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Disclaimer: This document is not intended as legal advice or guidance when appearing before the Pollution Control Hearings Board, Shoreline Hearings Board or Growth Management Hearings Board, nor is it intended to reflect legal positions of these Boards or ELUHO.

ELUHO Feasibility and Readiness Report

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1. Executive Summary

In July 2019, ELUHO contracted with AvachaTech LLC to perform an assessment of its current Case Management System. This effort was initiated, in part, as a response to Senate Substitute Bill 5151 ([SSB 5151](#)), which calls on ELUHO to fix the limited search functionality on the current website. Note that SSB 5151 is included in Exhibit 7 at the end of this assessment.

This assessment will be provided to ELUHO for comment and approval. It was completed over the course of several months and the process included an in-depth analysis of ELUHO's current systems and processes as well as the agency's future needs. The process also included interviews with stakeholders, users, board members, and staff. The purpose of this document is to memorialize the work that was done to understand the current state, describe the desired future state, and recommend next steps.

The result of this assessment is a recommendation to replace ELUHO's current Case Management System (see Section 7: Recommendations). This assessment will also inform the procurement and provide the material required to write a Scope of Work or Request for Proposal (RFP) for the new system.

The major issues addressed in the assessment include the following:

- SSB 5151 identified the website's inability to sort cases by topic, location, party or search by natural language.
- Interviews demonstrated that two databases with similar functions must be maintained and used in different ways, causing duplicate data entry and specialized work from an outside vendor. Current system is not configurable nor able to be managed internally by agency staff.
- Interviews with the website's users indicate that they find it outdated and difficult to use and expressed a lack of confidence in the accuracy of the information found on the website.
- Analysis of website traffic indicates little ability for site visitors to use the information or find the information they need.
- Agency management and staff are not able to analyze workload, status of legal cases or trends in cases.
- Interviews with staff revealed redundancies, inefficiencies in business process, workarounds, and lack of any automation.

2. Methodology and Approach

AvachaTech took a phased approach to the assessment project, starting with a kickoff phase and ending with a formal closeout. The five project phases are listed below.

#	Phase	Description
1	Kickoff	The Kickoff consists of meeting with key staff, establishing communication channels and methods, and setting expectations for the process and its deliverables.
2	Planning	Planning phase includes the identification of stakeholders, scheduling regular project meetings, identifying all related processes, writing the project plan, and reviewing the project plan with staff.
3	Discovery	Discovery phase includes meeting with staff, Board members, and stakeholders, documenting the current process, reviewing the current system and all current documentation.
4	Assessment	Assessment includes identifying gaps between current process / systems and ELUHO's future needs. The phase includes writing the Project Initiation Assessment and reviewing assessment with staff.
5	Closeout	Review project goals and objectives, ensure deliverable are met, deliver all project materials.

During the planning phase of the project, AvachaTech completed a detailed project plan, which is embedded in the following document (also available in Exhibit 1 at the end of this assessment):



This document contains the specific project steps and describes the project roles and project risks. The project team conducted over eighty (80) hours of interviews with staff, board members, and stakeholders. These interviews provided valuable feedback on the varied use of the current system and website that was used to understand the current processes and future needs. The table below lists the people who were consulted during the course of the project.

Name	Organization	Role
Nancy Coverdell	ELUHO	Project Manager
Nina Carter	ELUHO	Project Sponsor
Morgan Pilon	ELUHO	ELUHO Staff
Lynn Eccles	ELUHO	ELUHO Staff
Desiree Ortiz	ELUHO	ELUHO Staff
Carolina Sun-Widrow	ELUHO	PCHB Member
Neil Wise	ELUHO	PCHB Member

Name	Organization	Role
Kay Brown	ELUHO	PCHB Member
Joan Marchioro	ELUHO	Past PCHB Member
Heather Francks	ELUHO	Administrative Law Judge
Ray Paoella	ELUHO	GMHB Board Member
Deb Eddy	ELUHO	GMHB Board Member
Bill Hinkle	ELUHO	GMHB Board Member
Will Roehl	ELUHO	GMHB Board Member
Cheryl Pflug	ELUHO	GMHB Board Member
John Tacke	Frontline Solutions	Manager of current ELUHO database/website
Amy Pearson	OCIO	Oversight Consultant
Michelle Tuscher	Board of Accountancy	State agency advisor
Tina Poley	Dept. of Revenue	State agency advisor
Dave Andersen	Dept. of Commerce	Stakeholder
Fawn Wilson	Planning Assoc. of WA	Stakeholder
Jan Himebaugh	BIAW	Stakeholder
Amber Carter	Clark County	Stakeholder
Paul Jewell	WA Assoc. of Counties	Stakeholder
Karl Schroeder	Assoc. of WA Cities	Stakeholder
Mike Ennis	Assoc. of WA Businesses	Stakeholder
Jeanette McKague	WA Assoc. of Realtors	Stakeholder
Tim Trohimovich	Futurewise	Stakeholder
Rep. Mary Dye	State of WA	Legislative
Rep. Matt Boehnke	State of WA	Legislative
Rep. Laurie Dolan	State of WA	Legislative
Rep. Beth Doglio	State of WA	Legislative
Rep. Paul Harris	State of WA	Legislative
Rep. Vicki Kraft	State of WA	Legislative
Sen. Lynda Wilson	State of WA	Legislative
Sen. Sharon Brown	State of WA	Legislative
Sen. Shelly Short	State of WA	Legislative
Sen. Dean Takko	State of WA	Legislative
Senator Rolfes	State of WA	Legislative
Senator Salomon	State of WA	Legislative
Sandra Richartz	Senate Republican Caucus	Legislative
Mike Stevens	City of Richland	External User
Jacob Gonzalez	City of Pasco	External User
Melissa Moor	Kitsap County	External User
Ian Morrison	McCullough Hill (law firm)	External User
Marla Powers	Planning Association of WA	External User
Will Simpson	Department of Commerce	Stakeholder
Melissa Shumake	City of Walla Walla	External User
Sterling Jyoner	City of Connell	External User
Larry Peterson	Port of Kennewick	External User
Derrick Braaten	Franklin County	External User

3. Current State and Problem Statement

This section describes the current system and operating environment and includes a number of problem statements to be addressed in the study's recommendations.

3.1. Current Technical Environment

ELUHO's current Case Management System (CMS) has the following components:

- Pollution Control Hearings Board (PCHB)/Shorelines Hearings Board (SHB) website server
- PCHB/SHB report server
- PCHB/SHB SQL Azure database and firewall
- PCHB/SHB case management application
- Growth Management Hearings Board (GMHB) website server
- GMHB report server
- GMHB SQL Azure database and firewall
- GMHB case management application

3.1.1. Website Servers / Databases

The two website servers and databases support ELUHO's Case & Decision Search function on its website. When users choose to search for cases and decisions for either the Growth Management Hearings Board (GMHB) or the Pollution Control Hearings Board (PCHB)/Shorelines Hearings Board (SHB), they are accessing two separate web servers that were created by and currently administered by a third-party IT vendor.

The screenshot below shows how the public access the case and decision information from ELUHO's website:

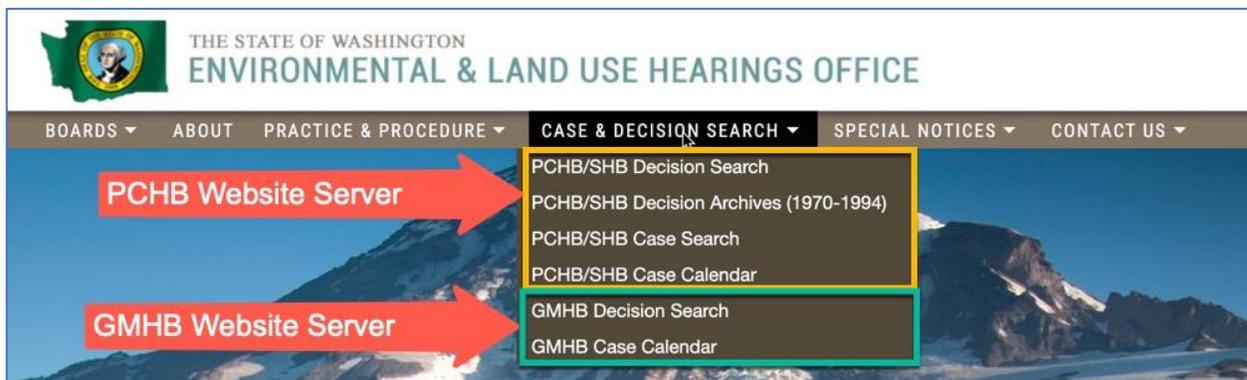


Figure 1: Case & Decision Search Options

Notice that the PCHB/SHB website server includes the ability to search both cases and decisions while the GMHB server only allows users to search decisions. When the user clicks on one of the decision searches, they will see one of the following screens:

- PCHB/SHB Decision Search:

PCHB/SHB Decision Search

The Environmental Hearings Office (EHO) maintains an index of the decisions of the Pollution Control Hearings Board (PCHB) and Shorelines Hearings Board (SHB) dating back to 1970 on this website. The public can search for all PCHB/SHB decisions using the specific criteria of the search engine that the EHO provides as a courtesy. The EHO cannot guarantee the accuracy of search results.

Use this search tool to find decisions of the PCHB, SHB, FPAB, HAB, or ELUHB issued from 1994 to present. For a list of the most recently issued decisions, simply click 'Search'; no criteria is necessary. For decisions issued between 1970 and 1994, please click [here](#) to access the archives. To search for decisions of the GMHB, please click [here](#).

Click on a case number or case name to view the details of that specific case. Click on a decision title to view that decision document.

Word/Phrase Search: Board: -- All Boards -- Case Number: Decision Issued: mm/dd/yyyy to mm/dd/yyyy
 Decision Type: -- All Types -- Appeal Type: -- Select a Board -- Case Name: Decision by Year: -- All Years --
 Match Whole Phrase/Number Search Clear

Figure 2: PCHB/SHB Decision Search

- PCHB/SHB Case Search:

PCHB/SHB Case Search

The Environmental Hearings Office (EHO) maintains an index of the decisions of the Pollution Control Hearings Board (PCHB) and Shorelines Hearings Board (SHB) dating back to 1970 on this website. The public can search for all PCHB/SHB decisions using the specific criteria of the search engine that the EHO provides as a courtesy. The EHO cannot guarantee the accuracy of search results.

Use this search tool to find a case that came before the PCHB, SHB, FPAB, HAB, or ELUHB. For a list of the most recently filed cases, simply click 'Search'; no criteria is necessary. To search for cases before the GMHB, please click [here](#).

Click on a case number or case name to view the details of that specific case. A case profile also includes links to view any decisions issued in that case.

Board: -- All Boards -- Case Number: Appeal Filed: mm/dd/yyyy to mm/dd/yyyy Hearings: mm/dd/yyyy to mm/dd/yyyy
 Appeal Type: -- Select a Board -- Case Name: Case Closed: mm/dd/yyyy to mm/dd/yyyy Active Only
 Search Clear

Figure 3: PCHB/SHB Case Search

- GMHB Decision Search:

Case and Decision Search

Document Contents: Searches for the specified text within the decisions documents

Panel: -- all panels --

Boolean Search: (when checked keyword searches such as: tin or iron or tin and iron can be performed)

Case Status: -- all status values --

Keyword: -- all keywords --

Sub Keyword:

Case Number:

Case Name:

City:

County: -- all counties --

Search Options: Case List Orders Issued

Dates: From To
 Decision Issued:
 Filed:

Dates: From To
 Hearings:
 Closed:

Order Type: -- all order types --

Find Cases Clear

Figure 4: GMHB Decision Search

3.1.2. Website Statistics

ELUHO’s IT vendor who supports the current CMS supplied website statistics for use in this report. These include statistics on the number of pages visited, the pages visited most frequently, the type of devices that visitors use to access the website, and the location of the visitors. These types of statistics are important to review as they can help EULHO understand who visits the website and how efficiently they use it. Below is a summary of these statistics. Observations about these statistics are included in section 3.1.5, Observations and Findings.

a.) Pages Visited

Since January 1, 2019, an average of 32,000 pages were viewed each month on a monthly average of 5,800 visits.

Date	Page Views		Visits		Hits	
January, 2019	35,748	12.37%	5,292	10.15%	91,525	11.53%
February, 2019	24,422	8.45%	4,590	8.80%	76,497	9.64%
March, 2019	28,059	9.71%	5,255	10.08%	83,943	10.58%
April, 2019	27,228	9.42%	5,656	10.85%	80,412	10.13%
May, 2019	26,265	9.09%	5,946	11.40%	79,590	10.03%
June, 2019	23,868	8.26%	5,956	11.42%	76,512	9.64%
July, 2019	38,261	13.24%	7,295	13.99%	103,283	13.01%
August, 2019	50,019	17.30%	7,050	13.52%	119,120	15.01%
September, 2019	35,176	12.17%	5,103	9.79%	82,862	10.44%
Total	289,046		52,143		793,744	

Figure 5: Website Page Views and Visits in 2019

Of these, an average of 4,150 of the visits were unique, 1,800 of them were new visitors (visitors whose IP address had not visited the ELUHO website) and 2,400 of them were visitors who had visited the ELUHO website before.



Figure 6: Website Visitor Stats for 2019Ç

The chart below shows the average amount of time that each visitor spent on the website. This is shown as an average length of visit in minutes. The “Visits” column indicates the number of visits each month between January and September 2019.

Date	Visit Length	Visits
January, 2019	1m 26s	5,292 10.15%
February, 2019	1m 16s	4,594 8.81%
March, 2019	1m 13s	5,258 10.08%
April, 2019	1m 05s	5,658 10.85%
May, 2019	1m 08s	5,946 11.40%
June, 2019	1m 06s	5,960 11.43%
July, 2019	1m 12s	7,296 13.99%
August, 2019	1m 17s	7,050 13.52%
September, 2019	1m 08s	5,102 9.78%

Figure 7: Average Amount of Time per Visit in 2019

b.) Website User Means of Access

The chart below shows the type of device used by visitors to the website. Visitors predominantly use a Windows PC. This would typically indicate that users prefer standard Windows-based computers rather than a mobile device such as a phone or tablet. However, this is difficult to judge since the current website is not responsive and has not been optimized for accessing case information and performing searches using a mobile device. Therefore, it is possible that this number indicates users use a computer to access the information instead of their mobile device because the website has not been optimized for mobile users.

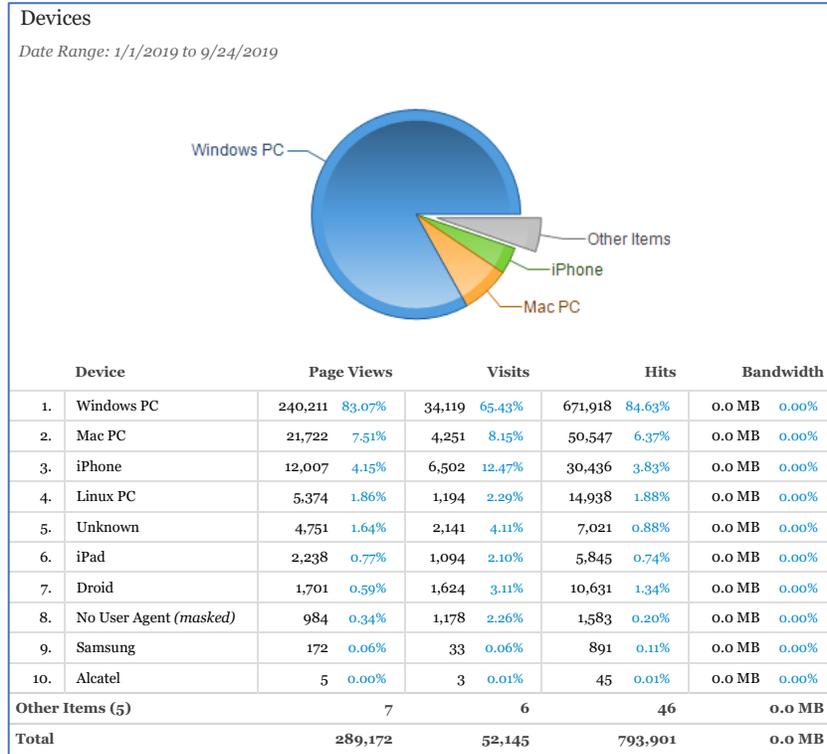


Figure 8: Visitor Type of Device Used to Access Website in 2019

Similarly, the chart below shows that the two web browsers predominately used to access the website are Google Chrome and Internet Explorer, both browsers mainly accessed from a personal computer rather than a mobile device.

