td>
</tr>
<tr>
<td>Kittitas County Conservation District</td>
<td>100 post cards mailed to private landowners/farmers announcing available resources</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Purchased and deployed a drone, with multispectral imaging sensors, capable of measuring real-time field-wide soil moisture and identifying irrigation application inconsistencies and system leaks</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Purchase, install, and monitor streamflow monitoring equipment</td>
<td>Complete</td>
</tr>
<tr>
<td>Okanogan Conservation District</td>
<td>Five irrigation water management plans with local farmers</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Installation of five surface water monitoring sites</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>500 drought assistance brochures printed and distributed through six major irrigation districts to end users</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Technical assistance requests resulting in 3 site visits</td>
<td>Complete</td>
</tr>
<tr>
<td>South Yakima Conservation District</td>
<td>Drought mitigation workshop with 7 tribal, state, and local partner speakers</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Irrigation water management plans with 5 producers</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Soil moisture monitoring sites with 5 producers</td>
<td>Complete</td>
</tr>
<tr>
<td>District</td>
<td>Activity</td>
<td>Status</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-------------------------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Stevens Conservation District</td>
<td>Irrigation water management planning with 3 producers</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Soil moisture monitoring equipment installed at 4 sites</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Technical assistance and outreach</td>
<td>Complete</td>
</tr>
<tr>
<td>Thurston Conservation District</td>
<td>Three drought workshops</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Soil moisture monitoring at 13 producer sites</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Technical assistance print material for mailings and workshops</td>
<td>Complete</td>
</tr>
<tr>
<td>Whatcom Conservation District</td>
<td>Purchased 5 weather station and soil moisture units for deployment in locally identified gap areas in Whatcom County. Data will integrate into the WSU AgWeatherNet system for better information distribution to irrigators</td>
<td>Complete and monitoring</td>
</tr>
<tr>
<td></td>
<td>Technical assistance information and education activities</td>
<td>Complete</td>
</tr>
</tbody>
</table>
Conservation District Assistance Topics

1. RCPP Program Coordination, Development & Assistance
2. Implementation Monitoring
3. New Supervisor Orientations
4. Smart Sheet
5. District Boundaries
6. Air Curtain Technology & ECY Air Quality coordination
7. Annexation of Territory into CD
8. Shellfish Projects
9. Natural Resource Investment (NRI) Projects
10. Legislative Relations
11. District Retirement Systems
12. Elected Supervisor Mid-Term Appointment
13. Rates & Charges
14. Supervisor Terms of Office
15. CD Codes of Conduct/Ethics
16. CD Staff Human Resources Assistance
17. Voluntary Stewardship Program Assistance
18. Commission Meetings Logistics & Planning
19. ACEP Assistance
20. Supervisor Training Development
21. Air curtain burner technology
22. Puget Sound Partnership Reporting & Survey
23. Public Works Requirements
24. Grant Management
25. Inter-District Relations
26. Third Party Receipting
27. Supplemental Budget Requests
28. Cost Share Reimbursement
29. Partnering with WDFW
30. Area engineering agreements and coordination
31. CD Audit Entrance & Exit Conferences
32. OPMA / PRA Training Statuses
33. District Spending and Grant Balance Tracking
34. Implementation Grants & Orca/Salmon Funding
35. Project Permitting
36. NRCS State Technical Advisory Committee
37. Bidding & Contracting & Training
38. Center for Technical Development Coordination & Workshop
39. CPDS Clean Up & Project Entry
40. Commodity Buffers program
41. Building Leases & Leasing to NRCS
42. Long Range Planning Facilitation
43. Grant Application Review
44. WACD Annual Meeting Planning & Prep
45. NRCS – WSCC Shared Staff
46. Risk Management – Cost Share Projects
47. Records Retention
49. Volunteer Policy
50. CAPP Status Updates
51. New Employee Orientations
52. Drought Funding
53. Dairy Nutrient Management Plans
54. Inter-district Relationships & Partnering
Issues Resolution in Progress

- CAPP Standard 1 requirements tracking
- Two districts with cash flow concerns
- Relationships and partnering with other state agencies
- Cost-share & vouchering requirements

Regional Manager Team Staffing

Our newest Regional Manager, Allisa Carlson is getting to know the South Central region of conservation districts and digging right in to take on a leadership role in publishing Quick Notes. A recruitment is underway for a new Southwest WA Regional Manager in preparation for Stu’s planned retirement at the end of June 2020. With a new regional manager in place, Stu will be spend more time focused on Supervisor Development and Training curriculum in 2020. For more information contact Shana Joy.

Partnerships & Partnering Assistance

Regional managers routinely offer assistance to conservation districts to form new partnerships, and to rebuild or repair prior partnerships. Most recently, the RM team has assisted with partnering with: WDFW, NRCS, Ecology, Farm Service Agency, County Commissioners/Councils and staff, neighboring conservation districts, land trusts, and Puget Sound Conservation District Caucus. For more information on partnering assistance provided contact any Regional Manager.

Stu Trefry has continued to participate in the WACD Annual Meeting Planning committee and led the development of the Wednesday morning session on behalf of the SCC. He also worked to identify and confirm speakers for this year’s annual meeting. For more information contact Stu Trefry.

SCC staff met with Department of Veterans Affairs’ staff this fall and discussed opportunities for greater coordination and cooperation between our agencies. As a result of that discussion, Allisa Carlson is taking on a leadership role to develop a closer partnership and working relationship with Department of Veterans Affairs. This effort initially includes exploring ways to jointly support Vets on the Farm and working together to help veterans connect with opportunities at local conservation districts. For more information contact Allisa Carlson.

Mike Baden continues to attend meetings of the Columbia Basin Sustainable Groundwater Coalition and remains connected to this ongoing effort. Additionally, NRCS may become more involved if the Odessa Aquifer is selected as a Source Water Protection Area for public drinking water. For more information contact Mike Baden.

