



Washington State
Conservation Commission

Conservation District Elections Budget Proviso Report

June 2015

Report Information

The WSCC Conservation District Elections Budget Proviso Report was conducted following passage of the 2011-15 Operating Budget by the Washington State Legislature.

The Report was informed by a work group consisting of representatives from the following organizations:

- Washington State Conservation Commission
- Washington Association of Conservation Districts
- Washington Secretary of State's Office, State Elections Officer
- League of Women Voters

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INTRODUCTION

During the 2013 legislative session concerns were raised regarding the method of election for the elected members of conservation district boards of supervisors. Issues discussed include the timing of elections, method and process for elections, participation by the public. The result of these discussions was the inclusion of a proviso in the 2013-15 operating budget for the Conservation Commission, stating:

The conservation commission must evaluate the current system for the election of conservation district board supervisors and recommend improvements to ensure the highest degree of public involvement in these elections. The commission must engage with stakeholder groups and conservation districts to gather a set of options for improvement to district elections, which must include an option aligning district elections with state and local general elections. The commission must submit a report detailing the options to the office of financial management and appropriate committees of the legislature by December 10, 2013.

Conservation Commission staff convened a work group of stakeholders to review and discuss the proviso and consider options for conservation district elections. The work group consisted of representatives of the Washington Association of Conservation Districts (WACD), the Washington Secretary of State's Office, and the League of Women Voters. Other entities, including agricultural representatives and the Association of Counties were invited to participate but due to work load constraints requested they be engaged in a reviewer capacity.

Conservation districts recognize that this report and its consideration by the Washington Legislature represents an opportunity to consider how to improve the supervisor election process in a manner that preserves the unique role and function of member conservation districts while improving the opportunity for citizens to participate in elections and district activities. To that end, conservation districts' state association, WACD, has pledged to work with the Conservation Commission and the Legislature in evaluating options that work for conservation districts and their local citizens, considering the varied population, finances, and relationships of conservation districts and their local communities.

BACKGROUND

Conservation Commission and Conservation Districts Formed to Assist Farmers

Beginning in 1932, persistent drought conditions on the Great Plains caused widespread crop failures and exposed the region's soil to blowing wind. A large dust storm on May 11, 1934 swept fine soil particles over Washington, D.C. and three hundred miles out into the Atlantic Ocean. More intense and frequent storms swept the Plains in 1935.

Investigations by federal agencies found the dust storms were caused by a combination of severe drought and decades of poor farming practices. Farmers in the Great Plains states used deep furrow plows to turn the thick natural prairie grass sod to reach soils for planting crops. The loss of the grass sod exposed the soil and made it vulnerable to dry weather conditions. The pace of this process quickened in the early twentieth century with the widespread use of tractors rather than the slower and less powerful horse driven plows.

Based on this information, staff at the US Department of Agriculture (USDA) convinced President Roosevelt and Congress that a comprehensive program of farmer education was needed to reverse the ecological conditions on the Plains. The concept of the Soil and Water Conservation Service was formed with each state to have Soil and Water Conservation Districts governed by a state based Soil and Water Conservation Commission.

On March 6, 1935 and again on March 21, dust clouds passed over Washington DC and darkened the sky just as Congress commenced hearings on a proposed soil conservation law. The result was the Soil Conservation Act (PL 74-46), which President Roosevelt signed on April 27, 1935, creating the Soil Conservation Service (SCS) in the USDA.

Founding Principles

In a 1983 interview with Philip Glick, one of the authors of the Soil Conservation Act and someone intimately familiar with the intention behind the structure of the Soil and Water Conservation Districts, discussed the purpose of the conservation districts. When they wrote the federal law, the authors were struggling with how to have a structure that included a federal and state component, but they also recognized the need for a strong and accountable local element to the governance structure in conservation districts. Their goal was to “figure out some way in which local units, individual farmers, the counties and the states can come in and feel just as much responsible for the problems of erosion control as do the SCS [Soil Conservation Service] technicians today.”¹

¹ “The Preparation of the Standard State Soil Conservation Districts Law: An Interview with Philip M. Glick”, U.S. Department of Agriculture, Soil Conservation Service, 1990 (hereafter “Glick Interview”), at p 25.

The way to do this, they concluded, was to put into law local soil conservation districts which would:

“...be able to be established by a majority vote of approval by the farmers in the proposed boundaries of the district. Let them vote a district in. Let no district come into existence unless the farmers want it and approve it in a formal referendum...***Let the district be governed by supervisors whom the farmers themselves will elect. We'll have these districts functioning as local units of government, established by the people, governed by the people through their elected supervisors***, and then these districts should be given the complete authority to plan, to develop erosion control plans that are district wide. And carry them out.”² [Emphasis added]

The benefit of such an approach, they reasoned, is there would be “[l]ocal initiative, local action, local responsibility, local planning, and local conservation guided and assisted by the states and by the Federal Government.”³

Although some of the original thinking for the board of supervisors of the conservation districts considered having all five board members elected, this approach was abandoned in favor of having a mix of three elected and two appointed by the state committee or commission. The rationale behind this was to have:

“...a blend of democratic representation through elected supervisors and technical expertise so that at least two members of every single district board of supervisors, and of state soil conservation committees, would be people chosen because of their professional knowledge of the erosion control problem, and because of their knowledge of what techniques, machinery, equipment, supplies, practices would be needed to carry out the erosion control plan.”⁴

Explicit in this approach was that there is a mixed objective in the governance of conservation districts, to have both the elected accountability to landowners (customers), and the distinction of special knowledge and role for two members appointed by state-level authorities. Originally the special knowledge was related to soil sciences because of soil and water conservation districts being a response to the Dust Bowl. Over time, the specialties have changed and varied based on the resource issues that have come up in each district. This governance structure has served successfully for over 70 years to bring about an effective and unique working relationship and trust between the nation’s 3000 conservation districts and local landowners and land managers, as they have partnered to put conservation on the ground throughout the nation.

² Glick Interview at 25.

³ Glick Interview at 25.

⁴ Glick Interview at 27.

Washington State Takes Action

In Washington the need for improved management and conservation of lands was emphasized in a 1942 report from the National Resources Planning Board, in which it was noted:

“The necessity for conservation is recognized in the management of all Federal lands, and this principle is receiving increasing recognition from the States. The problem of providing for the proper disposition and management of the large areas that have reverted to the counties though tax foreclosures, however, is still a pressing one. **Government cooperation with owners or tenants to guide them in determining suitable land use and to assist them in establishing farms of adequate size and in adopting good farm management practices will facilitate the conservation of the land in private ownership.**” [Emphasis added.]⁵

The report identified a number of recommendations to sustain and grow economic activity including the need to provide farmers with competent advice and assistance. “Otherwise their needs will not be met and the region may find itself saddled with an unstable and inadequate farm economy.”⁶

Conservation Commission and Conservation District Structure

The Washington State Conservation Commission was created in March 1939 through legislation mirroring the model statute enacted four years earlier by Congress. The Conservation Commission is a ten-member board with a mix of agencies, conservation district representatives, and appointees. There are four state entities – WSU Extension and representatives of the departments of Ecology, Agriculture, and Natural Resources. There are four representatives of conservation districts, one each from three regions and the president of the Washington Association of Conservation Districts (WACD). Two Commission members are appointed by the Governor.

