

PIERCE CONSERVATION DISTRICT

A Study by the
League of Women Voters of
Tacoma-Pierce County

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PIERCE CONSERVATION DISTRICT

INTRODUCTION

At the Annual Meeting in 2007, the League of Women Voters of Tacoma-Pierce County adopted a study of the Pierce Conservation District.

The scope of the study asked:

What is the mandate of the Conservation District?

To whom is the Commission responsible?

How is the Commission composed, and what are their election/selection processes?

Does the Pierce Conservation District communicate with other conservation districts to coordinate or select projects, share resources, or other purposes?

Is it meeting its responsibilities?

What is the process for selecting projects?

Is the public informed of or included in this process?

Does its mission statement adequately address changes in conservation needs in Pierce County?

In order to begin to answer these questions, we have had observers at the meetings of the Pierce Conservation District (PCD); there has been an ongoing conversation with Monty Mahan, the District Manager; we have read relevant sections of the Revised Code of Washington (RCW) and the rules and documents of the Washington State Conservation Commission (WSCC); we devised questions which were sent to elected officials, district staff and supervisors, other conservation districts, and other environmental organizations; follow-up or additional interviews were conducted as needed.

The subject was important both because we realized we did not know much about what the PCD does and how it functions, and because questions about its election process have been raised over the last several years.

In this report, we hope to give you information about what conservation districts do, and about the Pierce Conservation District in particular. We will give you information about the election process, as mandated by the state and as implemented by the Pierce and other Conservation Districts.

We have found this interesting and informative, and hope you do too.

Committee:

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PIERCE CONSERVATION DISTRICT

ORGANIZATION, PROGRAMS, AND FUNDING

Organization:

Pierce Conservation District, 5430 66th Avenue East, P.O. Box 1057, Puyallup, WA 98371, Phone: (253) 845-9770, Key Peninsula: (253) 884-9474, Fax: (253) 845-4569, Toll Free: (866) 845-9485, E-mail: info@piercecountycd.org

“The Pierce Conservation District, a non-regulatory division of state government, has been working with Pierce County landowners to help manage natural resources since 1949. Our staff is dedicated to assisting property owners with the protection of water quality, improvement of fish and wildlife habitat, and resource conservation while sustaining our vital agricultural community.

“Governed by a board of five supervisors, who are all local landowners, the PCD is committed to helping Pierce County residents with the challenges they face in managing natural resources in a rapidly changing landscape.

“The District continues to work together with the U.S. Fish & Wildlife Service, Washington State Department of Fish & Wildlife, WSU Cooperative Extension, Department of Ecology, Department of Natural Resources, and Pierce County government to maximize benefits for Pierce County residents. Landowners can request help in a variety of areas, including: animal waste management, streambank fencing, replanting streambank areas, pasture management, improving fish and wildlife habitat, and support fish passage by designing and implementing fish ladders or road culvert replacement.” (Pierce Conservation District brochure)

Monthly meetings are held on the fourth Tuesday. An Annual Meeting is also held. Notice of all meetings is given, to comply with the Open Meetings Act.

The Mission Statement of the Pierce Conservation District is to work to retain renewable natural resources.

Its borders are not quite the same as those of Pierce County, but do include most of the county.

The District has a Director, ten additional staff people, three elected Supervisors, two appointed Supervisors, and six Associate Members. District administration priorities and goals are to maintain a high level of transparency and accountability; to maintain excellent working relationships with local and state government officials; and to conduct elections in the most fair, representative, and cost-effective manner possible, within statutory guidelines.

Program:

Stream Team- The goal of Stream Team is to increase the level of voluntary action to preserve and enhance natural resources. According to Isabel Ragland, the staff person responsible for Stream Team, it is a “coalition of volunteers whose goal is to improve the quality of streams in

Pierce County for the benefit of fish, wildlife, and people, through public education and action projects.”

In 2007, Stream Team had more than 1000 individuals contribute 3500 hours to activities including plantings, invasive weed removal, stream and lake monitoring, storm drain stenciling, and staffing booths at fair and festivals. (Isabel Ragland questionnaire responses.)