All Regional Managers and Laura Johnson attended the NASCA Annual Meeting in Kentucky and participated in the field staff idea sharing session facilitated by Ray Ledgerwood. SCC presentation topics included:

- Community-Based Conservation District Planning
- WSCC and Disaster Recovery – A partnership with WA Conservation Districts
- WA Audits & State Auditor’s Office Coordination
- “We Do Good Things, Give Us Money – Reporting Conservation District Accomplishments”

SCC staff continue to work to bring great examples back to WA from other states through participation in NASCA events and provide leadership within the structure of NASCA. Stu Trefry will be handing off his participation to Laura Johnson who will represent NASCA on the Urban & Community Development Resource Policy Group next year. Shana Joy now represents NASCA on the board of trustees for the
National Conservation Foundation and has been appointed Pacific Region Director on the governing board of NASCA for 2020.

Regional Managers assisted conservation districts who are developing new applications under the Regional Conservation Partnership Program, connecting interested parties with the NRCS RCPP Coordinator, and working to assist districts with currently active RCPPs. For more information contact Shana Joy.

Conservation District Elections

All Regional Managers worked with conservation districts statewide to facilitate district responses to the Thinking Outside the Box survey on options for conservation district elections. RMs also continue to provide basic assistance to conservation districts as they prepare for, and begin to work through, the elections process for the 2020 election season. This assistance includes answering basic questions, connecting CD staff and supervisors to resources for conducting CD elections, and encouraging CDs to provide feedback on the package of proposed changes to the current elections processes and procedures.

Chehalis Basin

Stu Trefry represented the Commission at the regular meetings of the Chehalis Habitat Work Group, Chehalis Project Management Team, Chehalis Basin Board, and continues to represent the Commission at meetings of the Chehalis Aquatic Species Restoration Plan (ASRP) Steering Committee. Stu also facilitated information and documentation between SCC and RCO to get funding flowing in this new biennium for conservation districts. Conservation districts in the basin continue to work as landowner liaisons as well as members of project design teams for 5 early action reaches. For more information contact Stu Trefry.

Conservation Accountability and Performance Program (CAPP)

Regional Managers continue to coordinate with financial staff regarding the status of each of the 45 conservation districts with respect to the required Standard 1 components. Regional managers continue to work with each conservation district on an ongoing basis to help districts meet the Accountability Standards and utilize Standards 2-8 for self-evaluations of district performance. A separate CAPP update report with more details is included in this Commission meeting packet. For more information contact Shana Joy.

19-21 Supplemental Budget Requests Support

Shana Joy, working with the RM team and CDs, continues to provide support for the Community Resiliency and RCPP State Match Funding supplemental budget requests by responding to questions from OFM and providing input and feedback into outreach documents for both requests. For more information contact Shana Joy.
December 5, 2019

TO: Carol Smith, Executive Director  
    Conservation Commission Members

FROM: Shana Joy, Regional Manager Coordinator

SUBJECT: 2019 Conservation Accountability and Performance Program (CAPP) Update

Background/Summary:
Conservation Commission at their January 2019 meeting approved the revised CAPP system with eight performance standards including Performance Standard 1 with accountability requirements for use in 2019. Completing 100% of these items is a threshold for receiving state funding through the Conservation Commission. This memorandum provides an update on two instances where conservation districts are not meeting the accountability requirements as reported to you in July and September 2019.

Conservation Accountability and Performance Program Update:
The four conservation districts reported as not meeting all of the Accountability requirements in July 2019 were: Franklin, Grays Harbor, Pine Creek, and Pomeroy. Currently only two conservation districts are not considered to be meeting the accountability requirements: Franklin, Pine Creek.

Franklin Conservation District
- Item 6. Franklin CD did not meet the requirement to conduct their election according to RCW and WAC requirements. The CD has completed a re-do of their election process and if the SCC chooses to certify the district’s election results at today’s meeting, Franklin CD will be meeting all of the accountability requirements under CAPP.

Pine Creek Conservation District
Pine Creek CD has been invited to address the Commission today. The District has provided a work plan and progress report update on their work to address the three items below. That update is attached.

- Item 4. Pine Creek district has done minimum this past fiscal year in addressing conservation concerns that are listed in their Long Range Plan.
- Item 12. Pine Creek district has not held their board meeting on the advertised date for 8 of the past 12 meetings, as of July 1, 2019, making it difficult for people to plan and attend.
- Item 14. Pine Creek District has not complied with the terms of the Master Contract regarding required monthly vouchering for funds received from theWSCC.

Staff contact: Shana Joy, Regional Manager Coordinator | sjoy@scc.wa.gov | 360-480-2078
### Accountability Requirements

The following requirements for Conservation Districts are included in the Revised Code of Washington (RCW) or Washington Administrative Code (WAC) and represent legal requirements for districts to receive funding from the Commission. These are in effect for 2019 as CAPP Accountability Standard #1.

**STANDARD 1**

**Compliance with Laws (required standard)**

Conservation Districts fulfill their legal requirements as Political Subdivisions of the State of Washington and comply with all laws and the Washington Administrative Code.