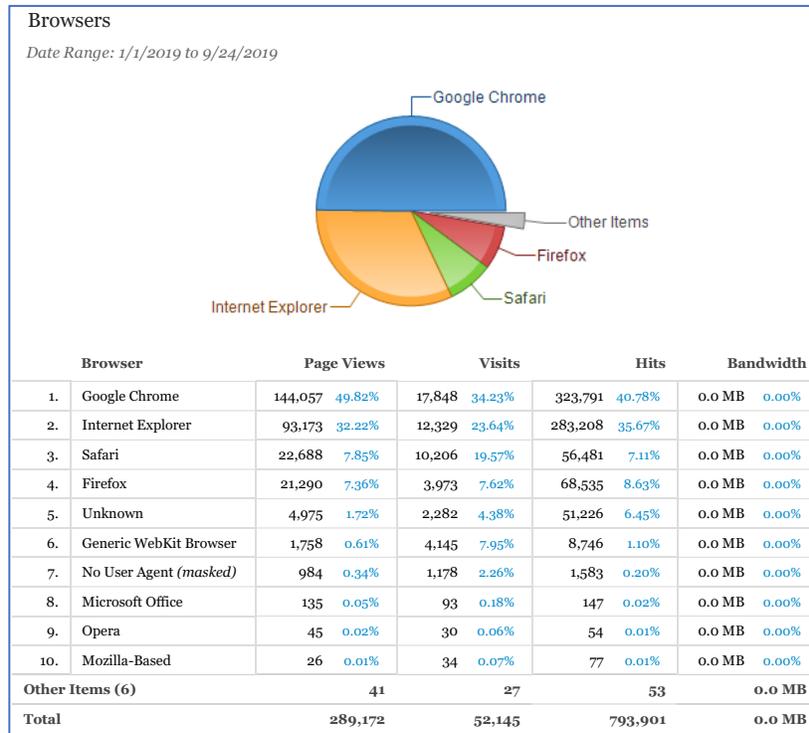


Figure 9: Visitor Type of Browser Used to Access Website in 2019

c.) Website User Locations

The two charts below show the top ten states and cities by the number of page views and visits to the ELUHO website. As expected, the visits from Washington and Olympia/Seattle are the highest. It is worth noting how many page views there are from other states and cities, though with significantly lower number of visits. This could be caused by a webservice scanning the website for indexing purposes, which would increase page views without necessarily increasing the number of visits.

Region	Page Views	Visits	Unique Visitors	Hits
1. Washington	181,808 69.82%	13,321 38.38%	2,161 24.28%	475,614 64.93%
2. N/A	31,345 12.04%	6,002 17.29%	1,347 15.14%	86,618 11.82%
3. New York	8,886 3.41%	456 1.31%	77 0.87%	15,864 2.17%
4. Oregon	5,036 1.93%	325 0.94%	98 1.10%	12,611 1.72%
5. Minnesota	4,245 1.63%	226 0.65%	39 0.44%	6,117 0.84%
6. California	3,906 1.50%	1,097 3.16%	384 4.32%	11,341 1.55%
7. Texas	3,261 1.25%	628 1.81%	235 2.64%	8,231 1.12%
8. Pennsylvania	3,144 1.21%	123 0.35%	47 0.53%	5,455 0.74%
9. Indiana	2,862 1.10%	7,506 21.63%	2,980 33.49%	23,127 3.16%
10. Delaware	2,111 0.81%	1,768 5.09%	205 2.30%	4,363 0.60%
Other Items (41)	13,781	3,255	1,326	83,182
Total	260,385	34,707	8,899	732,523

Figure 10: State Visitor Located When Visiting Website

	Region	City	Page Views		Visits		Unique Visitors		Hits	
1.	Washington	Olympia	96,753	37.16%	7,574	21.82%	755	8.48%	260,162	35.52%
2.	N/A	N/A	31,345	12.04%	6,002	17.29%	1,347	15.14%	86,618	11.82%
3.	Washington	Seattle	30,001	11.52%	1,687	4.86%	393	4.42%	67,955	9.28%
4.	New York	New York	7,363	2.83%	299	0.86%	25	0.28%	11,756	1.60%
5.	Washington	Everett	5,459	2.10%	226	0.65%	18	0.20%	10,679	1.46%
6.	Washington	Issaquah	4,196	1.61%	206	0.59%	86	0.97%	9,407	1.28%
7.	Minnesota	Saint Paul	3,846	1.48%	200	0.58%	19	0.21%	5,058	0.69%
8.	Washington	Bellevue	3,240	1.24%	253	0.73%	73	0.82%	6,981	0.95%
9.	Oregon	Portland	3,043	1.17%	188	0.54%	48	0.54%	7,099	0.97%
10.	Pennsylvania	Pittsburgh	3,043	1.17%	77	0.22%	7	0.08%	5,019	0.69%
Other Items (623)			72,096		17,995		6,128		261,789	
Total			260,385		34,707		8,899		732,523	

Figure 11: City Visitor Located When Visiting Website

3.1.3. Databases

Despite the obvious differences between the two systems as they appear on the ELUHO website, the backend data structure of the two systems is remarkably similar. Below are some sample screenshots that show how each of the databases is structured.

- PCHB/SHB Main Data Structure:

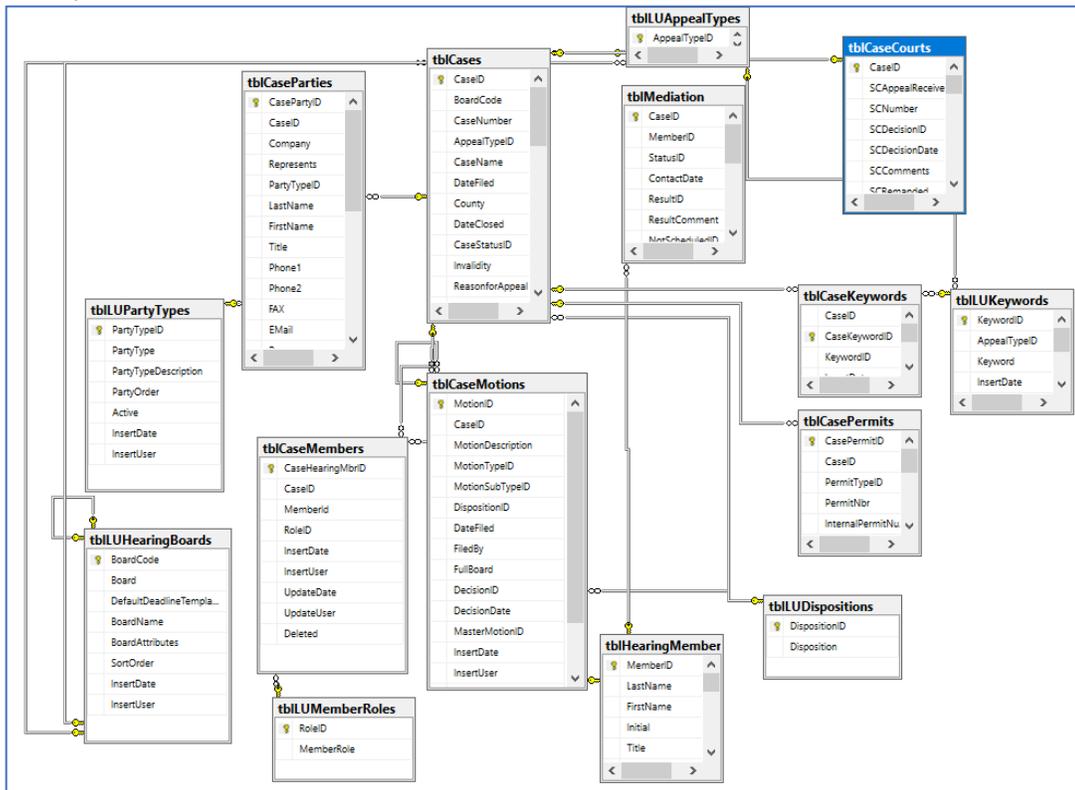


Figure 12: PCHB/SHB Main Data Structure

- GMHB Main Data Structure:

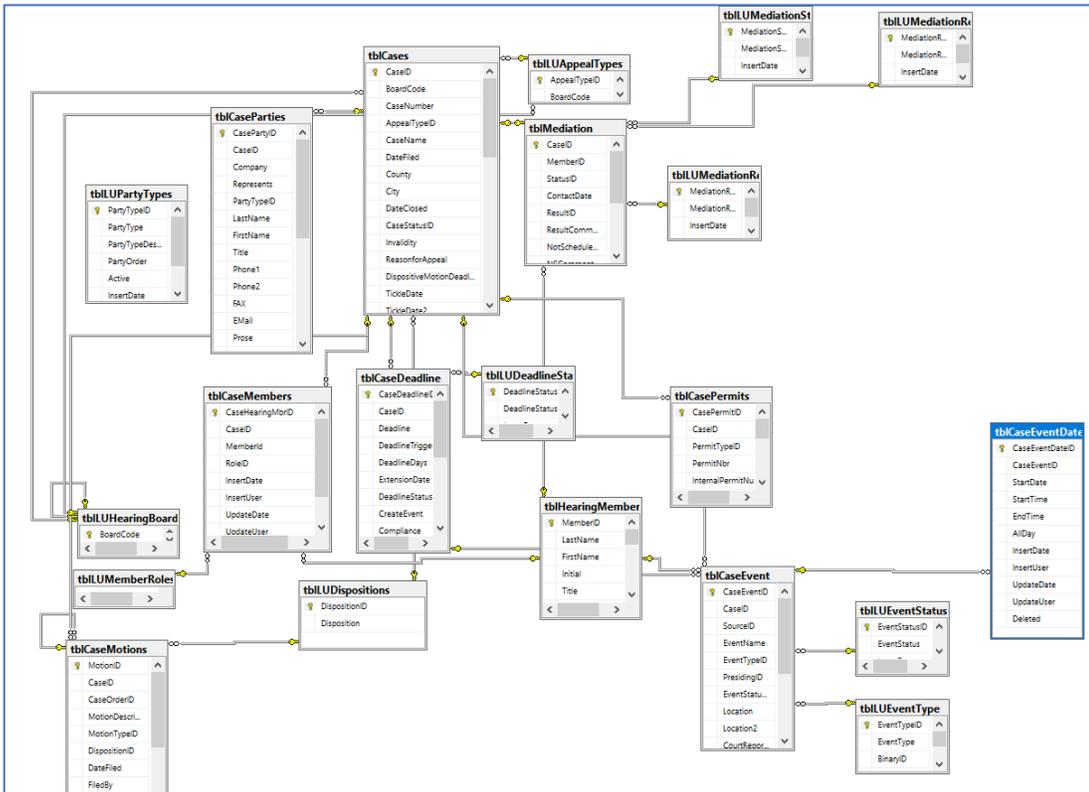


Figure 13: GMHB Main Data Structure

- Consolidated Case Structure (both databases):

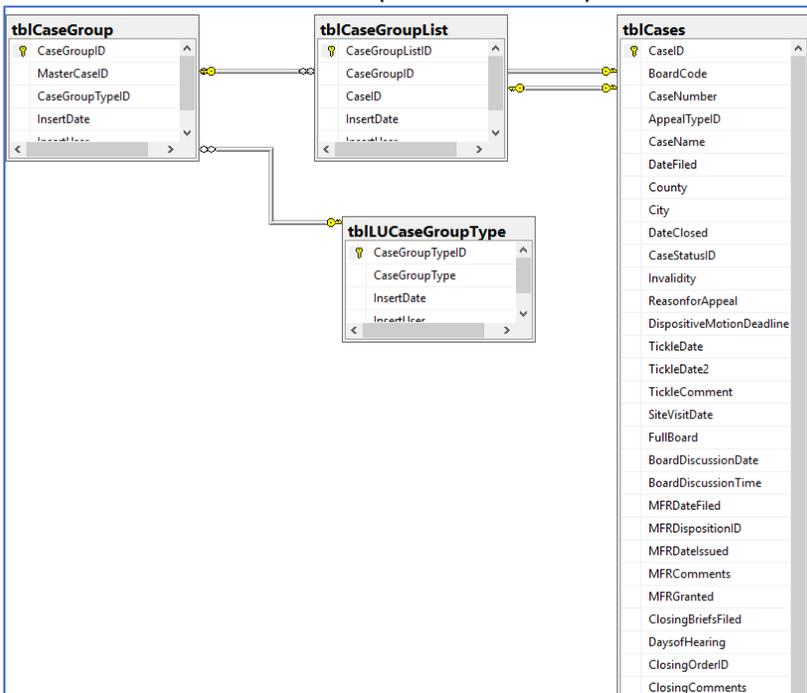


Figure 14: Consolidated Case Structure

- GMHB Deadline Structure:

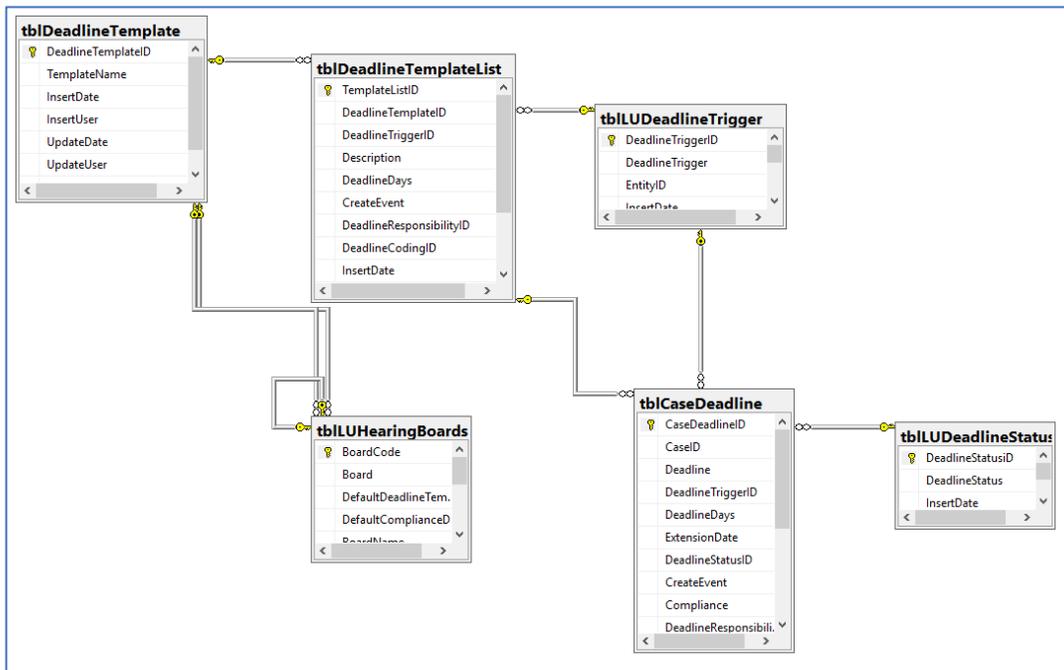


Figure 15: GMHB Deadline Structure

- Motions and Mediation Structure (both databases):