According to Supervisor Dave Seabrook, the Stream Team trains “the public of all ages to improve water quality through a variety of on the ground activities.” Supervisor Ernie Bay adds that they “raise public awareness of riparian health and needs.” Some questionnaire respondents are involved in stream monitoring, and also mention planting days, exhibits, and native plant sales.

The Stream Team also contracts with local jurisdictions that have specific requests for assistance. When we asked what happens to money earned by these contracts, we learned that there is no money earned. In the case of services provided by the PCD, the extent of the services is negotiated with the entity, and the PCD covers the costs of those services with its funds, which are obtained from grants, the WSCC, and public assessments.

Tahoma View- Tahoma View is PCD’s quarterly publication, designed to generate public interest in resource conservation. This can be received by requesting that it be sent, or read on its website, www.piercecountycd.org.

Ag Assistance - Ag Assistance has many programs, including Conservation and Farm Planning, for interested farm and livestock owners. There are multiple forms of assistance given, including farm plans, fencing, construction of paddocks, storm water control, riparian planting, and hazardous waste control.

The goal of farm assistance is to protect water quality and farm animal habitat. This applies to general farm land, as well as to areas near streams, lakes, and marine shores. Funding comes from a variety of local, state, and federal sources.

The PCD can provide free technical assistance and site-specific recommendations based on property goals. They can help develop a conservation plan that identifies current conditions and outlines economically viable alternatives and best management practices that can help improve productivity while protecting soil and water quality.

Tahoma Fund – The Tahoma Fund provides grants to environmental programs in Tacoma. The PCD goal is to promote broad-based efforts by partner organizations to achieve its mission. The PCD provides at least \$100,000 in grants each year. The funding for these projects comes from the \$5 per parcel assessment which is levied on participating city and county landowners. The allocation is included in the County Council’s ordinance enacting the assessment. The District has seen fit to fund some additional projects with internal funds for high value projects identified through the Tahoma Fund project proposal process. In 2007, ten organizations were awarded a total of \$154,821.

Recipients, in 2007, were Blueberry Park Volunteers, Buckley Gulch Volunteers, Cascade Land Conservancy (two grants), Citizens for a Healthy Bay, Foss High School, Metro Parks, Native

Plant Salvage Program, Puget Creek Restoration Society, Tahoma Audubon, and University of Puget Sound.

In the past, applications were judged by a panel of individuals involved in conservation issues in Pierce County. The panel sometimes included representatives of the groups applying for grants. Criteria for ranking the applications were also made by this panel. The Board of Supervisors has made the final decision on grant recipients. Most applicants have been satisfied with the application process. A few comments from environmental organizations follow.

- Application is not very lengthy – to the point.
- Grant selection panel is made up of knowledgeable persons/organizations.
- The only public input is from the review committee panelists.
- Criteria are as clear as possible, considering the wide area of interests and concerns the grant can be applied to.
- Current oversight is good.
- There is a problem with the application process due to the fact that the reviewers are from organizations who have applications pending.

Oversight of funded projects is the responsibility of the District Manager. Conservation District staff follow-up with site visits. Grant recipients are required to file reports along with invoices.

In future, the Greater Tacoma Community Foundation will be taking over administration of project recruitment. The process will be set by agreement of the Greater Tacoma Community Foundation and the Board of Supervisors of the PCD.

Funding:

The PCD is funded through grants, local taxes, and direct contracts. The annual budget exceeds \$2,000,000. The funds are used to conduct environmental project planning and implementation to benefit the residents of Pierce County.

PCD seeks grant funds from the state and federal governments, private foundations, and universities. Over the past three years, grant revenues have averaged about \$700,000. The PCD also helps other organizations pursue and receive grants.

The Pierce Conservation Assessment, which collects \$5 per tax parcel, provides the District with about \$1,200,000 annually. This is paid by property owners in Fircrest, Lakewood, Milton, Puyallup, Steilacoom, Sumner, Tacoma, University Place, and unincorporated Pierce County. The funds are used to benefit the citizens of the jurisdiction from which they are collected.

The PCD also acts as a contractor to local governments and organizations through direct contracts. These include Stream Team contracts which help jurisdictions meet their requirements under the Federal Clean Water Act, as well as contracts to provide technical assistance to partner organizations. Direct contracts average about \$100,000 per year.