<table>
<thead>
<tr>
<th>Compliance with Laws and Requirements</th>
<th>Citation (link to RCW or WAC)</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Annual report of accomplishments was submitted on time, in the prescribed format to the WSCC</td>
<td>RCW 89.08.070 (11)</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>2. District Long Range Plan submitted on time &amp; meeting RCW and Commission requirements</td>
<td>RCW 89.08.220 (7)</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>3. District Annual Work Plan submitted on time &amp; meeting RCW and Commission requirements</td>
<td>RCW 89.08.220 (7)</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>4. The District has made a demonstrated effort to address their top resource needs identified in their Long Range Plan</td>
<td>RCW 89.08.220 (7)</td>
<td>44</td>
<td>Pine Creek</td>
</tr>
<tr>
<td>5. Upon request, District contracts and agreements have been submitted to the Commission</td>
<td>RCW 89.08.210</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>6. Supervisor Elections &amp; Appointments are conducted according to RCW and WAC requirements</td>
<td>RCW 89.08.190 &amp; 89.08.200 WAC 135-110</td>
<td>44</td>
<td>Franklin</td>
</tr>
<tr>
<td>7. All State Auditor identified issues (during SAO audits) have been resolved to the extent possible</td>
<td>RCW 89.08.070 (12)</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>8. Open Public Meetings Act is followed including executive sessions</td>
<td>RCW 42.30</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>9. State Public Records Act is followed</td>
<td>RCW 42.56</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>10. All Board Supervisors and Public Records Officers are current on the required Open Public Meetings and Public Records Act Training</td>
<td>RCW 42.30.210 &amp; RCW 42.56.150</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>11. Annual reporting to State Auditor’s Office completed correctly and on time</td>
<td>RCW 89.08.210</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>12. Keeping public informed of conservation district activities</td>
<td>RCW 89.08.220 (13)</td>
<td>44</td>
<td>Pine Creek</td>
</tr>
<tr>
<td>13. State Ethics laws for public officials are being followed</td>
<td>RCW 42.20 &amp; 42.23</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>14. District in compliance with terms of Commission/District Master Agreement</td>
<td>RCW 89.08.070 (5)</td>
<td>44</td>
<td>Pine Creek</td>
</tr>
<tr>
<td>15. Demonstrated diligence in complying with state and federal statutes related to contracting, non-discrimination, labor laws, etc., through adoption of up-to-date policies and training</td>
<td>Listing needed &amp; check against Schedule 22</td>
<td>45</td>
<td></td>
</tr>
</tbody>
</table>
From: Pine Creek Conservation District  
401 S. State Route 27  
Oakesdale, WA 99158  
November 15, 2019

To: Washington State Conservation Commission  
Re: Pine Creek CD workplan, timeline and progress on meeting CAPP deficiencies and Current Activities

Dear Commissioners:

Thank you for the opportunity to let us work towards correcting our three CAPP deficiencies before withholding funds that are vital to keeping our district programs active.

**Deficiency Item 4.** Pine Creek district has done minimum this past fiscal year in addressing conservation concerns that are listed in their Long-Range Plan.

- **Workplan:** Revise Long-Range Plan to accurately reflect the work the district is doing and is planning to do. Ensure the plan follows the needs of district landowners and operators.

- **Timeline:** August-November: Draft revisions of plan, evaluation of district programs, solicit public input;  
  December 2019: Final review of draft plan and approval of Final 5-year Long Range Plan;  
  June 2020 and yearly: Annual review of 5-year plan and any needed revisions

- **Progress:** Board has performed evaluation of programs, accepted public input and is 90% complete on final draft;  
  Plan on final review and approval at December 2019 board meeting.

**Deficiency Item 12.** Pine Creek district has not held their board meeting on the advertised date for 8 of the past 12 meetings...

- **Workplan:** Decide on a consistent board meeting date, time and location each month. Decide on one Consistent alternative board meeting date time and location each month. Notify the public of the meetings and honor the meeting parameters.

- **Timeline:** September 2019: Make decision on consistent, repeatable meeting parameters; Notify public;  
  October 2019-ongoing: Hold board meetings on the published dates and times

- **Progress:** Board has set the second Wednesday of the month at 7PM at the district office for the official board meeting. In case of lack of quorum, the alternate is third Wednesday of the month at 7PM at the district office. Notified public of the meeting parameters and cleaned up meeting language in the WACD directory. Since July 2019, the board has met on the published meeting date, time and location.
**Deficiency Item 14.** Pine Creek district has not complied with the terms of the Master Contract regarding required monthly vouchering for funds received from the WSCC.

**Workplan:** Manager to prioritize workload to ensure all program requirements are met. Use aids as necessary to remind about monthly grant vouchers. Board Chair to assist in checking that vouchers have been sent in. Manager to consider time management training.

**Timeline:** August-October: Manager and board will work together to prioritize workload and find methods to ensure deadlines are met. August-Ongoing: Manager will voucher for all grants monthly before the deadlines.

**Progress:** Manager has been working on prioritizing workload and meeting deadlines. Installed and using 2 apps on smart phone to assist with reminders. Chair checks mid-month to ensure vouchers are being worked on. Manager signed up for “Managing Priorities and Deadlines” training starting Nov. 18. Has vouchered on time each month since June 2019.

---

**Current District Activities Report**

- Direct Seed technical assistance to 13 landowners
- 5 Direct seed grant projects with Lincoln Co. CD
- 1 new NRI riparian restoration work in Thorn Creek
- Continuing work on local flooding for town of Oakesdale
- Lead for possible PL-566 application/assistance on flooding project
- Submitted new multi-landowner NRI precision ag project
- 5 completed precision ag projects through RCPP
- Provided VSP outreach to 31 landowners
- Several RCPP projects with Palouse CD
- Joint projects in Hangman Creek with Spokane Co. CD
- Joint application for direct seed with Palouse Rock Lake CD
- Cooperate with Spokane Co. CD in Ag equipment loan program
- Local Orca initiative is targeting direct seed adjacent to streams
- Due to increased Implementation funding, restarting our Ag Energy Program
- Hosted land judging contest for county high school FFA students
- Using drone to assist with mapping/inventories. Looking to integrate 3-D images
- Background work on setting up district-wide weather network
- In process of converting GIS to ArcGIS Pro and more integration of GPS
**Certification**

**CTD Planner Certifications:** The CTD Certification Program was recently updated and re-launched in September 2019. There are three certifications currently being offered: Dairy, Farm, and Riparian Planner. There are three levels for each of these certifications to support different levels of expertise in planning. All certification documents were updated with the new NRCS Planner Designation process and reposted in June 2019 with a new streamlined application process. Two special presentations were made in the Riparian and Farms&Fields tracks at the WADE 2019 conference on the CTD certifications and how to sign up. Guidelines for each certification, along with application forms, are available on the CTD website under “Certification”. CTD is actively advertising for new applications through their website and monthly newsletter. A deadline of March 6, 2020 has been set for the next round of application reviews.