The Conservation Commission has a number of duties and responsibilities both as a state agency and in an oversight role of the conservation districts.⁷ Among the duties relating to conservation districts are responsibilities to keep the various conservation districts organized and informed as to the activities of the other conservation districts, assist conservation districts with audits, provide guidance and technical assistance on administrative activities, and compile budget information from the conservation districts for the governor and legislature and allocate funds received.

⁵ “Development of Resources and of Economic Opportunity in the Pacific Northwest” Report of the Pacific Northwest Regional Planning Commission to the National Resources Planning Board, October 1942 (emphasis added)

⁶ Id at 14

⁷ RCW 89.08.070

In addition to establishing the Conservation Commission, the statute provided for the method by which local conservation districts could be established and set forth the governing structure for conservation districts that remains in place to this day. In establishing the district structure the legislature adopted the form set out in the model statute indicating an acceptance of the rationale for the structure as it relates to local control balanced with state engagement to provide the technical and state interest. By the end of 1940 there were eight conservation districts in the state. The idea quickly spread and just ten years later there were 57 conservation districts. By 1967, seventy-eight conservation districts had been established.

Duties and Responsibilities of Conservation District Supervisors

Conservation districts are units of local government (municipal entities) established under state law to carry out natural resource management programs at the local level relating to protection, conservation, and sustainability of natural resources in association with human activity.⁸ Although much district work focuses primarily on agricultural activities, districts are authorized in statute to provide technical assistance and implement natural resource projects in rural, suburban and urban areas.⁹

Each conservation district in Washington State has a board consisting of three elected and two appointed supervisors. The appointed supervisors are appointed by the Conservation Commission. The elected supervisors are elected at the local level. The term of office for each supervisor is three years.¹⁰ Supervisors serve without compensation; they are volunteers.¹¹

The conservation district board of supervisors has a wide range of duties and responsibilities outlined in state statute. These are included in this report at Appendix A.

Funding and Taxing Authority

Conservation districts are specifically precluded from having the authority to levy taxes or issue bonds.¹² Conservation districts are funded through a variety of sources, including: allocation from the Conservation Commission for operational activities funded through the state general fund; project funding provided by the Conservation Commission through state capital funds; grants from other state and federal agencies; local governments through either general appropriation or as a part of a local stormwater assessment or levy.

⁸ RCW 89.08.220

⁹ RCW 89.08.010

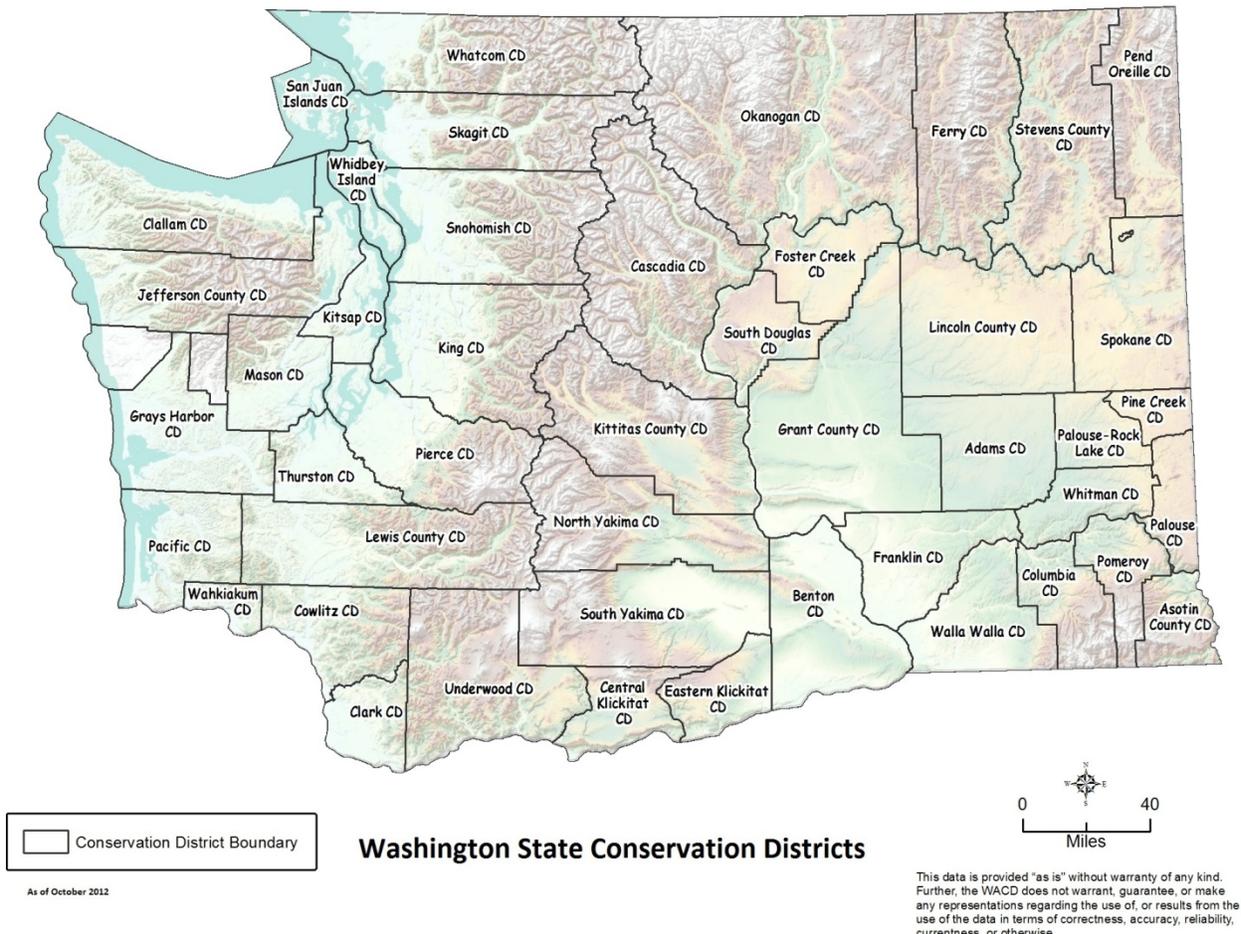
¹⁰ RCW 89.08.200

¹¹ Id.

¹² RCW 89.08.220

Assessments or Rates and Charges Authority

Assessments for the support of conservation district activities are authorized by statute.¹³ Under the assessment statute, the county legislative authority must impose the assessment.¹⁴ The process for the assessment is initiated when the conservation district prepares an assessment roll to implement what would be the county approved assessment.¹⁵ The assessment is for “activities and programs to conserve natural resources, including soil and water”.¹⁶ The assessment funds are statutorily earmarked for use by the district.¹⁷ In 2012, the legislature passed legislation allowing conservation districts to propose a system of rates and charges to fund district activities. As with the assessment, rates and charges must also be approved by the county legislative authority.¹⁸



¹³ RCW 89.08.400

¹⁴ RCW 89.08.400(2)

¹⁵ RCW 89.08.400(4)

¹⁶ RCW 89.08.400(1)

¹⁷ AGO 2006 No. 8 (When asked in a legislative inquiry whether assessment funds are to be used only by the district for statutory purposes, the AGO concluded “yes” and added: “The statute is explicit on this point and requires no further discussion.”)