Partial funding comes through the WSCC for basic operational efforts as well as specific programs. Some of this funding comes from the Centennial Clean Water Fund, but there are additional state and federal funding sources. Other agencies giving grants to the PCD include the Salmon Recovery Funding Board. Grants are generally ‘reimbursement grants’, which means

that the money for services must be spent by the District first, at which time it will be reimbursed by the grantee. (Dave Seabrook)

Allocation of funds depends on the program, the priorities of the Conservation Commission, and on budgetary language that may be attached to specific appropriations. (Tom Salzer, Technical Services Manager, WSCC)

PIERCE CONSERVATION DISTRICT

LWVT-PC QUESTIONNAIRE & INTERVIEW RESPONSES

The PCD Committee of the League of Women Voters of Tacoma-Pierce County sent questionnaires to PCD staff and supervisors, local environmental organizations, supervisors and staff of other conservation districts and the WSCC, County planners, and elected officials. Follow-up interviews were done as needed. Below, we have compiled some of the responses, which should show some of what the Pierce Conservation District and other Conservation Districts are doing, and how well they are perceived to be succeeding.

The responses to questions about the election/selection process are in the section on Election Systems. Those relating to Stream Team, Ag Assistance, and Tahoma Fund are used in compiling the information in the first section.

Does the Mission Statement of the PCD (The statutory mission of the Pierce Conservation District is to work to retain renewable natural resources.) adequately address changes in conservation needs in Pierce County?

Responders – Staff, Supervisors, Environmental Groups, County Planners, Elected Officials

- Yes.
- The mission statement seems to be adequate to cover conservation needs.
- The Conservation District is focused primarily on “on the Ground” projects that have a measurable result, rather than other kinds of conservation activities.
- Doesn’t that depend on who is defining what conservation needs exist in Pierce County?
- Not adequately, because it doesn’t address farming issues or organic food.
- Changes in conservation needs must be clarified before determination of mission statement adequacies/inadequacies can be addressed.
- Conservation-needs change over time, making the statement adequate, but perhaps not reflective of the actual programs being carried out in Pierce County.
- They are doing fairly well. We need more updates.
- Yes. The District accomplishes this through a variety of programs, including Stream Team, habitat restoration, farm management, farming education, native plant sales, etc.
- Yes, but as there are more and more groups working on conservation issues, there needs to be a ‘hub’ to connect them to avoid overlapping projects.

What do you see as the mandate of the Pierce Conservation District?

Responders – Supervisors

- The mandate is Natural Resource Conservation. Historically, this has meant farmland preservation. As some areas have become more urbanized, services have expanded to reflect a more complex constituency.
- To assist landowners in the proper management of fields, forests, and riparian areas, both rural and urban.

Is the PCD meeting its responsibilities?

Responders – Environmental groups and activists, PC Planning, PC Council, PCD supervisors and staff, WSCC staff.

- It is meeting its responsibilities per its mission statement if the response from partners and overseers is any indication – the Pierce County Executive’s office, Pierce County Council and WSCC
- PCD has been quite transparent with its goals and programs and cooperatively works with the necessary stakeholders to identify them. As there are more and more groups working on conservation issues there needs to be a “hub” to connect them to avoid overlapping projects.
- The PCD does its part by planning and implementing conservation programs and projects and commits financial and tech assistance to other organizations and individuals.
- As always, any human institution can be improved. We have some new areas where we are experiencing some growth pains, such as property management.
- Conservation districts are, by nature, nimble. Given adequate funding and appropriate support, they can respond quickly, effectively, and inexpensively to most localized natural resource concerns.

Do you have any suggestions which would improve its functioning?

- It could do better by having more staff, and providing more time between grant cycle announcements and the deadlines for applications.
- There needs to be more transparency and a more open and representative election process for directors.
- The natural resource conservations needs in Pierce County far outweigh available funding. More services and clients could be served with additional funds.
- Our biggest need is in the area of farm economics and the additional funding to develop the infrastructure needed for a viable economic base.
- All organizations can always “do better” but if you are looking for an example of doing more for less then this non-regulatory, low-budget, volunteer groups would be high on my list for effectiveness. I consider it an honor to be affiliated with PCD.

Who sets the District’s priorities?