**Continuing Education:** The CTD has updated and finalized the Continuing Education Unit (CEU) portion of the certification program. We worked closely with NRCS to match up requirements so that planners don’t need to duplicate efforts and created a variety of support materials to accompany the CEU program. These include a training plan template, training tracking database (using Caspio), coded training opportunity announcements, and support webinars. The CTD website has also been updated with a new look and page to support the CEU program. The CTD is working with a group to develop a more cohesive and formal mentor program to support both the Certification program and general training and job shadowing. Lastly, the CTD is looking for a web-based platform with tracking and interactive communication features to create a community sharing platform for planners in the certification process.

**Training Plan Template:** To support the Certification and continuing education process, the CTD created a Training Plan Template for CD staff to identify and plan for relevant training opportunities on a 1- and 3-year basis. This helps CD staff to plan ahead and ensure they are supported by their District. The training plan template, posted on the CTD website and advertised regularly in the CTD monthly newsletter, is a tool for CD staff and their managers to help create both short and long term goals for training. The template also serves to help technical staff track progress toward desired certifications and to track CEUs to maintain those certifications. The template was introduced at this year’s WADE 2019 conference and is available on the CTD website.

**Planner Resources:** A new webpage in the CTD website, Planner Resources, has been created for each of the current certification disciplines to help planners identify relevant training, planning tools, and plan templates. This is in response to a high number of requests for access to statewide planning templates.
This also helps the CTD elevate consistent and coordinated planning throughout the State. Housed on the new page are links to Statewide planning templates. New templates will be added as they are created and/or updated.

**NRCS Planner Designations:** The CTD is working with NRCS on identifying and supporting training in an effort to help District planners obtain desired levels of NRCS Planner Designation. There still remains confusion around the value and process of NRCS Designation and the CTD continues to post clarifying information on their website, answer email inquiries, give presentations (including at WADE 2019), and work with NRCS on a Q&A fact sheet.

**NRCS National Certification:** While the CTD has worked with the NRCS National Certification Committee in the past, NRCS has not convened this group in over a year. If the group is reinstated, the CTD will continue to participate in an effort to collaborate with partners on setting a process and action plan of how to effectively execute NRCS Planner Designations at the National level and promote discipline specific certifications modeled after those created by the CTD.

**Plan Templates:** The CTD has resurrected the plan template task to work on providing a statewide template for farm, dairy, and riparian planning. This is due to recent high demand and request for such resources.

---

**Training**

Training has become the more recognized and prioritized activity of the CTD. Because of this, a higher priority and budget request was placed on finding a dedicated Training Coordinator for the CTD who would also liaison with NRCS. This process has been drafted and shared with NRCS. We are continuing to work on making this a reality.

**NRCS Collaboration:** The CTD has been working closely with NRCS and the EDC to coordinate training events and ensure better organization and placement of CD staff in NRCS trainings. Partners at NRCS have been working with the CTD and have expressed appreciation for the coordination and prioritization of CD staff into training events. Due to this coordination, the CTD has been able to document and demonstrate CD staff demand/need for specific training events and influence NRCS on course offerings and number of CD allocated seats. This has been extraordinarily beneficial to CD staff. To facilitate communication, the CTD holds a regular seat on the NRCS EDC and continues to work cooperatively with NRCS to develop and maintain a joint training calendar and Training Needs Inventory (TNI), which includes training requests by both NRCS and CD personnel, and facilitate joint delivery at training events.

**WADE Conference:** New this year, the CTD partnered with WADE and NRCS to provide a required NRCS training at the WADE 2019 conference. This is a new and novel endeavor and brings more value to those attending the WADE conference as well as attract new participants. The NRCS Apprentice level Soil Testing and Interpretation course was successfully conducted at WADE this year. Additionally, the Riparian, Farms and Fields, and Forestry tracks partnered with the CTD to offer CTD Certification specific content for attaining required CEUs at WADE. Because it was so popular, the WADE organization has requested that the CTD expand this format in 2020. A joint visioning meeting is planned for late November 2019 to increase this partnership.
**Training Needs Inventory (TNI):** The FY 2020 Training Needs Inventory (TNI) survey was sent out in late June, to coincide with the release of the similar survey for NRCS staff. The FY20 TNI was specifically tailored to identify those NRCS training events CD staff need, and engage CD staff in the CTD and NRCS certification processes. The CTD has compiled responses and is currently working with NRCS staff to ensure the need is communicated to the appropriate NRCS staff for each course. This information also helps inform and guide CTD-sponsored trainings and Task Order requests.

**Training Events:** The CTD holds both CTD-sponsored, and NRCS partners training events.

The CTD successfully held and/or partnered with NRCS on the following core training events in FY19:

- Coordinated Resource Management (CRM) and Facilitation
- Cultural Resources Training Series, Part 2
- Riparian Planning Considerations
- Soil Health and Sustainability for Field Staff
- Basic Soils and Web Soil Survey
- Webinars
- Five unique sessions at the WADE 2019 Conference
- Conservation Planning, Part 2

The CTD continues to coordinate CD staff into NRCS training events, administer Task Orders for training events to be held in FY20, and work with NRCS to funnel CD staff into the certification program.