¹⁸ RCW 89.08.405

CONSERVATION DISTRICT ELECTIONS

Background and Administration of Elections

District elections do not fall under the state statute for general elections (Title 29A RCW) unless specifically identified in the Conservation Commission statute. In fact, RCW 29A.04.330(1)(b) specifically exempts conservation districts from general and special elections requirements. Instead, the Conservation Commission is charged with establishing procedures for the elections.¹⁹ To assist conservation districts and the public with the election of conservation district board members, the Conservation Commission established a rule,²⁰ a manual²¹, and standard forms for conservation districts to use in their elections.

The rationale behind this exemption has been the technical nature of the work of conservation districts with landowners. Policy makers have been of the opinion that the expertise required of conservation district supervisors make general election of these members impractical. Among the duties of a supervisor are the review and approval of landowner contracts for the installation of management practices and approval of conservation plans. These activities require a level of experience and expertise in agricultural practices.²²

Current Election Process

Each year, the conservation district board is required to give due notice to the public by resolution of two significant election activities. First, the board is required to notify the public that the board intends to take action at a board meeting to establish the time, place and manner of the election. After giving notice to the public that this action will be taken at a regularly scheduled board meeting, the board then holds the meeting, collecting public input as to the time, place and manner of the election. During that meeting, the board adopts the official election resolution. By rule, conservation district elections must occur within the first three months of the calendar year.²³

The conservation district board is then required to give due notice to the public of the adopted election resolution of the date in the first quarter of each calendar year when that district's election will be conducted.²⁴ There is no set date specified under law or rule, so when setting this date for the election, each conservation district acts independently of all other conservation districts. There may be as many different dates for the election as there are districts. However, the contents of the election resolution are specified by the Conservation Commission.²⁵ The

¹⁹ RCW 89.08.190

²⁰ WAC 135-110: Election and Replacement of Conservation District Supervisors

²¹ *Election Manual: Election and Appointment Procedures for Conservation District Supervisors*, Revised August 2011, Proposed revisions November 2013

²² See RCW 89.08.160 requiring the appointment of two supervisors, one a landowner or operator of a farm "who shall be qualified and experienced to perform the specialized skilled services required of them".

²³ WAC 135-110-200

²⁴ RCW 89.08.190

²⁵ WAC 135-110-210

resolution, among other things, specifies the time within which individuals interested in being a candidate for a supervisor position must submit candidate materials to the conservation district. Required candidate information is set forth by the Conservation Commission in the election WAC.²⁶

Each conservation district is required to conduct the election consistent with the WAC and Election Manual developed by the Conservation Commission. Each conservation district is required to use the standard forms the Conservation Commission created for the election process. Each conservation district has an election supervisor responsible for the conduct of the election. Elections are overseen by Conservation Commission staff.

Conservation districts have the option to choose to hold a traditional “in person” election where voters must go to the voting location to vote, hold a mail-in election where voters mail in their ballots after requesting them from the conservation district, or some other method that is approved by the Conservation Commission (i.e. electronic voting as King Conservation District has done in the recent past). Conservation districts can also combine the three types of elections to fit their voters’ needs (i.e. hold a combined “in-person” and mail-in election) so long as Conservation Commission procedure is followed. Regardless of which option is chosen, a polling site is always available for voters to use during an election. The conservation district election resolution sets forth the time and place for the election, which may be conducted at the conservation district office, at another location, or both. The resolution must also specify how voters may obtain a mail-in ballot.

Once polling is closed, the conservation district election supervisor counts and retains the ballots. The conservation district election supervisor may release unofficial election results but the Conservation Commission is required to announce the final results and certify the election at a public meeting of the Conservation Commission each May for each conservation district.²⁷

Concerns with District Elections

Concerns over the process for the conservation district elections have been raised²⁸ and these concerns cover issues such as the need for open and representative government, voting representation, lack of voter participation in supervisor elections, the landowner requirements, and accountability for state funds.²⁹ Over the years the unique form of election for conservation district supervisors has led to some anomalies and instances of very low voter participation. However, none of these errors led to a substantial noncompliance with election procedure which would have necessitated the invalidation of the election. All of these issues were corrected within acceptable timeframes by conservation district election supervisors or the Conservation Commission election officer.

²⁶ WAC 135-110-320

²⁷ RCW 89.08.190

²⁸ “Washington State Conservation Districts: A Report by the League of Women Voters of Washington”, Published by the League of Women Voters of Washington Education Fund, May 2011

²⁹ WACD Past Presidents Task Force, April 12, 2012

In the most recent election cycle the most frequent errors in the election process included:³⁰

Minor Election Form procedural errors:

- Errors filling out the election forms.
- Returning the forms late or incomplete.
- Using old, out-of-date forms instead of new forms available to the districts.
- Providing the wrong forms to prospective candidates.
- Failure to properly fill out the checklist created for districts to use when they attempt to use WAC 135-110-370 to automatically reelect an incumbent.

Lack of Compliance with WAC Chapter 135-110:

- Submitting original forms to the Conservation Commission, instead of copies. 135-110-130.
- Lack of proper notice of the intent to adopt an election resolution. 135-110-210, 135-110-220 (for the most part, this error was not the fault of conservation districts per se, but rather newspapers' or publications' lack of following conservation district directions on how to publish the notice).
- Lack of proper notice of the election. 135-110-210, 135-110-220. See explanation in the preceding bullet.
- Failure to adopt in the election notice all the requirements for the election. 135-110-210.

Again, these errors were corrected by the conservation district election officer in consultation with Conservation Commission staff, and did not have an impact on the outcome of any election.

The most frequently cited deficiency of the conservation district election process is the lack of participation by voters. Low voter turnout has been an issue for many years, and not just in conservation district elections. Again, the originators of the model conservation district law anticipated potential difficulties in candidate recruitment and voter participation, by specifying that existing board supervisors retain their seat until their successor is qualified and elected. This was included because it was understood that local landowners may not exhibit high interest in supervisor positions and elections where the conservation district is functioning well. It also recognizes the challenges of getting local citizens to participate in the election process.

In 2009, the most votes cast in conservation district elections include:

<u>Votes Cast</u>	<u>Conservation Districts</u>
2,775	King
345	Pierce
209	South Yakima
174	Clallam
120	Thurston

³⁰ Information on the results of the 2013 elections is from: Memo From Bill Eller, WSCC Election Supervisor to Mark Clark, WSCC Executive Director, May 6, 2013.

And the least votes in the 2009 elections include:

<u>Votes Cast</u>	<u>Conservation Districts</u>
0	Moses Lake, Pend Oreille, Warden
5	Mason
6	Pacific, Underwood
7	Benton, Grant, Grays Harbor
8	North Yakima, Whitman

Previous Efforts to Address Concerns with District Elections

In 1999, a change was made in statute that required voters in a conservation district election must be registered voters of the county and reside within the conservation district. This replaced the provision that "land occupiers" are eligible voters. Land occupier is defined as any person, firm, or political subdivision who holds title or is in possession of any lands within the conservation district whether owner, lessee, renter, tenant or otherwise. This change reflected a national trend to shift from land occupiers to registered voters for conservation district elections.

Elections for the year 2000 were conducted under the revised conservation district statutes and conflicting legal interpretations arose as to whether conservation district elections were to continue under the conservation district statutes or in accordance with the state general election law. Based on an Attorney General's Office opinion which stated the 1999 legislation moved conservation districts to the general election ballot, elections held in the year 2001 were conducted under the general election law.