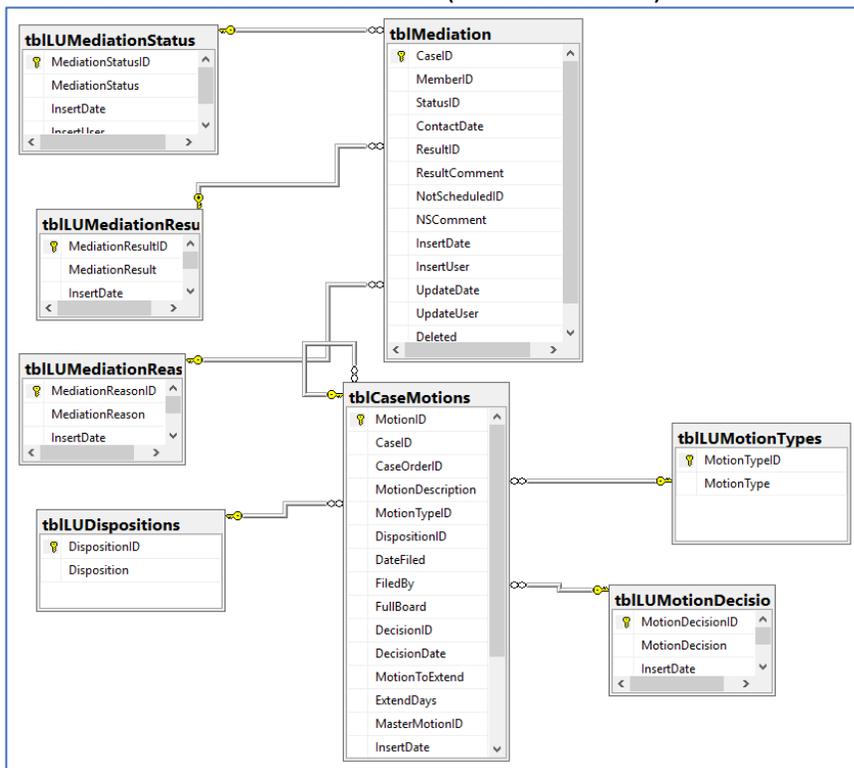


Figure 16: Motions and Mediation Data Structure

- Members and Contacts (both databases):

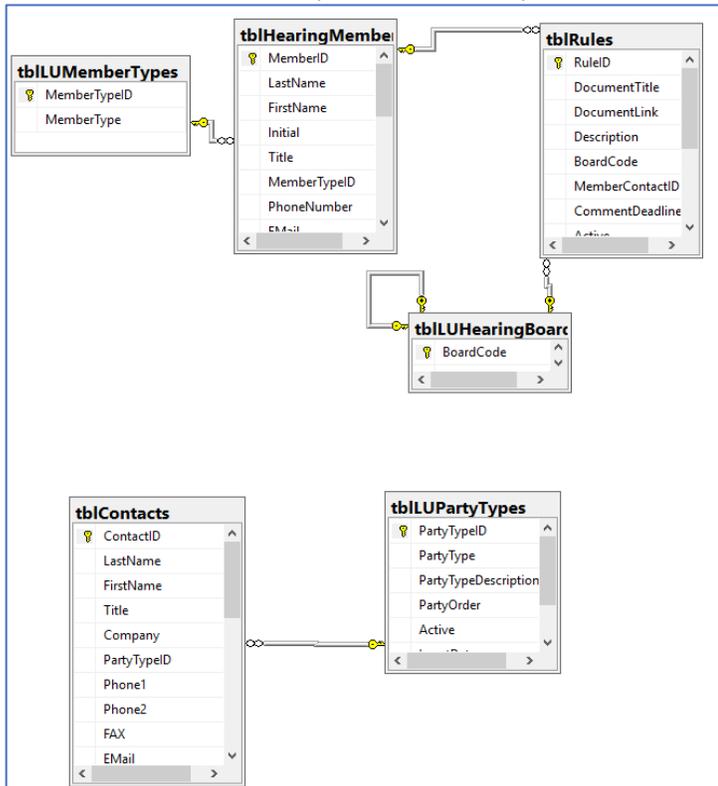


Figure 17: Members and Contacts Data Structure

3.1.4. User Interface

“User Interface” refers to the front-end application that ELUHO staff and board members see when they open the CMS application from their desktop for the respective board (PCHB/SHB or GMHB). The user interface screens look very similar between the two systems, but the functionality is slightly different.

Below are some screenshots from each database that demonstrate the overall look and feel of the user interface.

- PCHB/SHB Case Info tab

Case Master

Print Case Detail

Case Info | Parties & Members | Scheduling | Deadlines | Permits & Keywords | Motion | Order | Documents | Mediation | Cjo..

Board Code: PCHB Case Number: 16-143 Status: Open

Appeal Type: AP Date Filed: 12/7/2016

Case Name: [REDACTED] v. State of Washington, Department of Ecology

Short Name:

Reason Appealed: Appeal of Water Right Change Permit #WG2134 issued by Ecology on November 21, 2016

Case Summary

Mediation Status: <None>

Date Closed: <None>

Reconsideration Granted:

Appealed to Superior Court:

Presiding Officer:

Other Info

Dispositive Motion Deadline: Closing Briefs Filed: Assistance

Archive Reference: Full Board

Status History

Insert Date: 12/7/2016 4:00:04 PM Insert User: RebeccaG

Update Date: 12/7/2016 4:00:04 PM Update User: RebeccaG

Case Number: Refresh Delete New Save Close

Figure 18: PCHB Case Info Screen

- PCHB/SHB Deadlines tab

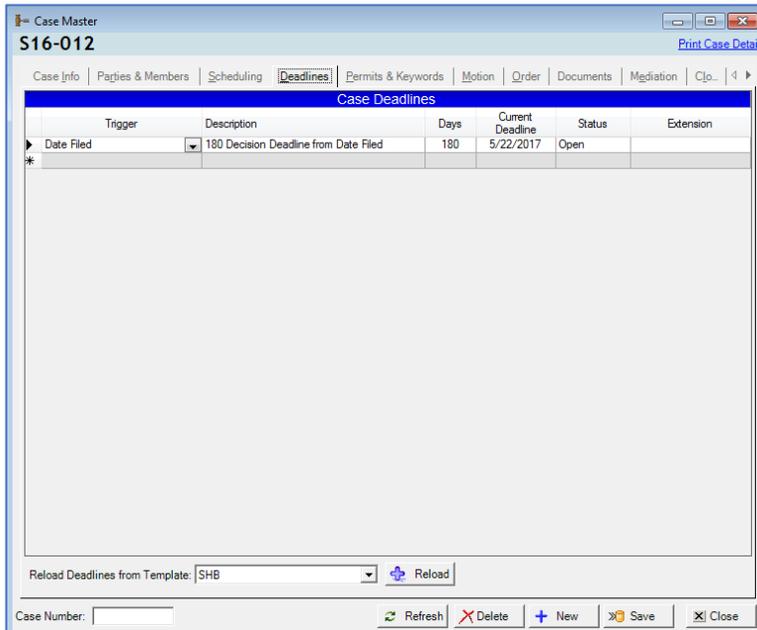


Figure 19: PCHB Case Deadlines Tab

- PCHB/SHB Parties and Members tab

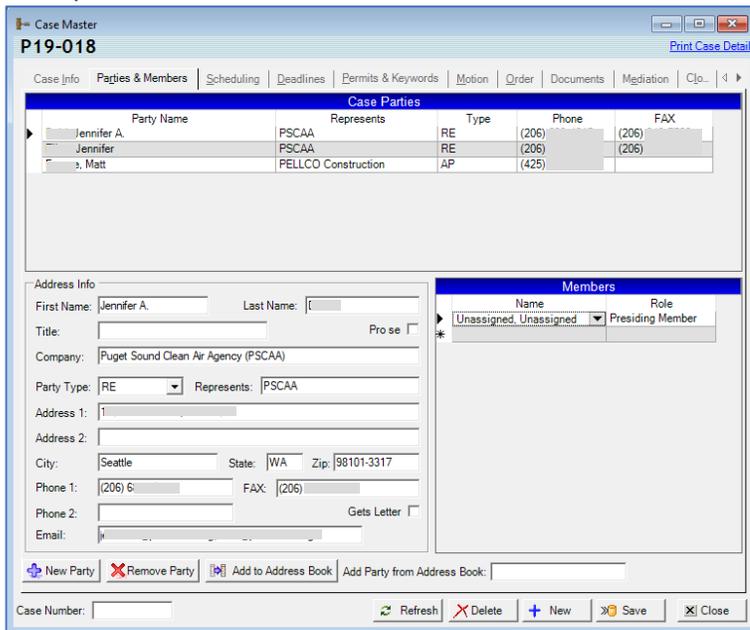


Figure 20: PCHB Case Parties and Members Tab

- PCHB/SHB Scheduling tab

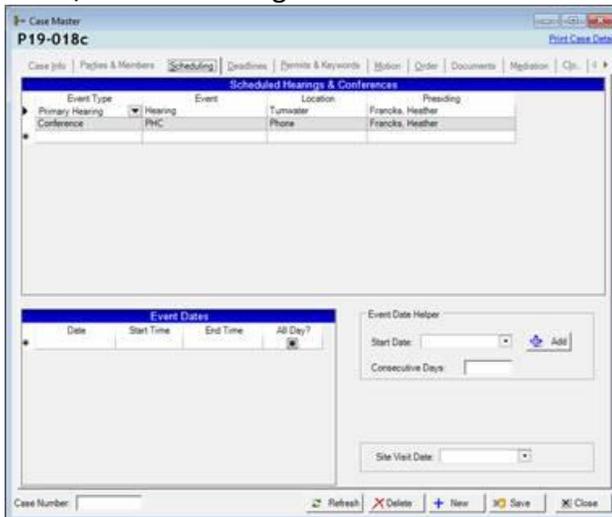


Figure 21: PCHB Case Scheduling Tab

- PCHB/SHB Mediation tab and Event Log

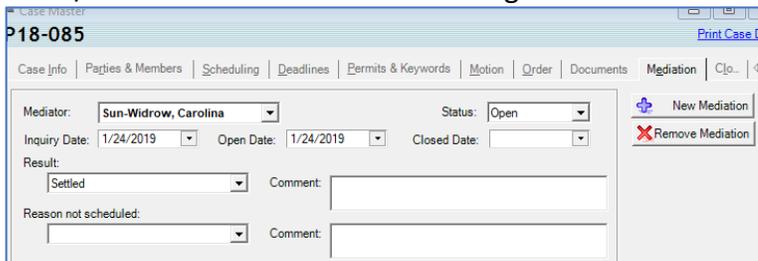


Figure 22: PCHB Mediation Tab

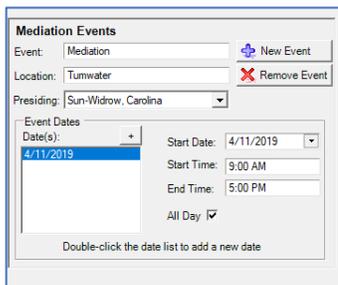


Figure 23: PCHB Mediation Event Log

- GMHB Case Info tab

The screenshot shows the 'Case Master' window for case P12-118c. The 'Case Info' tab is selected. Key fields include: Board Code (PCHB), Case Number (12-118c), Status (Closed), Appeal Type (FP-APPLICATION), and Date Filed (11/5/2012). The Case Name is 'The Quinault Indian Nation v. State of Washington, Department of Natural Resources, Esses Daman Family, LLC, and Sherman Esses'. A green arrow points to the 'Appealed to Superior Court' field, which is set to 'Yes'. Other fields include 'Reconsideration Granted' (No), 'Presiding Officer' (Kay Brown), and 'Date Closed' (4/29/2014). A 'Status History' table shows the case was 'Open' on 11/5/2012 and 'Closed' on 4/29/2014. The bottom of the screen has buttons for Refresh, Delete, New, Save, and Close.

Figure 24: GMHB Case Info Screen

- GMHB Court Information screen

The screenshot shows the 'Court Information' window for case P12-118c. The 'Superior Court' tab is selected. Key fields include: Appeal Received (12/21/2012), Case Number (12-2-02624-3), Decision (Affirmed), and Decision Date (3/22/2013). The County is THURSTON. Comments include 'Order and Judgment Affirming the Order of the Pollution Control Hearings Board, March 22, 2013.' and 'Jefferson County 14-2-00078-1'. The bottom of the screen has buttons for Refresh, Delete, New, Save, and Close.

Figure 25: GMHB Court Information Screen

The application is accessed via a stand-alone executable that is installed on each user's desktop. The program was developed in C#.NET using Windows Forms and the reporting function uses both Crystal Reports and SQL Server Reporting Services (SSRS) Report Viewer. Windows Forms is a type of software project that can be created and managed with Microsoft Visual Studio. While this type of client application was once the standard, configurable, cloud- and web-based platforms have become the new standard due to their overall accessibility, responsiveness, and configurability.

3.2. Observations and Findings

There are a number of limitations with the current configuration that make managing cases and updating the website cumbersome. These limitations would be overcome by building the system on a new, modernized platform.

3.2.1. Observations

The following is a list of observations made related to the assessment of the current state:

1. The menu option for GMHB is called “GMHB Decision Search” but the screen says it is a “Case and Decision Search”. The reality is that the search allows the user to search for cases that have been decided (including cases where a final order is pending) and orders issued for those cases. This is confusing and unclear to the general public end user. It also is not helpful for people searching for active cases.
2. The case information stored in the two different databases is very similar in nature and it is unclear why they are separated between PCHB/SHB and GMHB.
3. The search methodology for the different boards is completely different and can be confusing for the public as well as ELUHO staff who support all three boards. For example, when searching cases and decisions for PCHB/SHB, the user has the option of selecting a case type and decision type (if searching decisions), while the GMHB search does not have either of these options.
4. On the GMHB side, users report that the most common way to search is by using the “Document Contents” free form text entry but that they question the results that are returned because:
 - a. The results do not indicate where the search function found the words that the user entered;
 - b. The columns that are displayed are rarely the same columns of information where the search found the term;
 - c. If the user enters a general term that appears in many different cases, the search results are capped at 200 and it does not tell them how many cases there actually are with the term searched.
5. Occasionally, ELUHO requests the developer to make improvements to the system. However, these requests have been made in a vacuum without adequate control, which has led to a lack in continuity between the two systems. For example, a member of the PCHB board may request the addition of a new field; previously, there was no process in place to ask whether GMHB should also use this field and so over time, the differences between the two databases has grown.
6. The search options are not intuitive. Users interviewed said that they need to be able to search by topic, category, legal issues, legal representative, GMA goals (GMHB only), etc. Some users reported that they wanted to search by any field without restriction. Even though some of the searches can be performed in both databases currently, the page showing the search results looks identical when searching for two different topics.
7. The screenshot below shows an example of a search result. Note the fields that appear in the search results. The users have no control over what fields display and, as mentioned earlier, there is no indication where the results are located within the case.