**Conservation Planning:** The CTD has also seen a long-standing training goal come to fruition; the Conservation Planning, Part 2 course was successfully held in late September 2019, in coordination with NRCS. The CTD successfully advocated for this week-long foundational planning course tailored specifically for CD staff and partners and was the primary coordinator for the event. This year’s class was almost entirely Conservation District staff, which allowed the CTD to customize the curriculum and provide a more tailored and relevant training event. While we found a couple of speed bumps in the advised course material, students provided awesome feedback to make it even better for 2020.

**Training Calendar:** We have updated the Training Calendar to highlight relevant training events and information. The calendar highlights Certification CEU opportunities, and events can be added by other CD’s to share more resources in multiple disciplines. New and relevant training opportunities are continually added to keep the calendar up to date and publicized in the monthly CTD newsletter. Non-CTD sponsored events are also collected and sent out as a “Special Non-CTD Training Announcement”.

**New Employee Resources:** A new page has been added to the CTD website for new employees. The goal is to have all new employee resources in one place so they can get going with training, training plans, certification, and orientation. The new page includes a portal to the CTD database, which is currently in a beta-test phase. (See more information on the database and new updates in the “CTD Coordination” section, below.)

**Training Scholarships:** The CTD provided $5,000 in “competitive” training scholarships to District staff in FY19. This opportunity was developed as a way to support Districts and staff in advancing training needs and expertise where funds may not have been available otherwise. Due to a lack of funding provided for FY20-21, the CTD is not able to provide scholarships at this time, but it remains a priority item. If additional funding is provided, this will be a top item restored.
Communication and Outreach

Website: The CTD website (www.wactd.org) continues to serve as a source of information to CD staff and is updated regularly. The CTD has worked to keep the website updated; improving aesthetics, clarity, and navigation of the site while continually updating content and ensuring relevance of the site. New changes are also announced in the CTD newsletter.

Outreach: The CTD is currently working on a more cohesive marketing plan to increase recognition and relevance for CD staff. A draft outreach plan will be completed and reviewed by the CTD in FY20. A key part of the outreach plan will be increased communication with partners and non-District agencies. We would like to increase awareness of the CTD as a central provision of training and expertise and increase the collaboration with partners on events and resources.

Newsletter: The CTD monthly GovDelivery newsletter continues to gain new subscribers (currently we have more than 400 subscribers) and is also located on the CTD website for those not on GovDelivery.

Technical Expertise and Science Program

Expertise: Experts are continuously being identified as needed for engagement in programs, policy and training around the state (examples include: Ecology Voluntary Clean Water Guidance for Agriculture Advisory Group, DOE Drinking Water Standard review, Dairy Nutrient Advisory Committee, WDFW riparian habitat guidance, and more). The CTD database continues to prove effective in identifying and nominating expertise as appropriate.

Science: The Discovery Farms (DF) program is making great strides. The CTD is working around the State on special Discovery Farms program projects to advance the application of consistent science and monitoring efforts. There has been statewide buy-in to the DF program from partners and CDs continue to be involved in the national DF program through regular communications and annual meetings. Through this process, statewide QAPP and SOP’s have been developed with guidelines specific to projects, but which can be used in the future as templates for any CD.

General guidelines and protocols for research/demonstration have been outlined for statewide research. The CTD is working with both the Puget Sound Caucus, as well as the WSCC the develop effectiveness monitoring protocols/projects and a comprehensive research program, respectively. The WSCC and CTD recognize this as an important area in the near future and is devoting time to ensure CDs have the information and training they need. Additionally, by high demand, an Effectiveness Monitoring for Water Quality training will be offered in the Spring of 2020.

Quality Assurance

The Technical Quality Assurance Plan (TQAP) policy proposal was accepted by Commission at their May 2019 meeting and has been sent out the Districts for their review and comments. The summary of District comments was reviewed and the policy passed at the September 2019 Commission meeting. We
are working on next steps for this work. Larry Brewer, who retired at the end of October 2019, was the CTD liaison for this work. With his absence, we will work on reallocation this work so it continues.

CTD Coordination

Database: The database (run under Caspio) continues to provide assistance in locating staff expertise for engagement in workgroups, show metrics on expertise and certifications, and grow to a central database for all organizations to utilize. A self-service portal for employees is now available on the CTD website in beta-testing mode to gather additional feedback from users. This portal will allow CD staff to update their personnel profiles, track completed trainings, and more. These additions will ease data management and support other CTD initiatives.

Budget: Whatcom CD is administering the budget and reporting monthly to the CTD. Billing guidelines and procedures ensure that work expectations match billing vouchers and that budgets are quickly updated on a monthly basis. The CTD is exploring the use of Smart Sheet to assist with budget and task tracking.

Leadership: The CTD Leadership Team and partners (NRCS, WADE, WSCC) continue to meet monthly to ensure tasks are on track. The CTD is planning their annual visioning face-to-face meeting late November 2019. The WADE Board will once again be invited for a day of collaborative brainstorming and coordination. The CTD is also exploring an update of the CTD Charter including a restructuring of the current Advisory Council to include all District managers and increased solicitation of CTD tasks and direction at spring planning meetings. That will be a top priority at the fall meeting.

CTD Contact Information

For more information on the CTD activities, please contact:
CTD contact: Nichole Embertson, Chair
info@wactd.org

For more information, please visit: www.wactd.org
TAB 5
December 5, 2019

TO:  Carol Smith, Executive Director  Conservation Commission Members
FROM:  Laura Johnson, SCC Communications Coordinator
SUBJECT:  Exploring the costs and timing of advertising CD elections at the state-level

Background/Summary:
In May 2019, Commission members passed a motion authorizing Commission staff to “look into the costs of advertising and timing as outlined in option 1 as referenced in the Conservation District Elections Options handout.”