This experience of having the conservation district elections on the general election ballot in 2001 afforded an interesting learning opportunity applicable to this current evaluation of election options. Looking at several aspects of the district general election experience related to the issues discussed in this report, found the following:

1. Voter Participation

Since not all conservation districts conduct elections every year, in 2001 there were 22 of 49 conservation districts with elections subject to the new law. Since these elections did appear on the general ballot voter participation did increase over previous years.

2. Candidate Participation

Among the 22 conservation districts holding elections in 2001, five of the elections were contested. This does not appear to be a wide variation in the number of contested races versus unopposed races as compared to conservation district elections conducted by the

current, not general election method. It's also very difficult to draw any conclusions from this one year perspective whether remaining on the general election ballot would have increased the contested races.

3. Costs

Under the general election law, each participating entity is required to pay a prorated share of the cost of primary and general elections. Conservation districts participating in the 2001 election were subjected to these requirements. For some of the smaller conservation districts the cost of the election exceeded their annual budgets. Appendix A compares costs for conservation district elections between the 2001 general election and the 2010 election which was not on the general election ballot. The 2001 general election experience provided cost data that can be compared with the current system. The total cost of the 2001 general election for the 22 participating districts was \$317,529. The total cost of the election in 2010 under the current system for all 49 conservation districts was \$157,253.

4. Candidate Disclosure

Additionally, there was an issue whether the three elected conservation district supervisors are subject to campaign disclosure and personal financing reporting requirements since they were to be part of the general election statute requiring such disclosure. The supervisors appointed by the state are exempt from public disclosure requirements as are the members of the Conservation Commission. This arrangement created an imbalance of disclosure requirements among the members of the same board.

Based on the concerns raised in the experience of conservation district elections on the general election ballot, legislation was passed in 2002 to clarify the intent of the Legislature in regards to the 1999 amendments. Under the 2002 law, conservation district elections are to be conducted under procedures contained in the conservation district statutes, and not under the general election laws, and further, that there be no change in the applicability of the public disclosure laws to conservation district supervisors from those that existed prior to the 1999 amendments. The legislation also specifically excluded conservation districts under the general election statutes. Elections of conservation district supervisors held pursuant to the conservation district laws are not considered a general or special election for the purpose of campaign disclosure or personal financial affairs reporting requirements.

OTHER LOCAL AND SPECIAL PURPOSE DISTRICT ELECTION PROCESSES

During the summer and fall of 2012, the Legislature's Joint Select Committee on Junior Taxing Districts met to evaluate the broad array of junior taxing districts and municipal corporations for the purpose of evaluating their provided services and making recommendations on the

appropriateness of consolidating services into a general purpose local government.³¹ The Joint Select Committee identified potential recommendations on a number of areas relating to governance of the several local entities, and options for financing.³² In addition to this wide body of work, committee staff compiled a useful list of all local special purpose districts and municipal corporations. The list was compiled into a table with information on the statutory authority, structure, purpose, and financing authority for each entity.

A portion of the table is included below in Appendix B as a comparison of the conservation district structure and authority with other similar local entities. It's useful to compare conservation districts and their authorities, particularly in their taxing and assessment authority, with other similarly purposed entities.

Irrigation Districts

- Established for the purposes of the construction or purchase of works for the irrigation of land within the district area; the reconstruction, repair or improvement of existing irrigation structures; the operation or maintenance of existing irrigation works; and for other related purposes.³³
- “All elections of irrigation districts, general or special, for any district purpose and in any county of the state shall be called, noticed, and conducted in accordance with the laws of the state, specifically relating to irrigation districts.”³⁴
- Elections are held the second Tuesday of December each year and a director's term is three years with directors serving until replaced.³⁵
- For irrigation districts of two hundred thousand acres, voters include individuals over 18 and a U.S. resident who holds title to land in the district. Such voters are given one vote for the first 10 acres and one vote for all land over 10 acres.
- An agent of a corporation owning land within the district may also vote on behalf of the corporation.³⁶
- For irrigation districts with less than two hundred thousand acres the voter eligibility is the same for individuals as with districts with more than 200,000 acres but voting by corporate entities is more complicated. Also, because an individual may have multiple votes based on their individual status, corporate status, and land ownership within the district, there are limitations on any one individual not being able to control more than 49% of the vote in a district.³⁷

³¹ 3ESHB 2127 sec 101 and 102 (2012) The full title of the committee is the Joint Select Committee on Junior Taxing Districts, Municipal Corporations, and Local Government Finance.

³² See the committee's web page at: <http://www.leg.wa.gov/jointcommittees/jscjtd/Pages/default.aspx> (last accessed November 2013)

³³ RCW 87.03.010

³⁴ RCW 87.03.030

³⁵ RCW 89.08.080

³⁶ RCW 87.03.045

³⁷ RCW 87.03.051

- Absentee voting is allowed³⁸ and if only one candidate is nominated it's not necessary to hold the election.³⁹
- Notice of the election is posted 15 days prior to the election in three public locations in the district area. Elections may occur at one or more locations with the hours specified in statute.⁴⁰

Weed Districts

- Meeting of electors is to be held either the last Monday in February, or may be changed to any time in December, January, or February by the board.
- Every person who is a landowner within the district and a qualified elector of the state shall be entitled to vote.
- Vote occurs at the board meeting on the day and time specified by the board. Must be present to vote and the name of each person voting is taken down by the board clerk.
- Results are announced at the meeting.
- Board members serve until replaced.⁴¹

Flood Control Districts

- Elections are conducted under the special district creation and operation statutes.⁴²
- Elections are held within the district area on the first Tuesday after the first Monday in February in each even-numbered year.⁴³
- County auditor provides elections services and is to be reimbursed by the district for the costs.⁴⁴
- The owner of land located in the district and who is an eligible voter shall receive two votes. Land owned by multiple interests are allowed two votes for each eligible owner. Corporations and partnerships owning land in the district area are given two votes.
- Governmental entities with land in the district area are also given two votes.⁴⁵

³⁸ RCW 87.03.031-034

³⁹ RCW 87.03.075

⁴⁰ RCW 87.03.085-110

⁴¹ RCW 17.04.070

⁴² RCW 86.09.235

⁴³ RCW 85.38.100

⁴⁴ RCW 85.38.120

⁴⁵ RCW 85.38.105

CRITERIA TO EVALUATE OPTIONS FOR POSSIBLE ALTERNATIVE CONSERVATION DISTRICT ELECTIONS

When discussing the current conservation district election process, the Election Proviso Work Group (Work Group) determined a set of agreed upon criteria would be helpful to evaluate not only the current system, but also any possible alternatives. The group discussed various features of what would consider to be a successful election in the context of the unique nature and work of conservation districts. A fundamental principle of the Work Group was any alternative should not diminish the ability of conservation districts to maintain their unique relationship with landowners and their capacity to work with landowners to get important conservation work on the ground.

When evaluating the election options the criteria were scored on a scale of 1 – 10 with 1 being the least compatible with the criteria and 10 being the most. A score of 5 would be no difference or no change from the current system.