Count: 200

Case Number	Board	Case Name	Date Filed
98-2-0023c	WWGMHB	Whidbey Environmental Action Network v. Island County	12/7/1998
00-2-0008	WWGMHB	Protect the Peninsula's Future and Washington Environmental Council v. Clallam County	3/1/2000
07-1-0004c	EWGMHB	Kittitas County Conservation, Ridge, Futurewise, and Washington State Department of Commerce v. Kittitas County, et al	2/21/2007
05-2-0002	WWGMHB	1000 Friends of Washington v. Thurston County	1/21/2005
12-2-0013	WWGMHB	Eric Hirst, Laura Leigh Brakke, Wendy Harris, David Stalheim, and Futurewise v. Whatcom County	10/10/2012
00-2-0033c	WWGMHB	Skagit Audubon Society, et al v. Skagit County, and Agriculture for Skagit County, et al	2/22/2000
02-2-0012c	WWGMHB	Swinomish Indian Tribal Community v. Skagit County	11/20/2002
95-2-0073	WWGMHB	John E. Diehl, et al v. Mason County, et al	7/14/1995
99-2-0027c	WWGMHB	Eugene Butler et al v. Lewis County	10/8/1999
07-1-0015	EWGMHB	Kittitas County Conservation, Ridge and Futurewise v. Kittitas County, et al	9/24/2007

Figure 26: Case Search Results

8. The stakeholder sessions conducted during the Discovery phase of the project clearly indicated the need for a “lite” version of the website to be used in rural areas without high bandwidth internet access. While there is nothing in the data that indicates this to be the case, the fact that mobile browsers and devices and rural areas in Washington do not show prevalently in the data is an indicator itself that a mobile, lite version of the website may be needed to allow users to access the site at all.
9. Average page views per visit is a good indicator to use for understanding how easy or difficult it is to navigate a website. In the case of ELUHO, fewer page views could indicate that the search function returns relevant results quickly, while a higher average page view could indicate that users need to click around the website before finally finding what they are looking for. Throughout 2019, each visitor to the ELUHO website visited between four (4) and six (6) pages per visit. Additionally, users spent an average of one (1) minute, twelve (12) seconds on the website. One minute is a short time to visit and read five pages of content or perform a search and view the results, especially when much of the content is legal in nature. This indicates that visitors likely came to the website, clicked through several pages, did not find what they were looking for and left rather than that they found what they wanted quickly after visiting several pages.
10. The ability to analyze traffic and website users is lacking. A more robust analytic tool should be used in the future in order to ensure that users are able to find the information they need on the website quickly. Many modern tools enable administrators to set up alerts based on events, such as broken links, large increases in web traffic over a short period of time and decrease in page views per visit.
11. Some of the fields at the case level are different. In some cases, fields have the same purpose but were named differently, while in other cases, there are completely different fields.
12. Some of the picklist/dropdown fields have different values (e.g., the field Status may have the values Filed, Open, Closed, and Cancelled in one database but the same field could have the values Filed, Active, Inactive, Appealed in the other database).

13. The GMHB database has the ability to auto-populate case deadlines and so there is a separate series of tables used to store case deadline templates.
14. PCHB and SHB often relate to permits and so the PCHB/SHB database includes a table to store information related to permits, while the GMHB database does not.

3.2.2. Findings

Based on these observations, the assessment's findings include the following:

1. Staff's ability to update the website: currently staff use Adobe Contribute to edit the website pages and add documents to it. Adobe Contribute was discontinued in 2012 and the functionality is extremely limited. A modernized system would give ELUHO the ability to make changes in one location, which are instantly live for both internal and external users.
2. The current process is heavily reliant on paper, including the ability for appellants and parties to a case to access forms on the website, which must be downloaded, edited, printed, and sent by mail to ELUHO. There is no way for appellants and parties to a case to file an appeal online or interact with a case online in any way.
3. Requests to make changes to the application: when staff need to add fields, picklist / dropdown values, or functionality to the current system, these changes are sent to a consultant who edits the source code of the program and creates a new release, which must be installed and/or updated on each user's computer. Most modern programs would allow ELUHO administrative staff the ability to configure many system changes and updates themselves. It will also offer a simplified way for consultants or IT staff to make the more complex changes, including adding new functionality. Also, a modernized, web-based system would mean that there are no local applications/executables that need to be installed and the changes would be instantly live for users upon login.
4. Ability to create custom reports: currently, reports are limited to the few reports that were created by ELUHO's consultant and staff are not able to create or modify reports themselves or even export data. The result is that staff manually compile information and use it to populate Word documents that are distributed to the Director and Board members. Most modern web-based systems include a report-writer function that allows users to create and modify reports on their own without requiring an external report server or interface, such as Crystal Reports or SSRS.
5. Ability to access case data: currently, ELUHO staff have no way of accessing the data in the system, exporting it, and performing any sort of analysis of the data. In 2017, ELUHO needed to provide data to the Washington State Senate that was not readily available. As a result, they worked with a Washington State Senate staff to manually go through the records in the system and perform a hand count for a Senate inquiry. Modern systems offer much greater transparency when it comes to the data structure, and most offer an easy way to export the data that they need to Excel or other formats.
6. Ability to add new users: in the current environment, ELUHO must contact their consultant when new users are added to the system or when current users get a new computer. This is because an executable must be installed on their desktop. The

consultant must also create logins for them to access the system and work with WaTech to ensure that the IP ranges from which they will be accessing the system are added to the firewall. Modern systems allow an administrator to simply create a new user who would then be able to log in online using their credentials. Also, if an existing user gets a new computer, nothing needs to be done on a modern web-based platform as long as they know their username and password.

7. Ability to create merge documents: currently, staff copy and paste data such as names, addresses, case numbers, etc. from the CMS into Word Templates when creating letters, orders, motions, agendas, and other documents related to a case. Most modern system have the ability to generate documents directly from the system based on data that is stored with the case.
8. Ability to integrate with other systems, such as email/calendar or document management components: currently, the only integration that exists between the CMS and other applications, is a function that the staff use in the PCHB/SHB application to send an event to someone's calendar in Outlook. However, the systems are not in sync and there is no true "integration" between them. If an integration were to be built, it would require a significant development effort. Many modern web-based platforms enable easy and configurable access to other systems through an Application Programming Interface (API), which is a communication protocol that can be used to connect two different systems. In addition, some systems come standard with access to Microsoft Office products, including Outlook.
9. Access the system from outside ELUHO's offices or allowed IP ranges: currently, ELUHO's consultant must enable access to the database by adding IP ranges to the configuration of a particular user. Many of ELUHO's board members work from their home office, meaning that the IP address for their home must be manually added. Also, Internet Service Providers will occasionally renew IP addresses for residential customers, which can cause someone's IP address to suddenly be out of range. A modern web-based platform will allow staff to access the system from anywhere with a web browser and an internet connection. Note, however, that WaTech may restrict access to certain locations, IP's, or hours of the day, and most systems will allow them the ability to control this if needed.
10. Access the system from a mobile device: currently, the general public can access case information from ELUHO's website, which can be accessed on a mobile device's web browser. However, the website is not [responsive](#) and does not meet modern accessibility standards. Also, ELUHO staff and board members are restricted to the desktop executable and cannot access any of the case information that they need from a mobile device. A modern web-based system would allow internal and external users alike the ability to access the same information on a mobile device as from a computer's web browser and many of the options ELUHO has considered also offer a mobile app that is designed specifically for displaying data responsively on a mobile device.

3.3. Current Organizational Environment

ELUHO is a quasi-judicial agency that includes nine board members, one of which is also the agency Director, four administrative staff, and two attorneys. All of the board members are appointed to the boards by the Governor and the Governor also designates one of the board members as the agency Director. Because of this, the organizational structure is relatively flat and only the administrative appeals judges and administrative staff are supervised. The organizational chart below demonstrates this:

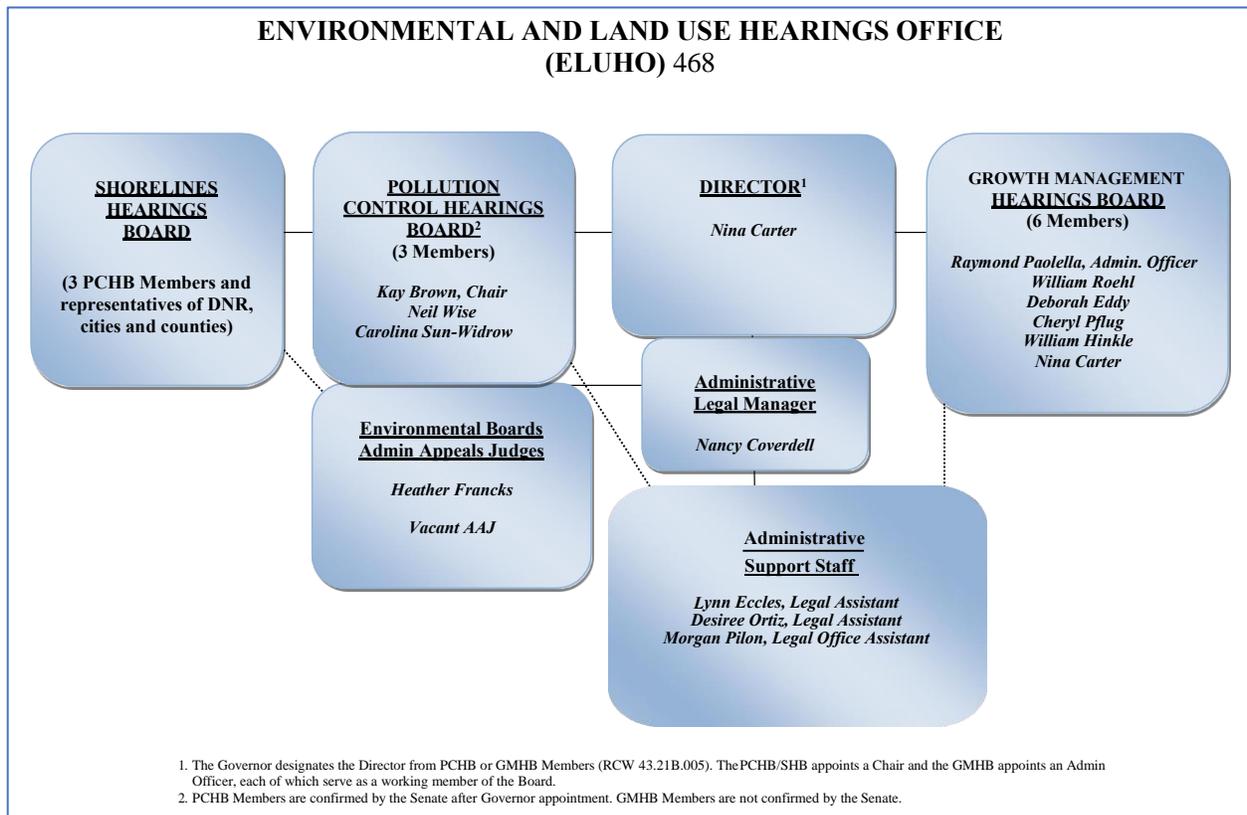


Figure 27: ELUHO Organizational Chart

This structure makes it difficult to bring about organizational change. As a result, changes come about either through the Director’s direct oversight of the support staff for projects that do not need board member involvement or through the agency’s Steering Committee. This Committee was recently established as a requirement of the Office of Chief Information Officer (OCIO). The Steering Committee includes the following members:

- Director of ELUHO
- 1 Representative from the PCHB/SHB board
- 1 Representative from the GMHB board
- 1 Administrative manager
- A representative from the Washington State Office of the Chief Information Officer (OCIO)

The committee meets monthly to discuss organizational changes, primarily focused around technology. While the committee is new (started July 2019), it is well-suited to oversee the software selection and implementation process. The committee has devised a charter for the project, which can be found in the Section 9.1 (Governance Plan) of this document.

Note that ELUHO does not have any IT staff. The support staff are highly functional in terms of the support they offer the board members, administrative appeals judges, and agency Director, but their roles are not technical in nature. For desktop support, ELUHO relies on WaTech for desktop support only which includes supplying computers, office software and hardware, and troubleshooting. WaTech does not manage or troubleshoot the current databases or websites. ELUHO must contract out for database and website services.

Due to the small size of the agency and the lack of technical support, it is critical that ELUHO's software system can be easily maintained by the current administrative support staff. Functions such as adding users, creating new fields, writing reports, etc. should be able to be performed by the current support staff and should not require an outside vendor.

4. Business Objectives

The following business objectives were developed during July and August 2019 in order to ground the project and set the high-level expectations. They are:

1. **Easy for the Public to Get to the Decisions Securely**
The externally facing website must allow the public to easily recall historical and current information in the database, including all details about a case, documents associated with the case, and other cases that are related to it by topic, statute, or locale. Searching should include topical searches, searches in “natural language”, case browsing by category (cases must be categorized), searches based on RCW / statute, and other similar search and browse functionality.
2. **Increase Productivity of Staff**
The new system should automate processes where possible, digitize processes that are currently manual or paper-based, templatize cases to reduce the amount of data that needs to be input, and enable staff to print letters and other documents directly out of the system using pre-defined templates. It should do this in a way that ensures secure storage and retrieval of data.
3. **Store Documents and other Information with the Case:**
Documents, emails, and other information need to be tagged and saved with the case for easy retrieval for both internal staff and the general public. Public-facing documents need to follow State and Federal guidelines when handling personally-identifiable information (PII).
4. **Advanced Analytics and Reporting:**
The system should allow staff to trend cases, cases decisions, and other factors over time and be able to report on and group any system data point with ease.
5. **GIS Mapping:**
Cases should be tagged with Geocodes and the system should allow for GIS mapping, for external users using the website and internal users alike.

5. Project Scope

The ELUHO Boards (Growth Management Hearing Board, Pollution Control Hearing Board, and Shorelines Hearing Board) hear appeals cases from citizens, companies, local government agencies, and others. When ELUHO receives appeals, the administrative support staff enter a case into one of two databases, both of which are very similar in nature and function. Note that all appeals are received by paper hardcopy. From there, the lifecycle of a case goes something like this:

1. Case is entered into the database
2. Case is assigned to board members
3. Pre-hearings and hearings are scheduled
4. Case deadlines and other dates are set
5. Pre-hearing is conducted
6. Motions are filed, reviewed, and approved / denied
7. Exhibits are filed and attached to the case
8. Case notices are issued
9. Hearing is conducted
10. Orders are issued
11. Case may be extended
12. Case is decided by the board and a board member writes the decision
13. Case closes by one of the following:
 - a. Dismissed prior to the hearing taking place
 - b. Case decision reached
 - c. Case is sent to upper court, such as the Superior Court/Court of Appeals/Supreme Court (upheld / overturned)

Throughout this process, various updates are made to the case and documents are uploaded to the website. Both the case information and the related documents are searchable on the website by the general public.

ELUHO intends to procure a new solution to manage the cases for all three boards. The solution:

- Must be web-based and cloud-based;
- Must not be fully custom, but should be highly configurable;
- Must store all case-related documents and link cases to contacts and staff calendars;
- Must send notifications based on dates and statuses;
- Must offer the general public an easy way to search and retrieve accurate case information by topic, party, location, and natural language;
- Must give parties to a case the ability to log in to a confidential web portal, upload their documents and see relevant information pertaining to the case and this access must be confidential to that party alone;

- Must give staff the ability to write their own reports, easily run reports, make minor configuration changes to the system (adding fields, adding users, adding dropdown values, etc.), and communicate with the parties to a case.

In addition, the externally facing website and the internal database used by staff must pull data from the same database. Data entered internally needs to be immediately available to external users and vice versa without syncing, importing/exporting, or requiring any other data interface. In other words, the internal and external interfaces must connect to the same database but show different sets of information based on permissions and security setups. The system needs to allow staff and/or the vendor who supports it, the ability to easily configure processes for automation. Automation should include building processes for sending notifications, administering approvals, setting default field values, validating entries, preventing staff actions prior to the completion of required process steps, etc.

The following pages contain two lists that together define the full scope of the new solution:

1. Process Requirements: these are the specific requirements that ELUHO believes the new system should meet.
2. Data Requirements: this list shows the different metrics and data points that ELUHO needs to be able to track in the new system.

5.1. Process Requirements

The chart on the following pages contains ELUHO’s process requirements for the new modernized web-based solution. With a few exceptions, each requirement ties directly to one of the business objectives described early in this assessment.