As of the end of November 2019, the SCC and conservation districts still are considering options for changing CD elections, some of which could significantly impact the cost, timing, and strategy for promoting CD elections (e.g. going on the general ballot, condensing CD elections to one day or one week). As such, SCC staff has conducted preliminary research into potential costs of advertising and timing to promote CD elections but is waiting to see if/what changes are made to CD elections before providing a more detailed cost estimate.

Action to Date
Staff presented a memo to Commission members in September 2019 outlining the following advertising options:

   a) Building a more comprehensive “CD Elections Marketing Toolkit” with templates for news releases, social media campaigns, newsletter/web announcements, messaging, etc.

   b) Making a public radio media buy (e.g. KNKX and NW Public Broadcasting) to share announcements about CDs and upcoming elections. The cost/feasibility of this will vary depending on whether CDs keep their current elections dates — which means paying for multiple months of more targeted announcements — or move to a common day or week.

   c) Hiring a consulting firm to develop/implement a marketing strategy for CD elections.

Preliminary cost/timing considerations

- It will be difficult to complete any of the options listed above in-house due to lack of staff capacity. Based on staff research, the most cost-efficient way to build capacity is to contract with a freelance communications consultant (rates ranging from $25-$75/hr). Contracting with a marketing firm would cost significantly more.

- There’s a range of potential costs/timing for each of these options, and potential changes to CD election schedules could impact that. Based on preliminary staff research, costs could range between $10k-$50K.

- Options “b” and “c” are more likely to be impacted by potential changes to CD elections. If there’s interest in taking more immediate action to promote CD elections, one option is for staff to work towards securing a freelance consultant to start building a more comprehensive CD Elections Marketing Toolkit (option “a”).
A more detailed cost/timing/deliverable estimate will be provided once decisions are made about potential changes to CD elections.

**Action Requested:** None – Information only

**Staff contact:** Laura Johnson (ljohnson@scc.wa.gov, 360-407-6936)
December 5, 2019

TO: Conservation Commission Members  
Carol Smith, WSCC Executive Director

FROM: Ron Shultz, WSCC Policy Director

SUBJECT: Adding WDFW to the Commission as a Voting Member

The Commission has received a letter from Kelly Susewind, Director of the Washington Department of Fish and Wildlife (WDFW) requesting consideration by the Commission of adding WDFW to the Commission as a full voting member.

Commission staff recommends reaching out to conservation districts to gather their input consistent with the Commission’s “Policy on Policies”. The districts would be asked to consider the options in this memo and provide comment. The Commission would review comments at the January or March meeting.

Background:

The Conservation Commission consists of 10 members, the composition of which is established in statute. RCW 89.08.030. According to the statute, Commission membership consists of the following:

- 2 members appointed by the governor, one of whom shall be a landowner or operator of a farm.
- 3 elected members, at least 2 of which shall be landowners or operators of a farm.
- 5 members representing: the directors of Ecology and WSDA; the commissioner of public lands; the dean of the college of agriculture at WSU, and the president of the Washington Association of Conservation Districts. These members may appoint a designee through delegation of authority.

The statute also authorizes the Commission to invite appropriate officers of cooperating organizations, state and federal agencies to serve as advisers to the Commission. These advisors are not official members of the Commission and do not vote on Commission matters.

WDFW has served as an advisory member of the Commission for many years. There are a number of issues managed by WDFW which overlap with the work of conservation districts and the Commission. Specifically these issues relate to species management and habitat protection and restoration.
Discussion:

The question of adding WDFW to the Commission as a full voting member has been raised in previous years. The proposal was resisted by legislators who had concerns about adding WDFW to the Commission. These concerns generally related to the WDFW management of issues in the legislator’s districts which the legislator disagreed with. However, these legislators are no longer in the legislature.

There have been discussions in the past among conservation districts about the membership of the Commission. Several districts have expressed concerns about the number and composition of agencies on the Commission. Some have proposed changing the statute to remove all agency representatives from the Commission.

Generally, where a district stands on the agency membership of the Commission depends on whether the district has a good working relationship with local agency staff. Most conservation districts have good working relationships with WDFW regional staff. Issues that have come up over the years between conservation district staff and WDFW regional staff include issues around Hydraulic Project Approval (HPA) permitting, permitting for salmon restoration projects, instream placement of water withdrawal devices for cattle feeding, WDFW land management, and species and species habitat management.

SCC staff work very closely with WDFW staff on a variety of issues:

- WDFW is one of four agencies on the Voluntary Stewardship Program (VSP) technical panel, and the Commission included a specific funding request for WDFW in our 2019-21 VSP budget proposal, supporting WDFW’s remote sensing program. This proposal was funded.
- SCC staff worked with WDFW staff on funding for beach restoration activities on the Pacific coast, the projects being coordinated by the Pacific Conservation District.
- Commission staff engaged with WDFW staff in the agency’s development of the revision to the Priority Habitat and Species (PHS) Riparian update guidance for aquatic species.
- WDFW is the lead on a Southwest Washington Forestry RCPP grant assisted by SCC staff and local conservation districts.
- SCC staff have also coordinated with WDFW staff on Farm Bill matters. WDFW staff have done a large amount of work informing members of Congress on the impacts of the Farm Bill to our state. Continued coordination on this topic would be beneficial.
- From 2008 to 2010 the OFP Farmland Preservation Task Force conducted a series of meetings around to the state to discuss issues impacting farmland. The number one issue of concern to the group was management of WDFW lands. We invited WDFW staff to meet with the Task Force to have a dialogue about land management issues.
- WDFW and SCC actively participate in Coordinated Resource Management (CRM) at the state and local levels. CRM is a collaborative process that helps stakeholders develop local solutions to contentious natural resource issues.

There are potential issues of disagreement between the Commission, conservation districts and WDFW. One area may be how WDFW implements the updated PHS Riparian guidance document. SCC staff provided comment on the document and have had several meetings with WDFW staff, but we may not agree with the management recommendations outlined in the document once it’s finalized. Another area may be wolf management. The four northeast
conservation districts are very engaged in this issue and have been working closely with WDFW and others. And management of WDFW lands continues to be an issue in some areas of the state. Having WDFW as a full member of the Commission may help to address these areas of potential concern.