The criteria developed by the Work Group include the following, in no priority order:

1. Participation

The issue of voter participation and voter turnout has been a common topic when discussing conservation district elections. As noted, the number of voters in conservation district elections can vary from extremely low to relatively high if there is a contested race. The Work Group considers voter participation to be important, but in particular they believe the critical factor is whether the election process provides better **opportunities** for voters to participate. All we can really do in any election is create the opportunity for someone to vote if they desire; we cannot make them vote, or guarantee a specified level of voter participation. One Work Group member brought up the recent 2013 election as an example. The election is a statewide mail-in ballot and every registered voter received a ballot in the mail. But voter turnout was, according to one new source, the lowest in a decade at 44%.⁴⁶

Criteria: Degree to which the option increases **opportunities** for voter participation in the election.

2. Increasing awareness of conservation district

Engagement with landowners is the core of conservation district work. A conservation district election is an excellent opportunity for members of the conservation district community to be made aware the work of the conservation district and engage in the

⁴⁶ “State’s 2013 voter turnout lowest in a decade”, Seattle Times, November 15, 2013

operation of the conservation district. Some election options may increase this visibility, while others may work against the opportunity to communicate with the broader community.

Criteria: Degree to which the option increases opportunities to communicate broadly the work of the conservation district and engage the local community.

3. Cost of election

Running an election can be a very expensive proposition. Whether the cost is borne by the conservation district or by the county auditor, there are expenses to cover when an election is held. Costs of elections compete with funding available to put conservation on the ground, and to assist local landowners in stewardship. There are a number of options by which to address the cost issue (i.e., who pays what costs).

Criteria: Degree to which the option remains affordable for the conservation district, and allows maximum application of district funding to be applied toward conservation work on the ground.

4. Promote or encourage volunteer participation for conservation district boards

Conservation districts depend upon the full engagement of dedicated and knowledgeable volunteers to serve on conservation district boards. Board members serve without compensation and must dedicate many long hours to conservation district work. Many conservation district board members are landowners or land managers who have farm operations and businesses to run. Elections can be expensive for the candidates or can require a level of financial disclosure that some may find burdensome and a barrier to seeking a volunteer and public service office. The method of the election can also be a barrier to potential candidates if information about when the election will occur or the process to file as a candidate is difficult to find out.

Criteria: Degree to which the option encourages participation as a candidate.

5. Maintaining the working and trust relationship with landowners and other community stakeholders

As described in this report a fundamental value and strength of conservation districts is their relationship with the landowners and land managers across the state. The successful implementation of incentive-based programs necessarily requires the cooperation and engagement of the landowner. The farmer must have a level of trust with the conservation district staff who will be working with them on their land. Any option

considered for the election process **must** maintain this fundamental feature of conservation districts.

Criteria: Degree to which the option maintains or enhances the trust relationship with the landowners.

6. Help build and support accountability

Generally, elections provide accountability to those who elect the officials by providing a vehicle for change if the electorate is dissatisfied. Of course, the opposite is true as well. If the electorate is satisfied with the elected body, they can retain the officials. The point is there is a level of direct accountability to the electorate. This is especially true if the entity has authority to impose taxes, fees, or levy an assessment. Since conservation districts implement projects and activities that also meet the priority needs of local and state governments there is also a degree of accountability to those other units and levels of government as to how the work is being done. Some of this accountability can be achieved in the form of grant contracts. But there may also be other forms of accountability such as representation of the agency at the district. Election alternatives considered should place a high value on this combination of different levels of conservation district accountability.

Criteria:

- 6a. Degree to which the option provides accountability for local residents.
- 6b. Degree to which the option provides accountability to other units and levels of government.

7. Not diminishing locally-led purpose of district

As described in this report, a foundational principle of conservation districts is locally led conservation working closely with the farmers on the land. Although conservation districts can provide valuable assistance to, and be tool for, accomplishing state and federal resource priorities, the real focus and drive of their work is to lead solutions locally.

Criteria: Degree to which the option maintains or enhances locally led conservation.

OPTIONS FOR POSSIBLE ALTERNATIVE CONSERVATION DISTRICT ELECTIONS

The work group applied the criteria outlined above to the following election options:

1. No change to the current system.
2. Keep the current system but hold all district elections on the same day or over several days.
3. Keep the current system but divide each conservation district into three areas with one supervisor elected for each area.
4. Keep the current system but eliminate the landowner / operator requirement.
5. Keep the current system but have all five board members elected.
6. Keep the current system but have the election run by the county auditor.
7. Place district election for three board members on the general election ballot.
8. Place district election on the general election ballot for all five board members.
9. County commissioners / council appoint three or all five of the district board members.

In addition to the options evaluated, reviewers suggested several hybrid approaches should be considered. These include:

Combine general election options with greater authority to impose assessment or raise funds by other means. This option would make conservation districts consistent with port districts and school districts, each having authority to levy a property tax. It would also be consistent with addressing concerns raised regarding accountability to the electorate for funds raised and spent. The downside would be the creation of yet another special purpose district with revenue generating authority, and the cost issues would still have to be addressed.

Selection of election option could be the choice of a conservation district. A conservation district board could choose whether to maintain the current or modified election system, or could choose to go on the general election ballot with additional authority noted above.

Vary election approach based on the population of a conservation district. For smaller conservation districts the option of appearing on the general election ballot may not be feasible for a number of reasons. Another approach may be to set various population thresholds where, once each threshold is reached, the election process becomes more dependent on the general election ballot.

Appendix A - Conservation District Election Cost Data Comparing 2010 and 2001

District	2010 Election Costs	2001 Primary Election Costs	2001 General Election Costs	2001 Total Election Costs	2001 Number of Votes Cast	2001 Average Cost per Vote (general)	Notes
Adams	\$1,000	\$0	\$0	\$0	0		No 2001 Election
Asotin County	\$2,000	\$0	\$152	\$152	213	\$0.72	
Benton	\$3,500	\$0	\$14,800	\$14,800	18,673	\$0.79	
Central Klickitat	\$479		\$1,550	\$1,550	1,883	\$0.82	
Chelan County	\$900			\$0			No 2001 Election
Clallam	\$650	\$23,392	\$8,422	\$31,813	16,092	\$0.52	
Clark County	\$1,000		\$48,687	\$48,687	33,822	\$1.44	
Columbia	\$1,054	\$0	\$1,186	\$1,186	1,087	\$1.09	
Cowlitz	\$3,574			\$0			No 2001 Election
Eastern Klickitat	\$604		\$162	\$162	203	\$0.80	
Ferry	\$350	\$0	\$0	\$0			No 2001 Election
Foster Creek	\$1,000		\$618	\$618	618	\$1.00	
Franklin	\$3,500			\$0			No 2001 Election
Grays Harbor	\$100			\$0			No 2001 Election
Jefferson County	\$1,000		\$4,346	\$4,346	4,894	\$0.89	
King	100,000			\$0			No 2001 Election
Kitsap	\$200		\$40,093	\$40,093	31,632	\$1.27	
Kittitas County	\$1,500			\$0			No 2001 Election
Lewis County	\$1,000	\$0	\$11,634	\$11,634	11,147	\$1.04	
Lincoln County	\$750	\$0	\$0	\$0			No 2001 Election
Mason	\$1,000	\$0	\$9,300	\$9,300	9,786	\$0.95	
Moses Lake	\$300			\$0			No 2001 Election
North Yakima	\$2,237			\$0			No 2001 Election
Okanogan	\$1,000			\$0			No 2001 Election
Othello				\$0			No 2001 Election
Pacific	\$500		\$5,400	\$5,400	3,008	\$1.80	Estimate, no bill from auditor as of 01-09-02
Palouse	\$572	\$0	\$0	\$0			No 2001 Election
Palouse-Rock Lake	\$1,095	\$0	\$0	\$0			No 2001 Election
Pend Oreille	\$80	\$0	\$0	\$0			No 2001 Election
Pierce County	\$3,336			\$0			No 2001 Election
Pine Creek	\$750	\$0	\$0	\$0			No 2001 Election
Pomeroy	\$100	\$0	\$376	\$376	221	\$1.70	
San Juan county	\$2,500			\$0			No 2001 Election
Skagit	\$1,000		\$17,963	\$17,963	17,819	\$1.01	
Snohomish	\$1,860		\$2,484	\$2,484	100,577	\$0.02	Note: Island county charge, Snohomish County did not charge for election
South Douglas	\$119			\$0			No 2001 Election
South Yakima	\$1,000			\$0			No 2001 Election
Spokane County	\$1,598	\$0	\$28,500	\$28,500	34,853	\$0.82	
Stevens County	\$1,200	\$0	\$0	\$0			No 2001 Election
Thurston	\$771		\$44,759	\$44,759	60,254	\$0.74	
Underwood	\$1,530		\$4,000	\$4,000	1,141	\$3.51	
Upper Grant				\$0			No 2001 Election
Wahkiakum	\$2,358			\$0			No 2001 Election
Walla Walla County	\$3,000	\$18,031	\$3,664	\$21,695	3,022	\$1.21	
Warden	\$300			\$0			No 2001 Election
Whatcom	\$1,222		\$20,442	\$20,442	24,195	\$0.84	
Whidbey Island	\$2,164		\$7,566	\$7,566	10,367	\$0.73	
Whitman	\$1,500	\$0	\$0	\$0			No 2001 Election
		2001 Primary Election Costs	2001 General Election Costs	2001 Total Election Costs	2001 Votes cast in General Election	2001 Average Cost per Vote (general)	Notes
Statewide Totals	\$157,253	\$41,423	\$276,106	\$317,529	385,507	\$0.96	Average cost per vote for 2001 does not include Snohomish CD