Requirement	Category	Business Objective	Internal / Website	Must Have	Current System Meets Req’t
Solution must include functionality that allows staff to consolidate multiple cases into a single case without losing information from the original cases that were consolidated	Business logic	Increase Productivity of Staff	Internal	YES	NO
Solution should provide a customizable way to calculate the complexity of a case based on information entered into the database. Information includes case priority, category, and other information that determines how long the case may take.	Business logic	Increase Productivity of Staff	Internal	NO	NO
Solution must allow the ability for decisions to remain available to both the internal and externally-facing website forever while the other case information that is not related to the decision should follow ELUHO’s document retention policy	Business logic	Easy for the Public to Get to the Decisions Securely	Both	YES	NO
When a request to extend a hearing date is received, solution must suggest hearing dates to the support staff and presiding officer when the case is first input based on Board member calendars and a calculated estimation of how long the hearing will take	Business logic	Increase Productivity of Staff	Internal	YES	NO
Solution should track a case through the reconsideration period (the period after the Final Order has been issued but before the deadline to submit a motion for reconsideration has been reached)	Business logic	Increase Productivity of Staff	Internal	NO	NO
Solution should have an automated process to assist with issuing correcting orders when an order has already been issued	Business logic	Increase Productivity of Staff	Internal	NO	NO
Solution should suggest dates and timeframes to staff when they are setting the dates for the case	Business logic	Increase Productivity of Staff	Internal	NO	NO
Solution must include a “motion tracker”, which is a report or tool that tracks the status and submission of motions to ensure they are reviewed and orders are issued timely, including automated notifications to staff. This includes the automatically setting the motion response due dates.	Business logic	Increase Productivity of Staff	Internal	YES	NO

Requirement	Category	Business Objective	Internal / Website	Must Have	Current System Meets Req't
Solution must show the path or timeline that each case follows and where the case is along the path	Business logic	Advanced Analytics and Reporting	Both	YES	NO
Website component of the solution should contain a form / questionnaire that the user fills out to help them determine whether they have a case and should file an appeal	Business logic	Increase Productivity of Staff	Website	NO	NO
Solution must have the ability to generate calendar invites and reminders	Calendaring	Increase Productivity of Staff	Internal	YES	NO
Solution must have the ability to "templatize" cases, meaning that different types of cases use a different template that determines the fields that are available, the values available in the dropdown menus, etc.	Case templates	Increase Productivity of Staff	Internal	YES	NO
Solution must allow internal staff members and board members to communicate internally about a particular case	Communication	Increase Productivity of Staff	Internal	YES	NO
Solution should allow support staff to refer a call to other staff for "Procedural Assistance"	Communication	Increase Productivity of Staff	Internal	NO	NO
Solution must allow administrators to configure processes and workflows in order to customize the operation of the system	Configurability	Increase Productivity of Staff	Internal	YES	NO
Solution must allow for the storage and retrieval of documents related to a case in compliance with the State's records retention schedule	Document management	Store Documents and Other Information with the Case	Internal	YES	YES
Solution must be able to generate documents (Word / PDF) that are populated based on information in the system	Document templates	Increase Productivity of Staff	Internal	YES	NO
Solution must have the ability to create and store an unlimited number of document templates that can be used to generate letters, notices, and other types of documents based on data stored in the system	Document templates	Store Documents and Other Information with the Case	Internal	YES	NO

Requirement	Category	Business Objective	Internal / Website	Must Have	Current System Meets Req't
Website component of the solution should provide the ability for users to generate a PDF document real-time that lists cases by topic, category, issue, etc. (see http://www.gmhb.wa.gov/pages/Documents/2010-Present_Joint_Digest_July2019_Update.pdf).	Document templates	Easy for the Public to Get to the Decisions Securely	Website	YES	NO
Website component of the solution should provide the ability for users to generate a PDF document real-time that summarizes cases and keyword concepts (see http://www.gmhb.wa.gov/pages/Documents/2010-Present_Joint_Digest_July2019_Update.pdf). Note that this may require additional staff and other logistics to make it happen.	Document templates	Easy for the Public to Get to the Decisions Securely	Website	YES	NO
Solution must allow integrations to be built between it and other systems using API's	Integration	N/A	Internal	YES	NO
Solution must integrate email and calendars with MS Outlook (including staff's mobile devices)	Integration	Increase Productivity of Staff	Internal	YES	NO
Solution must integrate with Microsoft Outlook and allow users to email contacts directly from the system, including automated notifications based on dates, statuses, and other information in the system.	Integration	Increase Productivity of Staff	Internal	YES	NO
Solution must have the ability to automatically send email updates to people outside of ELUHO (e.g., weekly update to the court reporters so they see any changes in scheduling)	Integration	Easy for the Public to Get to the Decisions Securely	Internal	YES	NO
Solution should have the ability to connect to one or more legal research tools (e.g., WestLaw, Lexis-Nexis)	Integration	Increase Productivity of Staff	Internal	NO	NO
Solution must automate emails to Superior Court contacts when cases are sent to them and allow the Superior Court contact to click a link in the email and update the case info	Integration	Increase Productivity of Staff	Internal	YES	NO
Solution must have the ability to record hearings, save the recording with the case, transcribe the recording to text, and delete once it reaches its document retention destruction date	Integration	Store Documents and Other Information with the Case	Internal	YES	NO
Solution must allow admin users to set up an unlimited number of date and status-based notifications	Notifications	Increase Productivity of Staff	Internal	YES	NO

Requirement	Category	Business Objective	Internal / Website	Must Have	Current System Meets Req't
Solution must automatically identify files that need to be sent to archives	Reporting	Increase Productivity of Staff	Internal	YES	NO
Solution should provide method for the user to provide website feedback (“was this helpful?”)	Reporting		Website	YES	NO
Solution must be browsable by category, status, and location, and various other data, as configured by the administrator	Schema	Easy for the Public to Get to the Decisions Securely	Both	YES	NO
Solution must include the ability to add contacts, relate those contacts to cases, and identify the role of the contact as it pertains to the case	Schema	Increase Productivity of Staff	Internal	YES	YES
Solution must have the ability to track case dates and statuses	Schema	Advanced Analytics and Reporting	Internal	YES	YES
Solution must allow staff and board members to log notes about a case	Schema	Increase Productivity of Staff	Internal	YES	YES
Solution must track contact method preferences (email, phone, mail) for users as well as outside contacts and parties to the case	Schema	Increase Productivity of Staff	Internal	YES	NO
Solution must include the ability to make “mailing lists” of people who are not parties to a case but have indicated they want to be notified about changes to a case’s status or deadlines	Schema	Easy for the Public to Get to the Decisions Securely	Internal	YES	NO
Solution must include the ability to relate cases to each other, either by using categories that can be grouped or other means. Note that this depends on ELUHO’s decision on how to summarize and categorize cases.	Schema	Advanced Analytics and Reporting	Internal	YES	NO
Solution must allow staff to mark cases as “On Litigation Hold” and prevent these files from being sent to archives	Schema	Increase Productivity of Staff	Internal	YES	NO
Solution must provide a way to track information related to the archiving of the case, including the archive box number and the archive file number for each case	Schema	Increase Productivity of Staff	Internal	YES	NO

Requirement	Category	Business Objective	Internal / Website	Must Have	Current System Meets Req't
Solution should allow support staff to log calls received from the parties to a case so that the call info is associated with the case that they called about	Schema	Increase Productivity of Staff	Internal	NO	NO
Solution must be able to tell the difference between a Final Order and any other order issued by the Board	Schema	Increase Productivity of Staff	Both	YES	NO
Solution must track dissenting and concurring opinions so that staff know how many have been written, the types of decisions most often dissented and concurred, and the Board members who write the decisions	Schema	Advanced Analytics and Reporting	Internal	YES	NO
Solution should have a place to store the statutes referred to in a case and should allow users to link the statutes to categories and cases. Note that this depends on ELUHO's decision on how to summarize and categorize cases.	Schema	Advanced Analytics and Reporting	Internal	YES	NO
Solution should have the ability to track language barriers and reasonable accommodation requests from the parties	Schema	Easy for the Public to Get to the Decisions Securely	Internal	NO	NO
Solution needs to store metadata about the documents stored with each case so that the user knows some key criteria about the document before downloading it	Schema	Store Documents and Other Information with the Case	Website	YES	NO
Solution needs to track various information about the court that a case has been appealed to (Superior Court (x39), Court of Appeals (x3), Supreme Court (x1)) so that staff can quickly tell where they can go for information needed to update the case	Schema	Increase Productivity of Staff	Internal	YES	NO
Solution should make it easy for the user to see what caused a case to be upheld or overturned. Note that this depends on ELUHO's decision on how to summarize and categorize cases.	Schema	Easy for the Public to Get to the Decisions Securely	Website	NO	NO
Solution must be searchable by keyword, location, natural language, and other means. Note that this depends on ELUHO's decision on how to summarize and categorize cases.	Search functionality	Easy for the Public to Get to the Decisions Securely	Both	YES	NO

Requirement	Category	Business Objective	Internal / Website	Must Have	Current System Meets Req't
Solution must have the ability to search the text within documents, including PDFs, when using the search function. Note that this depends on ELUHO's decision on how to summarize and categorize cases.	Search functionality	Easy for the Public to Get to the Decisions Securely	Both	YES	NO
Solution search functionality should allow users to select which fields to display in the search results	Search functionality	Easy for the Public to Get to the Decisions Securely	Both	NO	NO
The search function should allow users to search by the size of the city or county using a range of either population or number of sq. acres	Search functionality	Easy for the Public to Get to the Decisions Securely	Website	NO	NO
Solution must meet the State of Washington's minimum standards for data privacy and security	Security	N/A	Both	YES	YES
Solution must be cloud-based and must not require any local servers, drives, or software other than standard desktop processing software (e.g., MS Word, Adobe Acrobat) and must allow staff to easily manage and update website without additional tools	Technology framework	N/A	Both	YES	NO
Solution must be built on a relational data structure that is easily accessed by support staff for reporting purposes	Technology framework	N/A	Both	YES	YES
Solution must include a map that shows cases plotted throughout the State of Washington that's accessible to the public and can be filtered and drilled into	Technology framework	GIS Mapping	Website	YES	NO
Solution must only require a single update to the case, which is instantly "live" for both internal staff and the general public looking at case information on ELUHO's website (i.e., no duplication of data entry)	Technology framework	Increase Productivity of Staff	Both	YES	YES
Solution must include both the internally-facing system that staff use to make updates and the externally-facing website that the public uses to search and view case information	Technology framework	N/A	Both	YES	YES
Solution must seamlessly integrate with ELUHO's website and the website must be an integrated component of the overall system	Technology framework	N/A	Both	YES	YES
Solution should include a mobile app that Board members can use to pull up exhibits and case information while working on a tablet or other mobile device in the field	Technology framework	Increase Productivity of Staff	Internal	YES	NO

Requirement	Category	Business Objective	Internal / Website	Must Have	Current System Meets Req't
Solution must be flexible enough to support multiple appeals boards and ELUHO should be able to add other boards with slightly different needs to the system with minimal configuration	Technology framework	Increase Productivity of Staff	Both	YES	NO
The website component of the solution must be "responsive" (mobile-friendly)	Technology framework	Easy for the Public to Get to the Decisions Securely	Website	YES	NO
The website component of the solution must meet Washington State's web accessibility standards (OCIO Policy 188)	Technology framework	Easy for the Public to Get to the Decisions Securely	Website	YES	NO
Solution must run a spelling and grammar check as the user types to reduce the occurrence of errors	Technology framework	Easy for the Public to Get to the Decisions Securely	Internal	YES	NO
Website component of the solution must include a "lite" site for users in rural areas that contains all of the same information as the main site but without graphics and other components requiring greater bandwidth	Technology framework	Easy for the Public to Get to the Decisions Securely	Website	YES	NO
Solution must allow the public to submit forms and information about a case electronically on a portal accessed through the ELUHO website	Web portal	Increase Productivity of Staff	Website	YES	NO
Solution should allow parties to a case to log in and submit documents related to the case, including motions and exhibits	Web portal	Store Documents and Other Information with the Case	Website	YES	NO
Website component of the solution should allow users (both internal and external) to sign up for updates on a particular case or on a search query that would send a notification when the results of the query change	Web portal	Easy for the Public to Get to the Decisions Securely	Website	YES	NO

5.2. Data Requirements

The chart below lists the metrics that ELUHO should track in its new system. Note that while some of these metrics exist in the current system, staff need to manually aggregate data from reports and database searches to collect them. Also, there is no mechanism to break these metrics down by the groupings indicated in the chart below.

Process	Metric	Notes	Frequency	Business Objective
All	Number of Appeals	This should be able to be broken down by board, category, status, submission dates, region, and other factors as determined by staff and board members during Phase II of the project	Annual	Advanced Analytics and Reporting
All	Red, Green, Yellow Status Indicator	Red for behind schedule, green for ahead of schedule, yellow for on schedule	Daily	Advanced Analytics and Reporting
All	Average Number of Days Open (for active cases)	This should be able to be broken down by board, category, status, submission dates, region, and other factors as determined by staff and board members during Phase II of the project	Daily	Increase Productivity of Staff
Continuance	Number of Continuances	This should be able to be broken down by board, category, status, submission dates, region, and other factors as determined by staff and board members during Phase II of the project	Annual	Advanced Analytics and Reporting
Continuance	Number of Hearings Rescheduled	This should be able to be broken down by board, category, status, submission dates, region, and other factors as determined by staff and board members during Phase II of the project	Annual	Advanced Analytics and Reporting
Court Reporter	Court Reporter Charges	This should be broken down by type of case and able to be averaged by case, board, region, etc. This will help staff track costs and the impact certain decisions have on cost, such as how much notice is given and whether travel is required	Monthly	Increase Productivity of Staff
Decision Orders	Number of Appeals Upheld	This should be able to be broken down by category, submission date, final order date, and other factors as determined by staff and board members during Phase II of the project	Monthly	Advanced Analytics and Reporting

Process	Metric	Notes	Frequency	Business Objective
Decision Orders	Percentage of Appeals Upheld	This should be able to be broken down by category, submission date, final order date, and other factors as determined by staff and board members during Phase II of the project	Annual	Advanced Analytics and Reporting
Decision Orders	Number of Appeals Overturned	This should be able to be broken down by category, submission date, final order date, and other factors as determined by staff and board members during Phase II of the project	Annual	Advanced Analytics and Reporting
Decision Orders	Categories of Cases Upheld Most Frequently	This should be broken down by submission date, region, and presiding	Annual	Advanced Analytics and Reporting
Decision Orders	Categories of Cases Overturned Most Frequently	This should be broken down by submission date, region, and presiding	Annual	Advanced Analytics and Reporting
Decision Orders	% of Appeals with Dissenting Opinions	This should be broken down by presiding, dissenter, region, GMA goals (if GMHB), policy issue (if PCHB/SHB), category, and author	Annual	Advanced Analytics and Reporting
Decision Orders	Number of Days from Hearing to Final Order	This should be able to be broken down by board, category, status, submission dates, region, and other factors as determined by staff and board members during Phase II of the project	Monthly	Increase Productivity of Staff
Decision Orders	Average number of Days to Close (for completed cases)	This should be able to be broken down by board, category, status, submission dates, region, and other factors as determined by staff and board members during Phase II of the project	Monthly	Increase Productivity of Staff
Decision Orders	Number of Declaration of Invalidities Issued	This should be able to be broken down by category, status, submission dates, region, and other factors as determined by staff and board members during Phase II of the project	Annual	Advanced Analytics and Reporting
Decision Orders	Number of Appeals Remanded	This should be able to be broken down by category, submission date, court remanded by, final order date, presiding, and other factors as determined by staff and board members during Phase II of the project	Annual	Advanced Analytics and Reporting

Process	Metric	Notes	Frequency	Business Objective
Decision Orders	Percentage of Appeals Remanded	This should be able to be broken down by category, submission date, court remanded by, final order date, presiding, and other factors as determined by staff and board members during Phase II of the project	Annual	Advanced Analytics and Reporting
Hearing	Number of Days from Prehearing to Hearing	This should be able to be broken down by board, category, status, submission dates, region, and other factors as determined by staff and board members during Phase II of the project	Monthly	Increase Productivity of Staff
Issue Orders	Number of Orders	This should be broken down by type of case and type of order and able to be averaged by case, board, region, etc.	Monthly	Advanced Analytics and Reporting
Logging Calls	Amount of Time Staff Spend Answering Questions from the Public per Year	This should be tracked by appeal-related questions, instructional assistance, and procedural assistance	Annual	Increase Productivity of Staff
Mediation	Number of Appeals Referred to Mediation		Monthly	Increase Productivity of Staff
Mediation	Number of Successful Mediations		Monthly	Increase Productivity of Staff
Mediation	Number of Unsuccessful Mediations		Monthly	Increase Productivity of Staff
Mediation	Number of Days in Mediation	This should be able to be broken down by board, category, status, submission dates, region, and other factors as determined by staff and board members during Phase II of the project	Monthly	Increase Productivity of Staff
Prehearing	Number of Days from Filing to Prehearing	This should be able to be broken down by board, category, status, submission dates, region, and other factors as determined by staff and board members during Phase II of the project	Monthly	Increase Productivity of Staff
Receive Motions	Number of Motions	This should be broken down by type of case and type of motion and able to be averaged by case, board, region, etc.	Monthly	Advanced Analytics and Reporting

Process	Metric	Notes	Frequency	Business Objective
Receive PFR	Appeals Related to GMA Goals	Separate metric for each of the 14 goals. This depends on the board's ability to summarize cases.	Monthly	Advanced Analytics and Reporting
Receive PFR	% of Appeals Received via Email		Monthly	Increase Productivity of Staff
Receive PFR	% of Appeals Received Electronically from Website		Monthly	Increase Productivity of Staff
Settlement	Number of Appeals Dismissed through Settlement	This should be able to be broken down by category, submission date, final order date, and other factors as determined by staff and board members during Phase II of the project	Annual	Increase Productivity of Staff
Settlement	% of Appeals Dismissed through Settlement	This should be able to be broken down by category, submission date, final order date, and other factors as determined by staff and board members during Phase II of the project	Annual	Increase Productivity of Staff
Settlement	Number of Active Cases in Settlement Discussions		Daily	Advanced Analytics and Reporting
Settlement	Number of Active Cases in Mediation		Daily	Advanced Analytics and Reporting

6. Specific Findings and Recommendations

6.1. Availability of Superior Court Data

Each of Washington State's thirty-nine (39) counties has its own Superior Court. When a decision by one of the ELUHO boards is appealed, the appeal will most often be heard by the Superior Court in the respective county. Since the courts are county-based, they use different systems for storing and tracking case data. They also may interact with ELUHO staff differently, meaning that one court may regularly update ELUHO on the status of a case that was appealed to the Superior Court while another may not give ELUHO any update until an inquiry is sent. Without a centralized system and process, it is difficult for ELUHO to have high confidence in the status of their cases once they are appealed. This impacts the users of the website because the status of the case may not be correct and is likely not current.