There was an issue in the past that created a point of tension among Commission members that may prove a cautionary tale in considering whether to add another agency to the Commission. The issue occurred when Governor Gregoire proposed merging the Commission into the Department of Agriculture. The Commission took up a resolution to oppose the merger. Conservation districts opposed the merger. Other members of the Commission opposed it as well. However, the Governor’s staff instructed the two Governor appointees to vote in to support merger and the Governor’s executive agencies (Ecology and WSDA) were instructed to support. The Commission ultimately voted to oppose the merger.

The merger incident suggests when considering whether to add additional agencies to the Commission, we must also consider the impact to the voting balance. Currently the four agency representatives are divided two executive (Governor appointed) agencies, and two independent. Some conservation districts have expressed concerns in the past during discussions of adding Commission members, that the current composition could shut out conservation districts if the four agencies and two Governor appointees vote as a block one way, and the four district representatives vote another way. It’s unclear if this has ever happened.

The balance of voting on the Commission has been such a concern among some districts in the past that there have been proposals to make all agency representatives non-voting, or to add more conservation district representatives. This conversation has also pointed to the fact that of the three conservation district representatives (excluding the WACD representative who is statewide), two are from eastern Washington and one from western Washington. Some have suggested adding one to western Washington to create a balance.

Prior conversations on the Commission membership have also brought up the issue of the lack of representation of small or urban agricultural interests. Many conservation districts provide services to urban and small acreage landowners. The issues these districts struggle with are different from areas of the state dominated by medium to larger acreage land ownerships. Suggestions have been made that there should be one additional Governor appointee to specifically represent these interests.

For any changes to the composition of the Commission, the statute must be changed. This would be a relatively simple matter of the introduction of legislation. However, once legislation is considered, the perspectives of legislators must be addressed as well as gathering input from any interested stakeholders, such as the agricultural community. Stakeholder input will be important since the composition of the Commission is an issue for some of them. If the Commission is perceived as having too many regulatory agencies on the board, then some agricultural groups may see too much of a regulatory influence on the Commission.

Another issue with legislation for a statutory change is one of timing and process for the Commission to consider the proposal prior to a legislative session. There needs to be sufficient time to draft legislation and find bill sponsors.
Options for Consideration:

Option 1: Add WDFW to the Commission as a full voting member through legislation to amend the Commission's statute.

Option 2: Add WDFW to the Commission as a full voting member; add one additional representative of conservation districts.

Option 3: Add WDFW to the Commission as a full voting member; add one additional representative of conservation districts; and add one additional governor appointee representing urban or small acreage agriculture.

Option 4: No change to the Commission's current membership.

Staff Recommendation:

SCC staff recommend the Commission distribute these options to conservation district supervisors, consistent with the Commission's "Policy on Policies", for their review and comment prior to any Commission action. To be consistent with the "Policy on Policies" the Commission would act at the December meeting to have the options sent to districts for comment. Under this approach, the earliest action could take place by the Commission would be March. This date would preclude a statutory fix in the 2020 legislative session.
Conservation commission.

There is hereby established to serve as an agency of the state and to perform the functions conferred upon it by law, the state conservation commission, which shall succeed to all powers, duties and property of the state soil and water conservation committee.

The commission shall consist of ten members, five of whom are ex officio. Two members shall be appointed by the governor, one of whom shall be a landowner or operator of a farm. At least two of the three elected members shall be landowners or operators of a farm and shall be elected as herein provided. The appointed members shall serve for a term of four years.

The three elected members shall be elected for three-year terms, one shall be elected each year by the district supervisors at their annual statewide meeting. One of the members shall reside in eastern Washington, one in central Washington and one in western Washington, the specific boundaries to be determined by district supervisors. At the first such election, the term of the member from western Washington shall be one year, central Washington two years and eastern Washington three years, and successors shall be elected for three years.

Unexpired term vacancies in the office of appointed commission members shall be filled by appointment by the governor in the same manner as full-term appointments. Unexpired terms of elected commission members shall be filled by the regional vice president of the Washington association of conservation districts who is serving that part of the state where the vacancy occurs, such term to continue only until district supervisors can fill the unexpired term by electing the commission member.

The director of the department of ecology, the director of the department of agriculture, the commissioner of public lands, the president of the Washington association of conservation districts, and the dean of the college of agriculture at Washington State University shall be ex officio members of the commission. An ex officio member of the commission shall hold office so long as he or she retains the office by virtue of which he or she is a member of the commission. Ex officio members may delegate their authority.

The commission may invite appropriate officers of cooperating organizations, state and federal agencies to serve as advisers to the conservation commission.
October 30, 2019

Mr. Jim Kropf  
Chair, Washington State Conservation Commission  
Post Office Box 47721  
Olympia, Washington 98504-7721

RE: WDFW interest in becoming voting member of the SCC

Dear Mr. Kropf:

I am writing to express Washington Department of Fish and Wildlife’s (WDFW) interest in becoming a voting member of the Washington State Conservation Commission (SCC). WDFW and SCC/conservation districts (CDs) partner on many efforts. Fifty percent of lands in Washington are in private ownership. The fish and wildlife resources of Washington belong to all the residents of the state, and WDFW holds these resources in trust. We will not be successful in fulfilling our mission to preserve, protect, and perpetuate the state’s fish, wildlife, and ecosystems while providing sustainable fish and wildlife recreational and commercial opportunities unless we partner with private landowners.

WDFW conducts some of this work directly, but a large amount of conservation on private lands relies on partners, including CDs. Notable examples of CDs working with private landowners to conserve fish and wildlife include restoring riparian areas through the Conservation Reserve Enhancement Program, correcting fish passage barriers, and leading the second annual Orca Recovery Day in 2019.