Responders – Supervisors, Staff

- The Board of Supervisors and the District Manager set the priorities on an annual basis. There is almost continual discussion among the board members, manager, staff, and stakeholders throughout the year.
- Priorities are largely fluid, depending on grant requests and opportunities.

What are the relationships between and among local Conservation Districts? Can and should you work together?

Responders - Conservation Districts, WSCC staff.

- Each Conservation District has a legal boundary. Natural resource concerns often cross boundaries and Conservation District Law authorizes districts to coordinate their work. There are also situations such as the eastern border of the Okanogan CD where residents are much closer to the Ferry CD. In these situations it makes sense for the CD's to coordinate closely in the delivery of services. This occurs generally through a Memorandum of Understanding or Agreement or an Intergovernmental Agreement. Thurston CD works with other South Sound districts and staff is shared when working together. Puget Sound districts share programming ideas and develop ideas together. The 12 Puget Sound Districts are part of the Puget Sound Partnership.
- Not only can conservation districts work together, it is vital that they do so.
- Thurston Conservation District works with other South Sound districts and this seems to work well. Staff are shared while working together.
- Twelve Puget Sound districts work together a lot. Districts share programming ideas, offer the same programs, and develop ideas together.

What are the relationships between local Conservation Districts and the Washington State Conservation Commission?

Responders - Washington State Conservation Commission (WSCC) and PCD staff.

The WSCC provides oversight and advice. CDs receive grant funding as allowed by statute. In some CDs, these funding programs make up virtually all of the district's income. In others, local board members and employees have been able to obtain funds from other sources, including from their county legislative authority in the form of direct supporting contributions or special assessments.

The WSCC meets and speaks with each local director on a regular basis. The Commission sends out information and guidelines to the District office in electronic and print format. District sends reports of accomplishments and strategic and operational plans to the Commission. Both the WSCC and individual Districts maintain informative websites.

What kind of support do local districts receive from the State Commission?

Responders - Supervisors, Staff

- PCD receives about \$100,000 from the WSCC and additional programmatic money, usually in the form of targeted grants.
- Contact with the WSCC is through a local representative, with quarterly meetings and an annual meeting.
- Communication is also enhanced by participation in the Washington Association of Conservation Districts, an organization for Board Supervisors and through the Washington Association of District Employees, a statewide organization for CD employees.
- The Commission supplies administrative guidance and grant funding to the District.

Does the PCD work with Pierce County Planning Board?

Responders - Supervisors, Elected Officials, Planning Department

- Historically there has been excellent coordination.
- Considerable coordination/collaboration between the Planning Department and the PCD has occurred in Pierce County. Examples include:
 - Agriculture Sustainability Strategy,
 - Farming Assistance, Revitalization and Marketing Program,
 - Transfer/ Purchase of Development Rights
- We believe we have adequate coordination.
- The PCD works well with others. Farmers especially see them as working in a “help you” mode where they might view the county as telling them to “do this or don’t do this”.

What is the relationship between the PCD and other environmental organizations?

Responders - Environmental Organizations

- A helping hand to help solve problems connected to renewing natural resources.
- A source of matching grants to help solve specific concerns.
- I believe there is collaboration where good opportunities exist.
- Good relationship, and they have provided funding to us.
- PCD provides funding opportunities.

PIERCE CONSERVATION DISTRICT

ELECTION ISSUES

Most landowners in Pierce County pay \$5 per parcel each year to fund projects of the Pierce Conservation District.

The number of voters in recent elections has been growing dramatically. About 1700 ballots were mailed this year. Last year, 657 were sent. Of these, 320 were returned by voters, and an additional 14 people voted at the polls. In 2006, 768 ballots were sent; 269 were returned. In 2005, 176 people voted, after 324 ballots were mailed. Before voting by mail was introduced in 2004, fewer than 20 people voted in any Pierce Conservation District election.

Despite the increase, why is this number still so low? Here are some of the possible reasons. The election is not held with any other, nor is it run by the Pierce County Elections Department. The only publicity for the election is the two required legal notices in *The News Tribune*, plus whatever candidates for office do.

Any registered voter who wants a ballot may request one from the Conservation District, but most people do not know to request them. As of March 2008, immediately before the PCD election, it is NOT on the home page of the website, nor seemingly anyplace else. The Spring 2008 issue of *The Tahoma View*, PCD's publication, does not mention the election, nor is it listed on its spring event calendar.