While each court has its own system, there are several centralized places where they may send their case data:

- <https://odysseyportal.courts.wa.gov/odyportal>: this website is used to find case information for the following counties: Adams, Asotin, Benton, Chelan, Clallam, Clark, Columbia, Cowlitz, Douglas, Ferry, Franklin, Garfield, Grant, Grays Harbor, Island, Jefferson, Kitsap, Kittitas, Klickitat, Lewis, Lincoln, Mason, Okanogan, Pacific, Pend Oreille, San Juan, Skagit, Skamania, Snohomish, Spokane, Steven, Thurston, Wahkiakum, Walla Walla, Whatcom, Whitman and Yakima Superior Courts.
- <https://dw.courts.wa.gov/?fa=home.casesearch&terms=accept&flashform=0&tab=sup>: this website is used to find Pierce County cases.
- <https://kingcounty.gov/courts/clerk/access-records/records-portal.aspx>: this website is used to find King County cases.

ELUHO staff can use these websites to search for case information, but they often are not able to find what they need and must contact the court directly for more current information.

Understanding that the process to update cases based on Superior Court information will continue to be somewhat manual, either by searching on a website or calling the court, AvachaTech recommends adding some automation to the process. The new system will store information about each of the thirty-nine (39) courts, including the contact person. When a case is sent to one of the courts, staff will mark the case as appealed and link it to the court it was sent to. Then, on a regular basis determined by staff, the system will automatically email the court with the case number and a link that they can click to update the case information in the ELUHO database. This way, staff will no longer need to continually search for updated information for appealed cases and can limit their follow-up to cases where no information has been provided by the court after a reasonable amount of time.

6.2. Speech Recognition Software

ELUHO hearings, and PCHB hearings in particular, can last days and sometimes weeks. After a hearing is concluded, the Board members and Administrative Appeals Judges use a variety of methods to conduct research and write a decision order. This includes reviewing notes and listening to the recording of the hearing, which is often provided by the court reporter (if hearing is conducted offsite) or by ELUHO support staff (if hearing is conducted in the ELUHO offices). The recordings are difficult to use because there is no indicator of where you are in a hearing, especially one that lasts multiple days, and it can be difficult to hear, especially if someone speaks soft or with a heavy accent. The notes that the Board members take are useful, but it is difficult for them to write enough to capture the full context of what is being said while also engaging in the hearing. The court reporter can produce a transcript of each hearing, but this is expensive and not within ELUHO's budget. Thus, ELUHO has begun some investigation into speech recognition software that can be used to transcribe the hearings.

Preliminary research has shown that there are software programs available as well as recording devices that can be used in a court setting, though the technology is not yet up to par and it is particularly troublesome in settings with varying dialects and accents. However, ELUHO wishes to utilize this technology to supplement the recordings and the notes that the Board members take rather than replace it. As part of the process of selecting a suitable software vendor, ELUHO will inquire into vendors' assessment of speech recognition software and how it could be incorporated into a new case management system.

6.3. Electronic Case Information and Filing Option

As noted under Section 3 on the Current Environment, the current process is heavily reliant on paper. Appellants can email their appeal, but they must also mail hard copies of all case-related documents. Parties to a case can access forms and sample documents on the ELUHO website, but they must download these documents, print them, and mail them to ELUHO. There is no ability for appellants to file an appeal online and there is no ability for parties to a case to interact with a case in which they are involved in any way.

AvachaTech recommends doing three things, all of which are included in the Process Requirements tables included in this document:

1. Create a webform on the ELUHO website for the public to use for filing an appeal with the ELUHO boards that feeds directly into the new case management system.
2. Create a portal where the parties to a case can log in and interact with the case, including uploading exhibits, filing motions, viewing case status and deadlines, requesting technical assistance, etc.
3. Create temporary outreach program to appellants and their attorneys. Recommend a robust outreach program for 6 months to inform external audiences of an optional electronic filing process.

6.4. Search Functionality

There are a number of issues with the current case and decision search functionality that prevent the public users of the website from accessing relevant information related to ELUHO cases. Many of these are listed in Section 3.2, Observations and Findings. In addition to the issues listed there, SSB 5151 requires that users of the website are able to search GMHB cases "...by topic, party, and geographic location or by natural language." While most modern configurable systems include robust record search engines that will meet this requirement out of the box, ELUHO should ensure that the solution selected through the upcoming procurement process includes contextual search as core functionality of the solution. Users of the website must be able to search by natural language and to sort and filter the search results by categories and other case attributes chosen by the user. This requirement is included in the Process Requirements list included in this document.

6.5. Case Categorization

One of the main findings of the Discovery Phase meetings with stakeholders and users of the ELUHO website, was that the website lacks the ability to "slice and dice" case data to find what the user needs. Specifically, people want the ability to search all cases (PCHB/SHB and GMHB) by category and to be able to categorize their results when performing a contextual, natural language, or geographic search. Also, according to SSB 5151, ELUHO must "...ensure uniformity and usability of the searchable databases..." and "...maintain a rational system of categorizing...decision."

The following pages contain separate recommendations for GMHB and PCHB/SHB based on the current state of the data in these two systems. Note that **further discussion is needed** on this topic within the steering committee to determine the overall feasibility of the approach.

6.5.1. GMHB

One of AvachaTech's key findings based on interviews with staff and stakeholders is that cases are not currently categorized in a searchable, browsable, and useful way. The Department of Commerce, for example, needs to be able to search for GMHB cases by topic and location. The current search is misleading because it leads the user to believe that they can search by one of the key words in the dropdown list of keywords. There are several problems with this:

1. The list of keywords contains 211 different words in alphabetical order. This is far too lengthy for most users to find it useful. Also, there are many keywords that are similar and so one person may search using keyword A while another person would search using keyword B. Similarly, when entering keywords, one GMHB Board member may select keyword A to describe a case while another Board member may select keyword B.
2. In 2017, the Board adopted a new list of key words that has not been entered yet into the GMHB database. However, the list still contains 183 words. This list is included in the embedded document below (or in Exhibit 4 at the end of this assessment):



Key words list consolidated

3. Even if the list were usable, it depends on the Board members selecting keywords when they process a case. Currently, the process is for Board members to select the keyword(s) for the case when they close it out in the system. However, this is inconsistent at best and most Board members have a long backlog of cases for which they need to enter keywords.

AvachaTech recommends that ELUHO take the following steps related to GMHB cases:

1. Use the fourteen (14) goals of the Growth Management Act ([Planning Goals](#), which are also found at in Exhibit 6 at the end of this assessment) as the main category of cases.
2. Separate the 183 words that the Board adopted in 2017 into the fourteen (14) goals. Some may be in multiple goal categories and this is expected. These will be the case subcategories.
3. Contract with a legal researcher to review the GMHB’s historic cases and categorize them according to this hierarchy.
4. Change the process so that the Administrative Officer who assigns cases based on workload is tasked with reviewing the contents of the case and assigning it a category and subcategory as soon as the case is received.
5. Build restrictions into the new system that will prevent staff and Board members from moving to the next step before a category and subcategory are assigned.

6.5.2. PCHB/SHB

The PCHB / SHB Board also has an issue with case categorization. Currently, the Board Chair (which is the equivalent of the Administrative Officer on the GMHB) assigns keywords to cases and categorizes them by the type of appeal. The appeal types vary by the Board and the structure of appeal types looks like this:

Pollution Control Hearings Board	Shoreline Hearings Board	Forest Practices Appeals Board	Hydraulics Appeals Board	Environmental and Land Use Hearings Board
<ul style="list-style-type: none"> • Air pollution • Forest practices • Hazardous waste • Derelict vessels • Hydraulic • Other • Water pollution • Water rights 	<ul style="list-style-type: none"> • Conditional use permit • CUP/VAR • Other • Penalty • Substantial development permit • SDP/CUP • SDP/CUP/VAR • SDP/VAR • Variance 	<ul style="list-style-type: none"> • Application • Intent to disapprove • Notice to comply • Other • Penalty • Stop work order • Watershed admin unit 	<ul style="list-style-type: none"> • Other • Permit 	[Includes all options for the boards to the right]

This dependent list selection is represented in the below screenshot:

The screenshot shows a search interface with several fields. The 'Board' dropdown menu is highlighted in yellow and shows 'Pollution Control Hearings Board' selected. The 'Appeal Type' dropdown menu is also highlighted in yellow and shows 'Forest Practices' selected. Other fields include 'Word/Phrase Search' with a placeholder 'Enter search terms', 'Decision Type' with a dropdown showing '-- All Types --', 'Case Number', 'Case Name', 'Decision Issued' with a date range 'mm/dd/yyyy to mm/dd/yyyy', and 'Decision by Year' with a dropdown showing '-- All Years --'. There is a 'Match Whole Phrase/Number' checkbox and 'Search' and 'Clear' buttons.

Figure 28: Board and Appeal Type selection on ELUHO website (PCHB/SHB)

The Board is diligent about properly categorizing the cases by the first two Boards (PCHB / SHB). If users select either the PCHB or SHB menu options, they can trust the results and have confidence that the Board accurately categorized the cases so that the result is a complete set of cases matching their selection. However, the Forest Practices Appeals Board, the Hydraulics Appeals Board, and the Environmental and land Use Hearings Board merged with the Pollution Control Hearings Board in 2010 so they no longer exist. Showing these selections on the website can confuse users of the website. Also, there is no ability to select a keyword from a dropdown list and there is nothing that tells the user that the board uses keywords to categorize cases. The Word/Phase Search searches the keywords entered by the Board Chair, but this is not transparent to the user.

Currently, the list of keywords that the board uses contains both categories and subcategories. There are ten (10) categories and 491 keywords on the list (note that some of the keywords are repetitive and show up in multiple categories). Even with the categorization, 491 words seems excessive and can lead to some of the same issues discussed above on the GMHB case categorization.

Based on this information, AvachaTech recommends that ELUHO take the following steps related to PCHB/SHB cases:

1. Make no changes to the ten (10) main categories
2. Consolidate the list of 491 words so that there are no more than twenty words per category. These keywords will be the subcategories.
3. Contract with a legal researcher to review the PCHB/SHB historic cases and categorize them according to this hierarchy.
4. Build restrictions into the new system that will prevent staff and Board members from moving to the next step before a category and subcategory are selected.

6.6. Available Options and Associated Costs

There are no Case Management Systems that are designed specifically to meet ELUHO's use case. The off-the-shelf case management systems on the market are primarily geared toward law firms, focused on tracking billable hours, or courts, more focused on traditional court proceedings than hearings.

This means that the solution for ELUHO will most likely be a system that can be customized or configured to meet ELUHO’s needs. The options for systems that can be customized or configured in this way include the following:

- Enterprise Content Management Systems (ECMs): these systems are sometime referred to as Document Management Systems (DMS) but are more robust than a traditional DMS in that they allow administrators to build processes and workflows around documents and records in the system.
- Customer Resource Management Systems (CRMs): these systems were originally built for sales organizations to manage their customers and sales processes. However, over time they have been recognized for their configurability and today CRM’s are used in almost every industry to manage processes, workflows, data, and analytics.
- Enterprise Resource Planning Systems (ERPs): these systems are built to manage and house all functions within an organization, from finance to HR to operations, and are typically highly customizable but are customized through code rather than configuration. These systems are meant for larger organizations or organizations with a distinct need for a fully integrated ERP.
- Enterprise Legal Case Management Software (ELMs): these systems are built specifically for law firms and/or courts to manage cases, juries, billing, scheduling, etc. Since they are built for a specific need, they typically do not offer the same level of customizability as some of the other options.

The following is a list of the potential software vendors broken out by the type of system. This was compiled based on a number of Gartner Magic Quadrants and independent research. The solutions below are listed in no particular order.

Enterprise Content Management Systems (ECMs)	Customer Resource Management Systems (CRMs)	Enterprise Resource Planning Systems (ERPs)	Enterprise Legal Case Management Software (ELMs)
<ul style="list-style-type: none"> • OnBase • ImageSource* • LaserFiche • OpenText • IBM FileNet • SharePoint 	<ul style="list-style-type: none"> • Salesforce • SugarCRM • Pagasystems • Zendesk • Dynamics 365 • Oracle CX Cloud Suite 	<ul style="list-style-type: none"> • Oracle ERP Cloud • Workday • Oracle Netsuite • Dynamics 365 • Epicor ERP 	<ul style="list-style-type: none"> • Tyler Odyssey • Tyler InCourt • Wolters Kluwer • ThompsonReuters (WestLaw) suite of case management products

** Note: ImageSource is NOT on the Gartner quadrant but is included in the list as it is a local company that is currently used by the State Board of Accountancy and has been recommended to ELUHO*

The embedded document below contains some of the Gartner matrixes used in this analysis (also available in Exhibit 2 at the end of this assessment):



Gartners for
ELUHO.docx

On August 30, 2019, ELUHO issued a Request for Information (RFI) to solicit pricing and product information from the companies in the list above, as well as others. The RFI is embedded below and may be referenced to understand the full scope of work that was presented to the responsive firms. This document can also be found in Exhibit 3 at the end of this assessment.