Appendix B - Table of Special Purpose Districts

District & Designation	Enabling Statute (RCW)	Purpose	Governance	Funding	Property Tax Authority?	Fees and Charges Authority?	Assessment Authority?	Number in Operation	Election Method
Diking and Drainage Districts (Powers of a corporation for public purpose) Statute applies to: diking district; drainage district; diking, drainage, and/or sewerage improvement district; intercounty diking and drainage district; consolidated diking district, drainage district, diking improvement district, and/or drainage improvement district; or flood control district.	Title 85 RCW, Ch. 85.38 -Creation and Operation	Construct. straighten, widen, deepen, and improve all rivers, watercourses or streams causing overflow damage to land in district.	Governing body composed of 3 elected members.	Special assessments; special assessment bonds or notes (if the county legislative authority authorizes their issuance); rates and charges payable by owners within the district. RCW 85.38.150; RCW 85.38.230; RCW 85.38.145.	No	No	Yes	108*	Special election conducted by county auditor. 85.38.120 District reimburses auditor for costs.
Port Districts (Municipal Corporation)	Title 53 RCW	Acquire, construct, maintain, operate, develop and regulate system of harbor improvements, rail and water transfer and terminal facilities; air transfer, or terminal facilities, other storage and handling facilities. Acquire and construct toll bridges and tunnels and beltline railways, industrial development districts.	Port commission of 3 or 5 elected members from commissioner districts.	Regular levy of up to \$0.45 per \$1,000; regular levy of up to \$0.45 per \$1,000 for dredging, canal construction, or land leveling or filling purposes, upon voter approval; regular levy of up to \$0.45 per \$1,000 for industrial development purposes; general obligation bonds; revenue bonds; rates and charges for use of docks, wharves, warehouses, quays, and piers. RCW 53.36.020; RCW 53.36.070; RCW 53.36.100; 53.47.040; 53.08.070.	Yes	Yes	No	75	On general election ballot. 53.12.061
Fire Protection Districts (Municipal Corporation)	Title 52 RCW	Eliminate fire hazards and protect life and property outside cities/towns except where cities/towns have annexed.	Board of fire commissioners; 3 or 5 elected commissioners.	Regular levies (3 different levies with each a max of \$0.50 per \$1,000); excess levy of \$0.50 per \$1,000; benefit charges upon voter approval, general obligation bonds, and local improvement districts. Collection of reasonable charges for emergency medical services. See generally Ch. 52.16 RCW; RCW 52.12.131.	Yes	Yes	Yes	367	Consistent with general election statute. 52.14.060

District & Designation	Enabling Statute (RCW)	Purpose	Governance	Funding	Property Tax Authority?	Fees and Charges Authority?	Assessment Authority?	Number in Operation	Election Method
Conservation Districts <i>(Public body corporate and politic)</i>	Ch. 89.08 RCW	Conserve soil resources, prevent flood water and sediment damages.	Board of 5 supervisors, 3 elected, 2 appointed by state commission.	Special assessment (uniform rate per acre; or flat rate per parcel plus uniform rate per acre amount). Max per acre rate of \$0.10 per acre; max per parcel rate of \$5 or \$10, depending on county size); grants from the state conservation commission. RCW 89.08.400; RCW 89.08.410.	No	No	Yes	47	Conducted by districts, overseen by SCC. Exempt from general election statute
Irrigation Districts <i>(Municipal Corporation)</i>	Ch. 87.03 RCW	Provide irrigation of land, develop electrical generating facilities, purchase and sell electricity, provide street lighting, sewer and domestic water system.	Board of directors, 3 or 5 elected directors.	Benefit assessments; general obligation bonds; revenue bonds; local improvement districts; rates and charges for services and assistance provided by district. RCW 87.03.200; RCW 87.03.240; RCW 87.03.480-527; 87.03.0175.	No	Yes	Yes	98*	Elections governed by irrigation district election laws. 87.03.030 and exempt from general election 29A.04.330(1)(b)
Agricultural Pest Districts	Ch. 17.12 RCW	Destroy/exterminate animals that destroy/interfere with agricultural plants or products.	Supervision by agricultural expert or commissioner of district acting ex officio. *No independent governing board.	Property tax or benefit assessment. RCW 17.12.050; RCW 17.12.080	Yes	No	Yes		Not applicable.
Horticultural Pest and Disease Board	Ch. 15.09 RCW	Provide funds for inspecting and disinfecting horticultural or agricultural produces and horticultural premises.	Horticultural pest and disease board, 4 appt by county 1 by Director of Agriculture.	Contributions from county general fund; horticultural tax; assessment; RCW 15.09.131; RCW 15.08.260	Yes	No	Yes		Not applicable.
Weed Districts	Ch. 17.04 RCW	Control, prevent and exterminate weed found detrimental to crops, fruit trees, shrubs, foliage or other agricultural plants or foliage.	Board of directors, 3 elected directors.	Benefit assessment. RCW 17.04.240	No	No	Yes	11	Election exempt under 29A.04.330(1)(b) since voter must be landowner. 17.04.070 specific process.