The process by which all Washington State Conservation Districts run their elections is governed by Chapter 89.08 of the RCW, and by WSSC guidelines. Below, we will discuss the Pierce County elections and, to a lesser extent, the election experiences in other conservation districts. Then, guidelines from the RCW and the WSSC will be outlined in greater detail.

THE ELECTION PROCESS:

Pierce Conservation District Election Process

The Pierce Conservation District allows voters to apply for mail ballots, which are counted by Brown's Accounting, in Sumner. People can also vote in person at the Conservation District Office.

The Conservation District obtains the list of registered voters from the County Auditor's Office, in order to verify the eligibility of each person requesting and returning a ballot. Ballots may be requested by mail, in person, or by sending an e-mail message to the District Manager.

March 2008 election.

The election was scheduled for March 25th. This coincides with the PCD meeting on the 4th Tuesday. Candidates were required to file by February 8th. Requests for mail ballots needed to be received by March 4th this year. Ballots were mailed on March 13th. The envelope contained a one-sheet ballot, an inner envelope, and a return envelope, with the voter's name and return address on it. All of this is mandated in the Washington State Conservation Commission's requirements for voting by mail.

The WSCC also mandates a voter number and the voter's signature on the outside of the return-mail envelope. The PCD ballot envelopes do not have a number or a space for a signature. The explanation given was that since the Auditor's office no longer runs the elections, they have no access to the voter books to compare signatures, and, in these times of identity theft, requiring a public signature which would be useless did not seem to be a good idea.

Mail ballots were required to be postmarked by March 25, 2008. People voting in person had to do so on March 25th, at the PCD office. Rules require that polling places be open for at least two hours. PCD scheduled four hours for the polls to be open, from 4:00-8:00 p.m.

After the 2007 election, which was held on two days, due to both being advertised, some changes were made in the vote-by-mail process. PCD extended the deadlines for candidate filings to 45 days before the election, and requests for mail ballots to 21 days before the election. The PCD determined that these changes could be made within the existing election rules.

The Election by Mail option has been available since 2004. Because of this option, more people voted in 2004 than in previous years. As listed above, participation has since increased greatly. It is, however, still very low compared to the number of registered voters in the district.

Through 2006, the County Auditor's office provided the polling officers and the verification services. As of last year, they do not. This was a decision of the Auditor's office, as the PCD election does not follow the Title 29 process. Conservation District elections are mentioned in Title 29 of the RCW (Revised Code of Washington), where it states that all costs must be covered by the body holding the election, and not by the county. This is also covered in section 89.08.140 of the RCW (which also states that all costs of the election will be borne by the commission, and that the commission will prescribe its own registration procedures.)

Experience of some League members is that registering to vote one year does not necessarily get you a ballot in future years. Two League members, who reside at the same address, requested and received ballots in 2006. They did not receive ballots in 2007. They requested ballots again in 2008. One of them received one ballot; the other received two. The District Manager says that names are supposed to remain on the list, but that some have been dropped inadvertently. Most problems come from people moving and ballots being returned, undelivered.

The list of voters is all that the PCD gets from the Auditor's office. When people register and return ballots, they are checked against the list. The District Manager, who is also the elections officer, checks on all ballots questioned in any way, and on those which have been returned as undeliverable.

In our questionnaires and interviews, we asked about the current election process, ways in which it might be changed, public notice of the elections, and increasing voter participation. Following are some of the comments and suggestions we received.

District Commissioners were among those asked questions about the election process. Dave Seabrook, one of the elected commissioners, wrote, "The adoption of an assessment for the CD has heightened interest in our election processes and greatly increased the number of voters interested in participating. Managing this large number of voters requires technical expertise primarily possessed by the Pierce County Auditor's Office. Unfortunately, if the auditor's office

were to run the election under the rules set up by the state, it would cost us about a third of our budget. “

According to the District Manager, Monty Mahan, the Conservation District is supposed to be dealing with environmental issues, but is forced to spend time organizing and running elections. He says that PCD staff do their best to run elections well, in accordance with the rules as established by the WSCC and in the RCW. Comments from others in the District agree with this assessment. All say, however, that there is one body generally accepted as an impartial administrator of elections – the Auditor’s office.