ELUHO RFI
Final Draft.docx

ELUHO received fourteen (14) responses to the RFI by the August 30, 2019 deadline. Of these, twelve (12) were responsive. The twelve responses fell into the following categories:

Solution Type	# of Responses
Fully Custom	6
Configurable CRM	1
Configurable ERP	1
Configurable ECM	1
ELM	2
Other	1

AvachaTech helped ELUHO analyze the responses by identifying how closely each one would meet each requirement and where the one-time and ongoing costs fell within the range of costs from all of the proposals. A combined score was used to take into account both proposed cost and ability to meet the requirements. Based on this information, the top four responses had an average one-time implementation cost of \$200,000 and an average annual cost of \$80,000. Here is the data:

Rank	One-Time	Annual	Solution Type
1	\$ 275,000.00	\$ 71,000.00	CRM
2	\$ 250,000.00	\$ 156,000.00	ECM
3	\$ 110,000.00	\$ 32,546.40	ELM
4	\$ 158,700.00	\$ 71,985.00	Other

ELUHO currently only pays about \$10,000 per year for support so any of these options would require a substantial increase to ELUHO’s operating budget. However, as detailed throughout other sections of this assessment, the current solution does not meet ELUHO’s needs, is not built on technology that is easily configurable, and does not meet the requirements of the State Legislature per SSB 5151. The requirements chart in section 5.1 of this assessment clearly shows that the current solution is not able to meet the majority of ELUHO’s requirements.

7. Overall Project Recommendations

7.1. Procurement Recommendations

Based on the study and analysis of ELUHO's processes, systems, and organizational needs, AvachaTech recommends procuring a new system and implementation services through the issuance of a Request for Proposals (RFP). ELUHO may decide to limit the solicitation to vendors on the State's Master Contract. While ELUHO could work with any vendor on the State's Master Contract to develop a scope of work and subsequently contract with the vendor for the services described, AvachaTech believes it is in ELUHO's best interest to use a competitive procurement process to solicit proposals. The competitive procurement process will help ensure that respondents understand their proposals will be compared to others that ELUHO receives and that companies who may not have responded to the RFI in August will have an opportunity for consideration. Some of the first listed in section 6.3, for instance, did not issue a response to the RFI even though they may be the best suited to meet ELUHO's needs.

In addition to procuring a new system and implementation services, AvachaTech also recommends contracting with the following consultants:

1. Project Manager, who will manage the project on ELUHO's behalf;
2. Quality Assurance (QA) Consultant, who will work with ELUHO, OCIO, the Project Manager, and the Implementation Consultant to ensure that the project milestones are met and that everyone involved in the project is adequately fulfilling their respective roles;
3. Legal Researcher, who will help ELUHO categorize and summarize historic cases; and
4. Change Management Consultant, who will work with the project team and ELUHO's stakeholders to ensure that they are informed and prepared for the changes that will impact them.

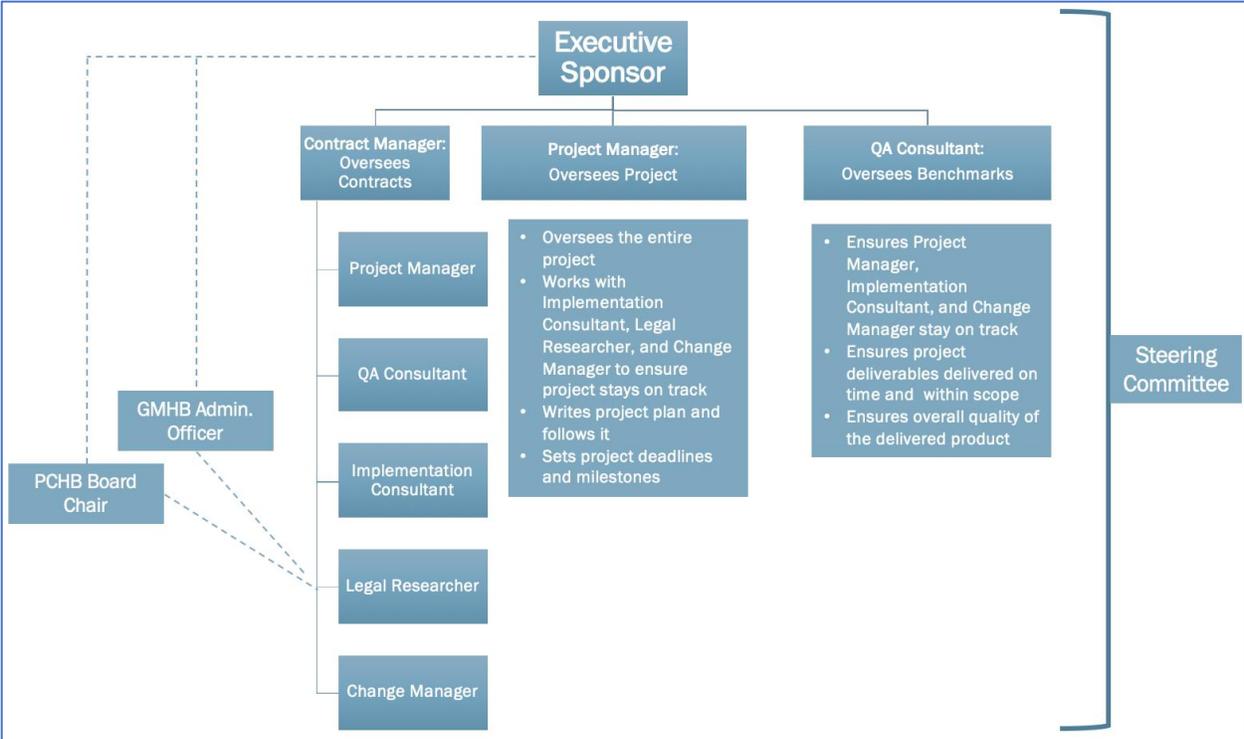
The sections below include other recommendations related to organizational management and project resources.

7.2. Recommended Resource Model

AvachaTech recommends filling the following roles in order to complete the software modernization effort:

Role	Role Type	Existing Staff	Description
Contract Manager	Internal ELUHO staff	Yes	Internal staff overseeing the work of various contractors needed to complete the work.
Executive Sponsor	Internal ELUHO staff	Yes	Responsible for defining project goals and ensuring the project has proper resources to meet those goals.
Project Oversight	OCIO Consultant	Yes	Responsible for setting objectives and benchmarks throughout the project and reporting project status and project health back to OCIO
Project Manager	Contractor / Temporary staff	No	Responsible for overseeing the work of the Implementation Consultant and ensuring ELUHO's needs are understood and met.
QA Consultant	Contractor	No	Responsible for setting and measuring a variety of benchmarks related to quality.
Change Management Consultant	Contractor	No	Responsible for rolling out changes and developing strategies to help staff, partners, and the general public adopt to the new environment.
Legal Researcher	Contractor / Temporary staff	No	Responsible for summarizing and categorizing historic cases.
Implementation Consultant	Contractor	No	Primary consultant responsible for designing, building, and implementing the new system.

The chart below depicts how these roles will relate to each other throughout the course of the project. This chart also depicts the IT Governance Steering Committee's oversight role in the project.



8. Alternative Courses of Action

The recommended approach outlined in this study is not the only course of action available to ELUHO. Below is a list of other possibilities and the pros and cons for each in comparison to the recommended approach.

Option	Description	Pros	Cons
As-Is	ELUHO could continue operating as it does now, addressing minor issues with the system as they come up but not making any major improvements to it.	Costs would remain as they are today	<ul style="list-style-type: none"> None of the needed improvements described in this study would be made ELUHO would be out of compliance with SSB 5151
Invest in Current System	ELUHO could invest in its current system, either procuring a new vendor or existing vendor to add the functionality described in Section 5 of this study.	System would meet many of the requirements needed	<ul style="list-style-type: none"> System would not be “modernized” Costs for this option would likely be similar to costs to build new ELUHO staff would not be able to maintain the system, as desired
Design New System for GMHB Only	SSB 5151 only addressed the GMHB so ELUHO could satisfy the mandate by only building a new system for the GMHB.	ELUHO would be in compliance with SSB 5151	<ul style="list-style-type: none"> Costs would be relatively the same to building a system for all boards The systems would remain separate without ability to cross-train staff or sort data by all ELUHO cases

9. Project Plan

9.1. Governance Plan (Project Charter)

ELUHO established the IT Governance Steering Committee to oversee and guide this project but also to manage the future systems serving ELUHO. See chart in Section 7.2 for the organization structure. Exhibit 8 is the Steering Committee's Charter explaining purpose, membership, decision-making process, milestones and performance measures.

9.2. Communication Plan

The Project Consultant Team includes the Project Manager (if hired as a consultant), the Quality Assurance Consultant, and the Change Management Consultant. This team will need to be in frequent and regular communication with the ELUHO Internal Project Team. At a minimum, the two teams should hold a weekly call to discuss project progress and upcoming goals.

Some phases of the project will require more intense and more frequent communication than other phases. For instance, the Project Consultant Team will need continuous input from ELUHO staff during the Discovery phase to ensure that the team fully understands the requirements, while the Design and Build phases will require less frequent interactions and most of the communication will occur during the weekly updates. However, throughout the project, the Project Consultant Team should approach each phase as part of an iterative and agile project lifecycle that relies on continuous feedback from ELUHO's staff.

During the build phase of the project, it is desired that the Implementation Consultant uses Agile software development methodology. This approach will ensure iterative software delivery which and be reviewed and tested by the Project Consultant Team and ELUHO to ensure that the application is on track and meets the requirements as defined.

In addition to the communication between the project teams, the Change Management Consultant will need to manage communication between ELUHO and external stakeholders. As described in this study, the modernized system will allow the petitioners the ability to submit cases online and access their active cases through an online portal. This is a significant change for local municipalities throughout the state and it will be the task of the Change Management Consultant to communicate these changes, help them understand the impact, and, where necessary, help them maneuver the change.

9.3. Quality Assurance Plan

The ELUHO Director and the Steering Committee have decided on the best practice approach of contracting with an outside vendor for Quality Assurance Services. External, independent QA is a best practice for projects of this scale and is recommended by the Office of Chief Information Officer (OCIO) [Policy 132](#).

The QA Consultant will work with the Project Management Team but will report directly and independently to the ELUHO project sponsor. This consultant's role will provide independent oversight of the Project Management Team. The Project Manager and Quality Assurance

consultants will work cooperatively and transparently to ensure that both the Project Sponsor and the Steering Committee have a full and accurate view of the project's progress, success and risks.

Based on the scale and complexity of the project, these services are estimated at half-time (50%). The main deliverables of the QA Consultant include, an Initial Risk Assessment, an Initial Readiness Assessment, on-going bi-weekly reports to the Steering Committee and a final Project Retrospective Report.

9.4. Data Conversion

The data structure of the current system is described in Section 3.1. As noted there, the current system is comprised of two separate Azure SQL databases. These databases are similar but have some distinct differences that speak to the differences between the PCHB/SHB and the GMHB. The level of difficulty for the data conversion will depend on a number of factors, including:

1. The data structure of the system selected or the desired data structure of a custom system.
 - a. If ELUHO chooses a system with some case management components that already exist, then the data structure of the new system will need to be compared to the data structure of the current system.
 - b. If ELUHO chooses a custom or configured option, the data structure will be up to the design team and the structure they decide on will need to be compared with the current structure. The level of difficulty will depend on the degree of difference between the structures.

Note that while ELUHO could simply duplicate the current structure in another custom system, AvachaTech strongly recommends that the team review the processes and future wants for how the data structure should work without consideration for the current structure or the level of difficulty for converting the data.

2. The degree of difference between the two current databases. The differences between the two databases are limited to the following:
 - a. Picklist/dropdown fields that exist in both systems but have different values. This is not as much a data conversion issue but should be noted as the values selected on existing cases will need to be imported into these fields and so they will need to be able to select the values from both databases.
 - b. Fields that have been added to one database but not the other. In these cases, ELUHO will need to determine whether the field is needed for both types of cases or if it should only be associated with one type of case.
 - c. Fields that have the same meaning but have different names. ELUHO will need to decide whether the difference in the name is needed. If it is, then there will

likely need to be two different fields in the new system; if it is not, then ELUHO will need to decide which field name to use in the new system.

- 3. The number of fields that accepted free-form text but will be converted to a picklist/dropdown in order to increase the consistency of the data entry. During data conversion, ELUHO’s Implementation Consultant, Project Management Consultant, and Legal Researcher will need to work with staff to review the use of the fields, historic entries, and put them into the appropriate “bucket”.
- 4. The number of fields that staff fill in manually that will be replaced by either formulas or fields that will be updated through some automated process. These will need to be reviewed one-by-one to determine whether an action is required.

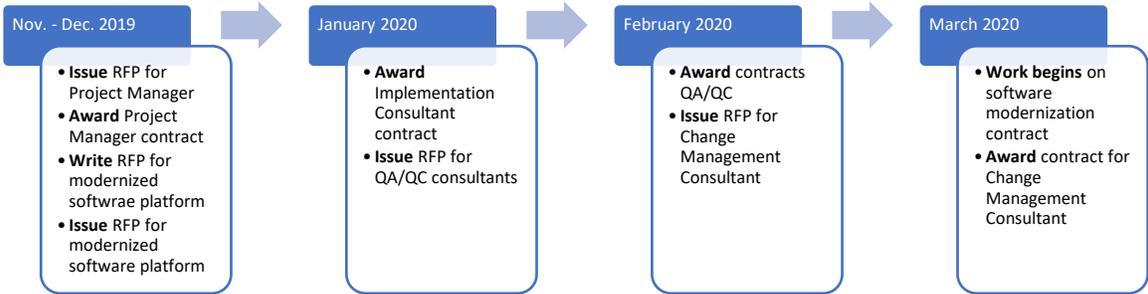
Overall, AvachaTech believes that the level of effort required for data conversion will be relatively minimal. The data source, Azure SQL, is one of the most widely used data sources available and most tools used to convert and load data from one system to another are able to connect to SQL. Also, the data structure of the current system is relatively simple, and the number of tables and fields is minimal. Additionally, many Implementation Consultants will have first-hand SQL expertise and will be able to understand and perform the data conversion as required.

AvachaTech recommends ensuring that the Implementation Consultant has the required experience to carry out the data conversion.

9.5. Project Timeline

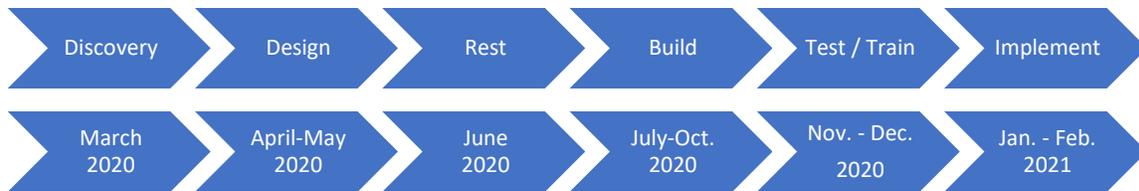
AvachaTech believes that the implementation of a new modernized system will take between six and nine months from the execution of the contract to go-live. This timeline could change based on the system that is selected, internal conflicts with dates and resourcing, budget allocation, and other variables related to the Implementation Consultant’s schedule and coordination with other consultants working on the project.

Prior to the execution of the contract, a number of milestones must be met, which are listed in the chart below.



ELUHO has \$170,000 in the current Fiscal Year budget. Approximately \$70,000 of this is allocated to the Phase 1 assessment and \$17,000 for documents search, leaving approximately \$ 83,000 that can be used to perform project implementation tasks during the current Fiscal Year (prior to July 2020). This may require that ELUHO will have a “rest” period between the design and build of the new system because ELUHO will await 2020 Legislative decisions on Phase II funding. However, this may fit well into the overall project timeline and will allow ELUHO the time necessary to review the design specifications and make any necessary adjustments prior to initiating the build phase.

Once the contract is issued, the Implementation Consultant will likely follow a project plan that resembles the one shown below.



According to this timeline, ELUHO will be able to go live in the new modernized system in February 2021.

10. Risk Assessment

Every project has risks and identifying them upfront is the first step in finding ways to mitigate the risks. The chart below lists some of the risks of ELUHO's software modernization project. Note that many of these risks apply to both Phase I and Phase II of the IT project. Many of the risks appearing in this are also included in the chart of Risks in the Project Plan, which is Exhibit 1 at the end of this document.