District & Designation	Enabling Statute (RCW)	Purpose	Governance	Funding	Property Tax Authority?	Fees and Charges Authority?	Assessment Authority?	Number in Operation	Election Method
Air Pollution Control Authorities (Municipal Corporation)	Ch. 70.94 RCW	State-wide program of air pollution prevention and control	Board of directors, appointed; composition designated by statute.	Excess levy of up to \$0.25 per \$1,000; fees collected for operating permits for air contaminant sources (collected if authority delegated by Department of Ecology). RCW 70.94.091; RCW 70.94.162.	Yes	Yes	No	7	Appointed board.
Lake and Beach Management Districts	Ch. 36.61 RCW; RCW 35.21.403	Lake and beach improvement & maintenance.	Not specified.	Special assessment or rates and charges. RCW 36.61.020.	No	Yes	Yes		Not specified
Shellfish Protection Districts - "Clean Water Districts"	Ch. 90.72 RCW	Protect shellfish industry from pollution.	County legislative authority.	Contributions from county; inspection fees and service fees; charges or rates specified in protection program; federal, state, or private grants. RCW 90.72.070.	No	Yes	No		Not specified
Flood Control Districts - (Body corporate, powers of a corporation for public purposes)	See Ch. 85.38 for Formation and Organization of District	Straighten, widen, deepen and improve all rivers, watercourses or streams, construct diking system to protect land from overflow	Governing body composed of 3 elected members	See funding sources listed for diking and drainage districts (ch. 85.38 RCW).	No	Yes	Yes	13	Exempt from general election by 29A.04.330(1)(d)
Transportation Benefit District (Quasi Municipal Corporation)	Ch. 36.73 RCW, RCW 35.21.225 for city	Help public-private sectors address public transportation.	County or city legislative authority acting ex officio or interlocal agreement if more than one jurisdiction.	Excess levy; other voter approved taxes and fees, including a sales and use tax of up to 0.2%, a vehicle fee of up to \$100 per vehicle, a fee or charge on building construction, and vehicle tolls; general obligation and revenue bonds; local improvement districts; grants and donations. RCW 36.73.040; RCW 36.73.060; RCW 36.73.065; RCW 36.73.080; RCW 36.73.110.	Yes	Yes	Yes	13	Not applicable

District & Designation	Enabling Statute (RCW)	Purpose	Governance	Funding	Property Tax Authority?	Fees and Charges Authority?	Assessment Authority?	Number in Operation	Election Method
Cemetery Districts <i>(Municipal Corporation)</i>	Ch. 68.52 RCW	Acquire, establish, maintain, manage, improve and operate cemeteries and conduct businesses of a cemetery.	Cemetery board, 3 elected cemetery commissioners	Regular levy of up to \$0.1125 per \$1,000; general obligation bonds. RCW 68.52.290 RCW 68.52.310.	Yes	No	No	104	Consistent with general election statute
Health Districts	Ch. 70.46 RCW	Provide health services within the district.	Board of representatives appointed by county legislative authority. If district is in more than one county, the board must have at least 5 or 7 members (with each county appointed at least 2 members). RCW 70.46.020.	Funds from county and state; License and permit fees. RCW 70.46.085; RCW 70.46.120.	No	Yes	No	11	Not applicable
Mosquito Control Districts	Ch. 17.28 RCW	Abatement or exterminate mosquitoes.	Appointed board of 5 trustees - composition set by statute.	Excess levy of up to \$0.50 per \$1,000 upon voter approval; assessments; general obligation bonds. RCW 17.28.255; RCW 17.28.252.	Yes	No	Yes	18	Not applicable
Regional Library Districts	RCW 27.12.080	Free public library maintained by two or more counties or other governmental units.	Board of 5 or 7 trustees appointed by joint action of legislative authorities.	Expenses apportioned between or among the contracting parties. RCW 27.12.080.	No	No	No	See note for Inter-County Rural Library District.	Not applicable
Rural County Library Districts <i>(Municipal Corporation)</i>	RCW 27.12.040 - 070	Library serving all the area of a county not included within the area of incorporated cities and towns.	Board of 5 trustees appointed by county commissioners.	Regular levy of up to \$0.50 per \$1,000; excess levies; general obligation bonds. RCW 27.12.050; 27.12.222.	Yes	No	No	See note for Inter-County Rural Library District.	Not applicable
Park & Recreation Districts <i>(Municipal Corporation)</i>	Ch. 36.69 RCW	Provide leisure time activities, facilities, and recreational facilities.	Board of 5 elected commissioners.	Regular levy of up to \$0.60 per \$1,000 upon voter approval; excess levy; general obligation bonds; revenue bonds; local improvement districts; fees, rates, and rentals for the use of facilities . RCW 36.69.140; RCW 36.69.145; RCW 36.69.200; RCW 36.69.350; RCW 36.69.130.	Yes	Yes	Yes	43	Consistent with general election statute

District & Designation	Enabling Statute (RCW)	Purpose	Governance	Funding	Property Tax Authority?	Fees and Charges Authority?	Assessment Authority?	Number in Operation	Election Method
Public Utility Districts (Municipal Corporation)	Title 54 RCW	Conserve water & power resources; supply public utility service including water and electricity, sewer, telecommunications.	Election commission of 3 or 5 commissioner districts.	Regular Levy of up to \$0.45 per \$1,000; general obligation bonds; revenue bonds; rates and charges for services; local improvement guaranty fund. RCW 54.16.080; Chapter 54.24 RCW.	Yes	Yes	No	27	Consistent with general election statute
Water-Sewer Districts (water-sewer district, water district, sewer district) (Municipal Corporation)	Title 57 RCW (districts reclassified, formerly Sewer Title 56, Water Title 57), reclassification 1997	Furnish ample supply of water; purchase and maintenance of fire fighting equipment; furnish wastewater collection; provide street lighting.	3,5,or 7 elected members.	Excess levy of \$1.25 per \$1,000 of assessed value authorized at time of formation; general obligation and revenue bonds; local improvement districts; fees and charges for services. RCW 57.04.050; Chapter 57.08 RCW; Chapter 57.16 RCW; Chapter 57.20 RCW.	Yes	Yes	Yes	191*	Consistent with general election statute
Public Transportation Benefit Area (Municipal Corporation)	Ch. 36.57A RCW	Provide public transportation services with defined area.	Selected by participants; membership set out in statutes.	Motor vehicle excise tax and sales and use tax (for passenger ferry services); rates and charges for services. RCW 36.57A.090; RCW 36.57A.210; RCW 82.80.130; RCW 82.14.440.	No	Yes	No	20	Not applicable
County Road District	RCW 36.75.060	Provide revenue to establish, lay out, construct, alter, repair, improve and maintain county roads.	Not specified.	Regular levy. RCW 36.82.040.	Yes	No	Yes	39	Not applicable
Flood Control Zone Districts (Quasi Municipal Corporation)	Ch. 86.15 RCW	Undertaking, operating, or maintaining flood control projects/storm water control projects for areas of the county.	Board of county commissioners; option to elect 3 zone supervisors if district over 2000 residents.	Regular levy of up to \$0.50 per \$1,000; excess levies; assessments; general obligation bonds; service charges pertaining to storm water control and flood control improvements. RCW 36.89.080; RCW 86.15.160; RCW 86.15.176; RCW 84.52.052; RCW 84.52.054.	Yes	Yes	Yes	9	Consistent with general election statute

Notes:

This table was originally developed by staff at the House of Representatives Office of Program Research, September 19, 2012
House staff initially completed this table using information provided by the Municipal Research and Services Center, specifically the chart located at <http://www.mrsc.org/subjects/governance/spd/spdchart0112.pdf> and directly from statute where noted.