Aside from the problem of the elections having separate rules, having the Auditor’s office run an election is very costly. Some feel that having the Auditor run the elections would be worth the cost, if they didn’t have to have them every year.

- If all three elected Supervisors were elected the same year (instead of the current system of electing one each year), there would still be continuity from the Appointed Supervisors.
- If the County were divided into districts, with each Supervisor representing part of the County, candidates wouldn’t have to run a county-wide campaign.
- Terms could be changed from three years to longer.
- The number of supervisors could be increased; with a seven member Board and four-year terms, for example, three could be elected one year and four two years later.

Suggestions and comments on the system from County Council Members include:

- A seven member APPOINTED Board, with nominees submitted by Council Members, from their districts, and chosen by the County Executive, and one directly selected by the Executive,
- The process is in compliance with the mandated procedures, but “it may be advisable to encourage wider notice and advertisement of pending vacations in a district to encourage broader participation.”
- A third Council Member points out that the PCD has a larger budget than many fire districts, and that, if they ever receive more than \$5 per parcel, a more traditional election might be needed.

Other comments and suggestions from those who responded to our questionnaire included: “It is a mystery;” “an antiquated system;” “An expensive process for the few who participate;” “There should be more publicity;” “Big changes and improvement needed. Would it take legislation to change? Probably.”

When asked about changes to the system, one Commissioner said, “Many people think the changes should be made and there are as many suggestions as there are people.”

Voter Participation

We asked about the district encouraging voters to participate in the election process.

Responses included:

- The District encourages voter participation through required legal notices and through its publication, the *Tahoma View*.
- Additionally, of course, candidates bring in their supporters.

- Largely through word of mouth to farm and environmental organizations.
- There should be more publicity.
- I would expect more participation from our direct constituents and clients, including Stream Team volunteers, volunteers from grant recipients organizations, farm plan clients, etc.
- Perhaps through media advertisement explaining the services and accomplishments of the PCD, but expense is again a factor.
- Do people actually care? We voted to give them \$5 a year. Does our responsibility end there?

An environmental activist who participated said, “The process could be improved by publicity and more knowledge of the public. This is true of all elections and knowledge dissemination projects...[A]s usual, ‘your ox must be being gored’ to raise interest and awareness generally.”

More people vote in Conservation District elections when candidates publicize it and get their friends and supporters to vote. More people vote in all elections when there are topics or candidates of major interest. But is this one too hard to find out about? Or is there just little interest?

The Thurston Conservation District publishes quarter-page articles, called “Conversations on Conservation,” three or four times per year. These include information about public meetings on re-authorizing assessments, information about what they are doing and what workshops are being held, calls for people to run for the Board of Supervisors, and information on voting in their elections. The editorial from *The Olympian*, quoted below, would indicate that their voter participation is no better than that in Pierce County.

Monty Mahan, PCD Manager, told us that when he was first working for the District, he spent a lot of time putting articles on the website and in the newsletter, and put large ads in the newspaper. More voters? None. The money spent “was money that could be used for tree planting, water quality kits, and such.” Mahan says that he believes, “the system is fatally flawed at the level of the Revised Code of Washington, and efforts to dress it up at the local level are destined for failure, unless the District is prepared to make its elections more important than its on the ground activities.”

Mahan adds, “I believe that Conservation District elections belong on the general ballot. The issues surrounding funding and running them could be addressed either at the local or state level if there was a commitment to bringing Conservation District elections into step with all other elections of Washington State officials.”

Newspaper ads may not draw any voters, but newspaper columnists and editorial writers have taken some notice. In 2005, 1,625 voters in all of Washington State participated in conservation district elections. That’s .0005 percent of eligible voters. (Paul Gottlieb, *Peninsula Daily News*, May 8, 2005)

An editorial in *The Olympian* questions, “Which is better for democracy: an election with 302 voters casting ballots or an election with more than 31,000 participants? The answer is obvious. Voter participation is a cornerstone of our democracy. The power of the ballot box is the public's method of holding their decision-makers accountable for their actions.” (*The Olympian*, March 2, 2003)

“Nearly everything in the law governing these elections makes participation difficult and unlikely. The elections must be held in the first three months of the year, preventing the district from combining with other elections. Going alone for a single board election each year costs up to \$600,000.