In addition to these broad examples, WDFW partners with SCC/CDs on the following efforts:

- WDFW is one of four state agencies serving on the Technical Panel for the Voluntary Stewardship Program administered by the SCC.
- SCC staff have coordinated with WDFW staff to provide input on WDFW’s effort to update the Priority Habitats and Species Riparian guidelines.
- WDFW is leading the Southwest Washington Small Forest Lands Conservation Partnership, partnering with eight CDs, SCC, the Department of Natural Resources, Washington State University Extension, and the Natural Resources Conservation Service (NRCS). The partnership is part of NRCS’s Regional Conservation Partnership Program.
• WDFW and SCC worked together to influence policy in the 2018 Farm Bill including extensive efforts to work with Washington’s congressional delegation. The Farm Bill is the largest source of federal funding for private lands conservation and is critical to funding voluntary, incentive-based conservation efforts.

• WDFW and SCC actively participate in Coordinated Resource Management at the state and local levels. Coordinated Resource Management is a collaborative process to help stakeholders develop local solutions to challenging natural resources issues.

• SCC and WDFW staff coordinated to obtain funding for beach restoration activities on the Pacific Coast. Pacific CD is coordinating this effort.

WDFW has served as an advisory member of the SCC for many years. We strive to participate in the SCC business meetings and CD tours held every other month throughout the state and have not missed a business meeting in over four years. We are one of five state agencies represented on the SCC, but we are the only non-voting agency.

Given the high volume of collaboration between WDFW, SCC, and CDs, we believe there is value in WDFW becoming a voting member of the SCC. We realize there may be concerns regarding the overall composition of the SCC through adding another state agency as a voting member of the SCC. We acknowledge those concerns and support the possibility of adding additional citizen voting members to the SCC. This could balance out the distribution of voting members and broaden the representation of stakeholders who participate on the SCC.

Thank you for your consideration of our request. We recognize the SCC needs to coordinate with CDs and other stakeholders to gather input before this request moves forward. Please keep us apprised of these efforts and let us know how we can help if the proposal advances.

Respectfully,

Kelly Susewind
Director

cc: Dr. Carol Smith, Executive Director, Washington State Conservation Commission
    Nate Pamplin, Director of Budget and Government Affairs
    Tom McBride, Legislative Director
    Mike Kuttel, Jr., Farm Bill Coordinator
November 5, 2019

Mr. Kelly Susewind  
Director  
Washington Department of Fish and Wildlife  
P.O. Box 43200  
Olympia, Washington 98504

RE: WDFW interest in becoming voting member of the SCC

Dear Mr. Susewind:

Thank you for your letter to Jim Kropf of October 30, 2019 expressing interest in having the Department of Fish and Wildlife (WDFW) become a full voting member of the Washington State Conservation Commission (Commission). Jim has asked that I reply on his behalf.

The Commission will take up this request at their December regular meeting. They will consider whether to send the proposal to all conservation districts for their review and comment. This process usually takes at least 60 days if the Commission approves.

We look forward to working with you and your staff on this proposal. WDFW has been a valued partner at the Commission and we’ve enjoyed and appreciated the participation of Mike Kuttel at our meetings.

The Commission’s December meeting will take place on December 5, at the Hotel Murano, 1320 Broadway in Tacoma. You and your staff are welcome to join the discussion.

Sincerely,

Carol Smith  
Executive Director

cc: Jim Kropf, Chair, Washington State Conservation Commission  
    Mike Kuttel Jr., WDFW Farm Bill Coordinator, WDFW SCC Partner Representative
WASHINGTON STATE CONSERVATION COMMISSION
WSCC POLICY NO. 05-02 COMM

ELECTION OF COMMISSION CHAIRPERSON
AND VICE CHAIRPERSON

(This policy replaces the prior WSCC Policy Position for Conservation Commission Officers reaffirmed on September 18, 1992)

GENERAL TOPIC: ELECTION OF COMMISSION CHAIRPERSON AND VICE CHAIRPERSON

APPROVED: By Commission at the September 2007 Commission Meeting DATE ISSUED: September 20, 2007

PURPOSE
The purpose is to establish policy and procedure on the election of the Commission chairperson per RCW 89.08.050 and vice chairperson.

RCW 89.08.050

…It shall have authority to delegate to its chairman, to one or more of its members, to one or more agents or employees such duties and powers as it deems proper…

…The commission shall organize annually and select a chairman from among its members, who shall serve for one year from the date of his selection…

POLICY
A nominating committee will be appointed annually for the purpose of recommending candidates for the office of chairperson and vice chairperson for action by the governing body at the December Commission Meeting.

The nominating committee may include members of the Commission Board and partnerships.

The term of office for the chairperson(s) and vice chairperson(s) shall be one year, with a maximum of two consecutive terms.

Only the three elected, two appointed, and ex-officio members representing Department of Natural Resources (DNR) and Washington State University (WSU) shall be eligible for the office of chairperson or vice chairperson. Ex-officio members
representing the Department of Ecology and the Department of Agriculture shall be ineligible to serve as chairperson or vice chairperson. ¹

**PROCEDURE**

A nominating committee will be appointed annually by the chairperson at or before the September regular Commission meeting for the purpose of recommending candidates for the offices of chairperson and vice chairperson.

At the next regular meeting following the September meeting, the nominating committee shall present recommendations to the governing board and request action. While the recommendation of the nominating committee is not binding on the governing board, it will be carefully considered prior to board action.

The newly elected chairperson and vice chairperson will begin service at next regular or special meeting of the Conservation Commission.

¹ The ex-officio members representing DNR and WSU are eligible because they are non-regulatory agencies. The Washington Association of Conservation Districts is ineligible only because of the high capacity of their service to the Association.