Appendix C

RCW 89.08.220 - Corporate status and powers of district.

A conservation district organized under the provisions of chapter 184, Laws of 1973 1st ex. sess. shall constitute a governmental subdivision of this state, and a public body corporate and politic exercising public powers, but shall not levy taxes or issue bonds and such district, and the supervisors thereof, shall have the following powers, in addition to others granted in other sections of chapter 184, Laws of 1973 1st ex. sess.:

(1) To conduct surveys, investigations, and research relating to the conservation of renewable natural resources and the preventive and control measures and works of improvement needed, to publish the results of such surveys, investigations, or research, and to disseminate information concerning such preventive and control measures and works of improvement: PROVIDED, That in order to avoid duplication of research activities, no district shall initiate any research program except in cooperation with the government of this state or any of its agencies, or with the United States or any of its agencies;

(2) To conduct educational and demonstrational projects on any lands within the district upon obtaining the consent of the occupier of such lands and such necessary rights or interests in such lands as may be required in order to demonstrate by example the means, methods, measures, and works of improvement by which the conservation of renewable natural resources may be carried out;

(3) To carry out preventative and control measures and works of improvement for the conservation of renewable natural resources, within the district including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, changes in use of lands, and the measures listed in RCW [89.08.010](#), on any lands within the district upon obtaining the consent of the occupier of such lands and such necessary rights or interests in such lands as may be required;

(4) To cooperate or enter into agreements with, and within the limits of appropriations duly made available to it by law, to furnish financial or other aid to any agency, governmental or otherwise, or any occupier of lands within the district in the carrying on of preventive and control measures and works of improvement for the conservation of renewable natural resources within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of chapter 184, Laws of 1973 1st ex. sess. For purposes of this subsection only, land occupiers who are also district supervisors are not subject to the provisions of RCW [42.23.030](#);

(5) To obtain options upon and to acquire in any manner, except by condemnation, by purchase, exchange, lease, gift, bequest, devise, or otherwise, any property, real or personal, or rights or interests therein; to maintain, administer, and improve any properties acquired, to receive income from such properties and to expend such income in carrying out the purposes and provisions of chapter 184, Laws of 1973 1st ex. sess.; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and the provisions of chapter 184, Laws of 1973 1st ex. sess.;

(6) To make available, on such terms, as it shall prescribe, to land occupiers within the district, agricultural and engineering machinery and equipment, fertilizer, seeds, seedlings, and such other equipment and material as will assist them to carry on operations upon their lands for the conservation of renewable natural resources;

(7) To prepare and keep current a comprehensive long-range program recommending the conservation of all the renewable natural resources of the district. Such programs shall be directed toward the best use of renewable natural resources and in a manner that will best meet the needs of the district and the state, taking into consideration, where appropriate, such uses as farming, grazing, timber supply, forest, parks, outdoor recreation, potable water supplies for urban and rural areas, water for agriculture, minimal flow, and industrial uses, watershed stabilization, control of soil erosion, retardation of water run-off, flood prevention and control, reservoirs and other water storage, restriction of developments of floodplains, protection of open space and scenery, preservation of natural beauty, protection of fish and wildlife, preservation of wilderness areas and wild rivers, the prevention or reduction of sedimentation and other pollution in rivers and other waters, and such location of highways, schools, housing developments, industries, airports and other facilities and structures as will fit the needs of the state and be consistent with the best uses of the renewable natural resources of the state. The program shall include an inventory of all renewable natural resources in the district, a compilation of current resource needs, projections of future resource requirements, priorities for various resource activities, projected timetables, descriptions of available alternatives, and provisions for coordination with other resource programs.

The district shall also prepare an annual work plan, which shall describe the action programs, services, facilities, materials, working arrangements and estimated funds needed to carry out the parts of the long-range programs that are of the highest priorities.

The districts shall hold public hearings at appropriate times in connection with the preparation of programs and plans, shall give careful consideration to the views expressed and problems revealed in hearings, and shall keep the public informed concerning their programs, plans, and activities. Occupiers of land shall be invited to submit proposals for consideration to such hearings. The districts may supplement such hearings with meetings, referenda and other suitable means to determine the wishes of interested parties and the general public in regard to current and proposed plans and programs of a district. They shall confer with public and private agencies, individually and in groups, to give and obtain information and understanding of the impact of district operations upon agriculture, forestry, water supply and quality, flood control, particular industries, commercial concerns and other public and private interests, both rural and urban.

Each district shall submit to the commission its proposed long-range program and annual work plans for review and comment.

The long-range renewable natural resource program, together with the supplemental annual work plans, developed by each district under the foregoing procedures shall have official status as the authorized program of the district, and it shall be published by the districts as its "renewable resources program". Copies shall be made available by the districts to the appropriate counties, municipalities, special purpose districts and state agencies, and shall be made available in convenient places for examination by public land occupier or private interest concerned. Summaries of the program and selected material therefrom shall be distributed as widely as feasible for public information;

(8) To administer any project or program concerned with the conservation of renewable natural resources located within its boundaries undertaken by any federal, state, or other public agency by entering into a contract or other appropriate administrative arrangement with any agency administering such project or program;

(9) Cooperate with other districts organized under chapter 184, Laws of 1973 1st ex. sess. in the exercise of any of its powers;

(10) To accept donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, from this state or any of its agencies, or from any other source, and to use or expend such moneys, services, materials, or any contributions in carrying out the purposes of chapter 184, Laws 1973 1st ex. sess.;

(11) To sue and be sued in the name of the district; to have a seal which shall be judicially noticed; have perpetual succession unless terminated as hereinafter provided; to make and execute contracts and other instruments, necessary or convenient to the exercise of its powers; to borrow money and to pledge, mortgage and assign the income of the district and its real or personal property therefor; and to make, amend rules and regulations not inconsistent with chapter 184, Laws of 1973 1st ex. sess. and to carry into effect its purposes;

(12) Any two or more districts may engage in joint activities by agreement between or among them in planning, financing, constructing, operating, maintaining, and administering any program or project concerned with the conservation of renewable natural resources. The districts concerned may make available for purposes of the agreement any funds, property, personnel, equipment, or services available to them under chapter 184, Laws of 1973 1st ex. sess.;

Any district may enter into such agreements with a district or districts in adjoining states to carry out such purposes if the law in such other states permits the districts in such states to enter into such agreements.

The commission shall have authority to propose, guide, and facilitate the establishment and carrying out of any such agreement;

(13) Every district shall, through public hearings, annual meetings, publications, or other means, keep the general public, agencies and occupiers of land within the district, informed of the works and activities planned and administered by the district, of the purposes these will serve, of the income and expenditures of the district, of the funds borrowed by the district and the purposes for which such funds are expended, and of the results achieved annually by the district; and

(14) The supervisors of conservation districts may designate an area, state, and national association of conservation districts as a coordinating agency in the execution of the duties imposed by this chapter, and to make gifts in the form of dues, quotas, or otherwise to such associations for costs of services rendered, and may support and attend such meetings as may be required to promote and perfect the organization and to effect its purposes.

[1999 c 305 § 8; 1973 1st ex.s. c 184 § 23; 1963 c 110 § 1; 1961 c 240 § 13; 1955 c 304 § 23. Prior: (i) 1939 c 187 § 8; RRS § 10726-8. (ii) 1939 c 187 § 13; RRS § 10726-13.]