“A move to place these races on the fall ballot, when they would cost the district about \$100,000 and be more obvious to voters, was turned back by the Legislature. So the districts are allowed to run their own elections, traditionally small affairs with a handful of voters.” (Peter Callaghan, *324 Voters A Lot for This Week’s Scrawny Election*. The News Tribune, February 9, 2005)

These concerns appear to extend beyond Pierce County. Most election procedures are mandated by the state. Having the election on the general election ballot would take changes in State legislation governing Conservation Districts.

Below are State Election and WSCC guidelines, as well as comments from Commissioners and staff in other conservation districts.

State Election Guidelines

RCW 89.08.190 states that conservation districts shall hold elections during the first quarter of each calendar year, at which time one Supervisor shall be elected for a three-year term. (There are three elected supervisors, with three-year terms.)

The date must be set by the Board of Supervisors during the last quarter of the previous calendar year. A minimum of two polling hours must be set, and polling places must have sufficient parking and be accessible to those with disabilities.

District employees may not recruit candidates for supervisor. They may post public notice, provide nomination forms, verify eligibility of candidates and petition signatures, answer requests for information, and provide information to the Washington State Conservation Commission (WSCC), who must approve all forms.

Nomination petitions must contain at least 25 signatures and must be verified by the District or the County Auditor.

Candidates must be listed in alphabetical order on the ballot. There must be space to write-in candidates.

There must be two polling officers; they must be independent of the Board of Supervisors.

On Election Day, the polling places must be clearly marked. Polling officers must complete the Poll List and verify the signature of each voter. There are guidelines for contested eligibility.

In 2001, a change in election law resulted in a ruling that put conservation districts on the general election ballots. In Pierce County, the Auditor did not allow this. The following year, the law was changed so as not to apply to “Public utility districts, **conservation districts**, or district elections at which the ownership of property within those districts is a prerequisite to voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto” (RCW 29A.04.330)

A negative view of turning back the law was stated in an editorial in *The Olympian*: “VOTERS ROBBED IN CONSERVATION DISTRICT ELECTIONS: State lawmakers and Gov. Gary Locke took a giant step - backward - in the management and administration of county conservation districts. Legislators passed, and the governor signed, a dreadful bill that basically nullifies the rights of voters to elect the men and women who govern conservation districts.” (*The Olympian*, April 15, 2002)

Washington State Conservation Commission Guidelines for Appointments, Elections and Elections by Mail

The WSCC does not mandate that elections be conducted by mail, but does allow for them. The Elections Officer must determine if applicants are registered voters; there must be a secrecy envelope for the ballot; the outside envelope must include the voter’s signature and an identifying number (PCD does not follow this step). The rules for locking up the ballots, opening, and counting them, are also mandated.

Guidelines for Conservation Commission Appointment of Two Supervisors

The WSCC notifies the District of terms which are expiring, and notifies these whose terms are expiring. A district with an upcoming vacancy must provide adequate public notice of the vacancy in some form of mass media that reaches the broadest sector of the district’s total population. Those who want positions must obtain the Application for Appointment from the WSCC or from the Conservation District. The Conservation Commission appoints the supervisors to vacant or unexpired appointed positions. Each district has two appointed supervisors.

Rulemaking Update – March 2008

To promote statewide participation in scoping and developing rule language, WSCC staff are utilizing an online project-management service.

“To date, 40 people have expressed interest in participating. We have two members of the Washington State Association of County Auditors participating. Currently, the group is working on a conceptual structure to the rule and starting to talk about defining terms. Within the agency, we are working on a communications strategy to see us through the entire process - from design to a final rule.” (www.scc.wa.gov/index.php?searchword=rulemaking&option=com_search&) They have presented the following goals to the group:

- Clarify law as it applies to conservation district supervisor elections and appointments;
- Assure fair treatment of all parties;
- Define how vacancies occur and how they may be filled; and ultimately,
- Promote more participation in conservation district elections. We believe an open, fair, inclusive process will promote more participation by candidates and voters.”

The proposed timeline has the rule being drafted between December 2007 and May 2008; publishing CR-102 in late summer 2008, and adopting CR-103 in the autumn in order to have the rule effective by November 1, in time for the 2009 election cycle. (There is an assumption that the same number should be used in both places. A search came up with no information on CR-102; CR-103 was passed in 2007 and is about conservation districts funding assessments for the conservation of renewable natural resources.)

Other Conservation Districts and the WSCC

Tom Salzer is the Technical Service Manager for the WSCC. He said, “There may well be changes that could be made to the statutory provisions controlling conservation district elections.” He said that their job, as a state agency, is to guide and assist the districts in their compliance with statutory requirements. (On a local level, Monty Mahan, the Director, has said that same thing: his job is to implement the mandated system, regardless of whether or not he has personal suggestions for improving it.

Salzer also points out that “Conservation district elections are among the purest forms of local governance known in Washington State.” All qualified electors are eligible to participate; and communities served by conservation districts participate as they see fit. He says that they have not seen a correlation between the amount or intensity of public notice given and the number of citizens who vote. “Citizens who wish to be involved become involved; those who do not wish to be involved do not participate.”

Doug Rushton, the Board Chair of the Thurston Conservation District, suggests that the election needs to be combined with other elections, funded by the state, and conducted by professional election personnel.

The King Conservation District does not use mail-in ballots. They have 10 polling locations, which are open for 12 hours. A private company runs their election. Last year, 1100 ballots were cast.

The Kitsap Conservation District Resource Coordinator, Joy Garitone, agrees with others that Districts cannot afford to be in general elections. The Kitsap CD publicizes its election in the local newspaper, sends a newsletter to 8000 residences, and files notices as required by law.

CONCLUSION

In looking at the Pierce Conservation District, other area Conservation Districts, and the bodies and rules which govern what they do, we have learned about some of their environmental projects, and have perhaps found ways to get involved. Knowledge about the work of conservation districts does not seem to be widespread.

Particular attention has been paid to the method of selecting members of the Board of Supervisors. We have seen that their systems are mandated, and that voter involvement is limited. Several of those whom we contacted have had suggestions for possible ways of changing parts of the system, ranging from having the Conservation District election on the general election ballot, to having the Supervisors be appointed.

It is hoped that this information helps readers to understand the workings and election processes of Conservation Districts in Washington State, and leads to educated discussion.

RESOURCES

Documents and websites:

Pierce Conservation District (PCD), www.piercecountycd.org
Kitsap Conservation District, www.kitssapcd.org
Revised Code of Washington (RCW), <http://apps.leg.wa.gov/rcw/>
Thurston Conservation District, www.thurstoncd.com
Washington State Conservation Commission (WSCC), www.scc.wa.gov

Articles:

Peter Callaghan, 342 voters a lot for this week's scrawny election. *The News Tribune*, February 9, 2005 www.thenewstribune.com

Editorials, *The Olympian*, April 15, 2002; March 2, 2003. www.theolympian.com

Paul Gottlieb, Special report Low-key conservation districts have little election turnout. *Peninsula Daily News*, May 8, 2005 www.peninsuladailynews.com

Interviewees and Questionnaire Respondents:

Ernie Bay, PCD Supervisor
Ted Bottiger, PCD Associate Member
Joy Garitone, Kitsap Conservation District, District Resource Coordinator
Barbara Gelman, Pierce County Council
Calvin Goings, Pierce County Council
Scott Hansen, Puget Creek Restoration Society
Krystal Kyer, Tahoma Audubon Society
Pat Lantz, State Representative, 26th District
Monty Mahan, Pierce Conservation District, Manager
Dick Muri, Pierce County Council
Nancy Pearson, Cascade Land Conservancy
Isabel Ragland, Pierce Conservation District, Stream Team Assistant
Geoff Reed, King Conservation District, Co-Coordinator
Doug Rushton, Thurston Conservation District, Board Chair
Tom Salzer, WSCC, Technical Services Manager
Dave Seabrook, PCD Supervisor
Stu Trefry, Washington State Conservation Commission
Charlotte Valbert, Blueberry Park Volunteer Coordinator
Chip Vincent and Brynn Brady, Pierce County Planning and Government Relations

PCD Observers:

Jay Bollman
Victoria Olson