** Note that (1) is most severe or most likely while (3) is least severe or least likely*

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
1	Software that meets agency's needs is unaffordable	2	3	<ul style="list-style-type: none"> • Prioritize and estimate requirements separately so that they can be adjusted based on budgetary needs • Ensure IT Budget proposal is sound and make solid case for ELUHO's software needs
2	Current IT vendor does not cooperate with the process of switching systems or providing required information	2	3	<ul style="list-style-type: none"> • Find ways to incentivize vendor to provide required information • Limit the necessary information needed from the vendor to the most critical
3	Data integrity issues discovered with current data or the overall data structure	2	3	<ul style="list-style-type: none"> • Engage software architects early on to help analyze system and build the conversion plan • Identify most critical fields and data points needed from current system and focus on those first
4	State Legislators disagree with ELUHO's approach or the assessment report	1	2	<ul style="list-style-type: none"> • Where there are disagreements or perceived disagreements, build a solid case in the report • Communicate early with Legislators so that they are not surprised at the end of Phase I • Share information with legislators who can help work with their colleagues to support ELUHO's approach
7	Governance policies are in their early stages	1	2	<ul style="list-style-type: none"> • Discuss software assessment project during each Steering Committee meeting to ensure members are up-to-speed • Write a solid governance policy document that members agree to adhere to
8	Agency has not had experienced with a	1	2	<ul style="list-style-type: none"> • Review other small agency's governance policies • Implement internal policies

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
	governance policy in the past			
9	Lack of IT leadership at ELUHO to make informed IT decisions	2	1	<ul style="list-style-type: none"> Identify external party to help explain the choices and advise ELUHO leadership
10	Lack of IT staff at ELUHO to support a new system	1	1	<ul style="list-style-type: none"> Require that system be easy to use and update as needed Require that new system rely primarily on click configuration versus code Work with WaTech to ensure internal support, as necessary
11	Denial of Funding for the Phase II of the project	1	2	<ul style="list-style-type: none"> Ensure IT Budget proposal is sound and make solid case for ELUHO's software needs
12	Inconsistencies in how processes are performed based on who performs the process	2	1	<ul style="list-style-type: none"> Identify a decision-maker—a person with ELUHO who is willing to decide how a certain process is to be performed Understand policies governing ELUHO's work in order to help identify which method more closely conforms to the regulatory requirements
13	Inconsistencies in how processes are performed based on the board (GMHB vs. PCHB/SHB)	2	1	<ul style="list-style-type: none"> Identify a decision-maker—a person with ELUHO who is willing to decide how a certain process is to be performed Understand policies governing ELUHO's work in order to help identify which method more closely conforms to the regulatory requirements Find ways to encourage and reward consistency between the boards
14	Key staff at ELUHO leave the agency in the middle of the project	2	3	<ul style="list-style-type: none"> Wherever possible, ensure staff are cross-trained on processes and that key processes are documented
15	ELUHO experience with project management controls is limited.	1	2	<ul style="list-style-type: none"> Utilize independent Project Manager vendor to initiate and implement project controls.
16	Project governance roles and responsibilities including decision making authority is not clear.	1	1	<ul style="list-style-type: none"> Develop a project charter and project plan that clearly identifies Steering Committee roles and responsibilities as well as decision making process.
17	Based on previous experience, system and business process documentation is inadequate resulting in	2	2	<ul style="list-style-type: none"> Plan for robust training to reflect both system and business process changes. Ensure formal documentation such as a desk manual is developed to ensure ongoing support.

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
	inefficient work arounds and limited training and support for staff.			
18	Flaws in scheduling methodology	2	1	<ul style="list-style-type: none"> Involve the internal project team in the scheduling and let them drive internal deadlines
19	Scope creep	1	2	<ul style="list-style-type: none"> Ensure software consultants adhere to agile project management methodology, especially during design and build phases Allow sufficient time for vendors to flush out requirements and ensure a complete list prior to design
20	Incomplete or conflicting specifications	1	3	<ul style="list-style-type: none"> Ensure that the Project Consultant Team is in complete agreement on detailed specifications
21	Loss of productivity and/or project momentum	1	2	<ul style="list-style-type: none"> Ensure that the work is done using short iterations, keeping staff engaged and the project moving forward Spend time to select the right people for the team Invest time and resources in coaching and developing where needed
22	Lack of willing decision-makers internally	2	2	<ul style="list-style-type: none"> Ensure that the Project Sponsor has the ultimate authority to make decisions even when others refuse to participate in the process
23	Users lack commitment to the project	2	3	<ul style="list-style-type: none"> Include group projects and contexts as part of the effort, such as naming the solution or designing icons for use in the system Use the Change Management Consultant to find other ways to energize and engage the staff
24	Users feel threatened by the project	1	3	<ul style="list-style-type: none"> Use the Change Management Consultant to communicate changes and educate staff on the process Communicate early on and ensure staff understand the goals is to gain efficiencies so their work can be higher value and not so that ELUHO can reduce staff
25	Technology selected is not mature	1	3	<ul style="list-style-type: none"> Give adequate weight to experience factors in the RFP scoring process

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
				<ul style="list-style-type: none"> Participate in product demonstrations that will help to judge the maturity of the product
26	Project milestones lack definition	2	3	<ul style="list-style-type: none"> Educate the team on SMART (Specific, Measurable, Attainable, Relevant, Time-Bound) goals and help to choose and define project milestones based on the overall project goals
27	Conflicts or disagreements between members of the Project Consultant Team	2	3	<ul style="list-style-type: none"> Ensure that one of the consultants on the team has the decision-making authority Assign a single point of contact between ELUHO and the team
28	Ineffective communication	2	3	<ul style="list-style-type: none"> At the onset of the project, select a tool that the project teams will use to communicate Ensure regular meetings are set up and team members are diligent about attendance
29	Boards are not able to decide on a usable key word list			<ul style="list-style-type: none">
30	Team members lack specialized skills required by the project	1	3	<ul style="list-style-type: none"> Ensure contracts require ELUHO approval of consultants working on the project and ELUHO approval of any changes to project consultants Ensure ELUHO understands the skills that are necessary to complete the project

* Note that (1) is most severe or most likely while (3) is least severe or least likely

11. Document Change Log

#	Date	Author	Description of Changes
1.0	October 7, 2019	Todd Craven	Initial Draft
2.0	October 11, 2019	Todd Craven	Incorporate Nina Carter's edits and recommendations
3.0	October 18, 2019	Todd Craven	Incorporate additional comments and edits from Nina Carter
4.0	October 25, 2019	Todd Craven	Incorporated staff and stakeholder feedback; reorganized recommendation sections; finalized document
5.0	October 28, 2019	Todd Craven	Final edits per Nina Carter's feedback

END OF FEASIBILITY ASSESSMENT AND READINESS REPORT

EXHIBITS

12. Exhibits

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Exhibit 1: ELUHO Software Assessment Plan

Author:	Todd Craven, AvachaTech
Audience:	Nancy Coverdell, Project Manager Nina Carter, Project Sponsor
Revision:	1.0
Date:	July 29, 2019

ELUHO Software Assessment Project Plan

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Introduction

The purpose of this planning document is to set the stage for the Environmental and Land Use Hearings Office (ELUHO)'s software assessment project and to provide a base from which the project tasks will be performed. It also helps to ensure that ELUHO staff and consultants working on the project have a shared understanding of the project goals, project roles, project risks, and the terms used throughout the course of the project.

ELUHO is made up of three different boards with similar, yet distinct roles:

1. **Growth Management Hearings Board (GMHB):** The Growth Management Act ([RCW 36.70A](#)) growth and land use. The Department of Commerce ("Commerce") works with Cities and Counties throughout the State to ensure they have policies in place that conform to the GMA. Occasionally, disputes arise at the local level when decisions are made based on the local GMA policies in place. When this happens, rather than sending these disputes through the heavily burdened court system, they are sent to the Growth Management Hearings Board, where a Board of three people appointed by the Governor hears and decides their case based on merits.
2. **Pollution Control Hearings Board (PCHB):** The Pollution Control Hearings Board hears appeals from orders and decisions made by the Department of Ecology and other regulatory agencies. The Board's sole function is to provide a full and complete administrative hearing, as promptly as possible, followed by a fair and impartial written decision based on the facts and law.
3. **Shoreline Hearings Board (SHB):** The Shoreline Management Act (SMA) was passed in 1971 to set priorities and policies for shoreline management. The Department of Ecology ("Ecology") works with Cities and Counties throughout the State to ensure they have policies in place that conform to the SMA. Ecology also reviews decisions made at the local level and issues the final approval for any approved permits or land use variances that are issued. Parties involved in the process have a right to appeal decisions at any level (local level rejections / approvals, Ecology rejections / approvals). When this happens, the case comes before the Shoreline Hearings Board.

All three Boards currently use two different custom-built software systems to manage the cases and provide the public with information related to any case that has come before the Board. The GMHB cases exist in one database and the PCHB / SHB cases exist in a second database. Components of each system include:

1. A website where outside users log in to search cases and learn about how the boards operate (policy and procedure);
2. A SQL database that stores the case data entered by ELUHO staff;
3. A custom front-end application called the ELUHO Database;
4. An internal dashboard that ELUHO staff access through the website;
5. A Crystal Reports viewer staff use to generate canned reports; and
6. An install of Adobe Contribute that staff use to make changes to the website, such as uploading new meeting notices.

On April 22, 2019, the Washington State Senate passed Substitute Senate Bill 5151 ([SSB 5151](#)), which directs ELUHO to fix the current Growth Management Hearings Board (GMHB) website. Specifically, the Bill directs ELHO to ensure the following:

- That timely and accurate rulings, decisions and orders are made available to the public on the website;
- That the website is searchable by “...topic, party, geographic location, and natural language...”;
- That ELUHO coordinates with the GMHB board, the department of commerce and other stakeholders to “...develop and maintain a rational system of categorizing...” rulings, decisions, and orders; and
- That “...[a]ll rulings, decisions, and orders issued before January 1, 2019...” be published by June 30, 2021.

SSB 5151 triggered the review and assessment of the current system, which this project covers. Even though SSB 5151 only calls out one of the three boards, they operate similarly, have complimentary purposes, use very similar systems, and the same group of administrative staff support both systems. Therefore, ELUHO wishes to take advantage of this opportunity to consider the needs of all three Boards in order to understand the feasibility of bringing all of the Boards into a single, congruent database and front-end system.

Project Flow

Phases

The project will occur in phases, which are listed and described below.

#	Phase	Description
1	Kickoff	The Kickoff consists of meeting with key staff, establishing communication channels and methods, and setting expectations for the process and its deliverables. <i>Note that this phase concluded July 10, 2019.</i>
2	Planning	Planning phase includes the identification of stakeholders, scheduling regular project meetings, identifying all related processes, writing the project plan, and reviewing the project plan with staff.
3	Discovery	Discovery phase includes meeting with process owners and stakeholders, documenting the current process, reviewing the current system and all current documentation.
4	Assessment	Assessment includes writing gap analyses by Identifying gaps in current process / systems and writing the project initiation assessment and reviewing assessment with staff.
5	Closeout	Review project goals and objectives, ensure deliverable are met, deliver all project materials.

Specific Steps

Below are the specific steps that will be taken in order to complete this project. They are listed in order, though they do not all necessarily need to follow this order. Note that bold indicates a deliverable.

Phase	Requirement	Location	Date
1 Kickoff	Create PPT presentation		Complete
1 Kickoff	Review PPT	Olympia	Complete
1 Kickoff	Identify project roles		Complete
2 Planning	Discuss State options with Michelle Tuscher	Phone call	Complete
2 Planning	Meet with Amy Pearson	Olympia	Complete
2 Planning	Identify processes		In Process
2 Planning	Identify process owners		In Process
2 Planning	Identify key stakeholders		In Process
2 Planning	Write project plan		In Process
2 Planning	Deliver Project Plan	Olympia	7/29
2 Planning	Prepare for stakeholder meetings		8/2
3 Discovery	PCHB / SHB Process Session # 1	Olympia	7/29*
3 Discovery	GMBH Process Session # 1	Olympia	7/29*
3 Discovery	Ray Paoella interview (GMHB Board Member)	Yakima	7/30*
3 Discovery	Bill Hinkle (GMHB Board Member)	Yakima	7/30*
3 Discovery	Representative Matt Boehnke	Yakima	7/30*
3 Discovery	Melissa Moor Interview (Kitsap county planner)	Bremerton	8/1*
3 Discovery	Representative Mary Dye	Pasco	8/2*
3 Discovery	PCHB / SHB Process Session # 2	Olympia	8/5*
3 Discovery	GMBH Process Session # 2	Olympia	8/5*
3 Discovery	Dave Andersen, Commerce	Olympia	8/9*
3 Discovery	Will Roehl interview (GMHB Board Member)	Phone call	8/9
3 Discovery	Cheryl Pflug interview (GMHB Board Member)	Phone call	8/9
3 Discovery	Define business objectives		8/12
3 Discovery	Present business objectives to project manager and others, as needed	Phone call	8/12
3 Discovery	Senator Sharon Brown	Pasco	8/15*
3 Discovery	PCHB / SHB Process Session # 3	Olympia	8/19*
3 Discovery	GMBH Process Session # 3	Olympia	8/19*
3 Discovery	Representative Vicki Kraft	Vancouver	8/21*
3 Discovery	Tim Trohimovich, Futurewise	Seattle	8/21*

Phase	Requirement	Location	Date
3 Discovery	American Planning Association, Washington Chapter	Seattle	8/21
3 Discovery	Fawn Wilson, Planning Association of Washington	Gig Harbor	8/22
3 Discovery	PCHB / SHB Process Session # 4	Olympia	8/26*
3 Discovery	GMBH Process Session # 4	Olympia	8/26*
3 Discovery	Representative Paul Harris	Vancouver	8/28
3 Discovery	Amber Carter, Identity Clark County	Vancouver	8/28
3 Discovery	Meet with IT consultant	Kent	9/2
3 Discovery	Jan Himebaugh, Building Industry Association of Washington	Olympia	9/4
3 Discovery	Senator Lynda Wilson	Olympia	9/5*
3 Discovery	Representative Beth Dogio	Olympia	9/5*
3 Discovery	Representative Laurie Dolan	Olympia	9/5*
3 Discovery	Review meeting notes, schedule additional meeting as necessary		9/6
3 Discovery	Document as-is processes		9/13
3 Discovery	Review system processes		9/13
3 Discovery	Review reports		9/13
3 Discovery	Review all documentation		9/13
3 Discovery	Compile process requirements		9/13
3 Discovery	Review process requirements with project manager	Phone call	9/13
3 Discovery	Meet with key stakeholders to define data requirements	Olympia	9/16
3 Discovery	Review data requirements with project manager	Phone call	9/20
3 Discovery	Compile notes and documentation		9/20
4 Assessment	Write draft budget document to include with assessment		9/30
4 Assessment	identify gaps in process		10/4
4 Assessment	Identify gaps in system		10/4
4 Assessment	Write gap analysis		10/11
4 Assessment	Write system analysis		10/11
4 Assessment	Write process analysis		10/11
4 Assessment	Write project assessment document		10/14
4 Assessment	Review and assess available platforms and options		10/18

Phase	Requirement	Location	Date
4 Assessment	Meet with project manager to review assessment	Phone call	10/21
4 Assessment	Write PPT for review of assessment		10/24
4 Assessment	Meet with stakeholders to review assessment	Olympia	10/25
5 Closeout	Review deliverables	Olympia	10/29
5 Closeout	Closeout project		10/31

Formal Outline of Key Deliverables

The chart below lists all project deliverables, including the phase in which it will be delivered, a description of the deliverable, and the process in which it will be delivered.

Deliverable	Phase	Description	Approx. Delivery	Status	Process to Complete	Process Involves	Conditions to Meet Delivery
Kickoff Presentation	Kickoff	The purpose of the Kickoff presentation is to discuss the Project Plan, Project Deliverables, and the Project Timeline with the Project Team. In addition, the kickoff sets the stage and the expectations for the project	7/10/19	Complete	Presentation	All impacted staff	Presentation given to staff
Formal Outline of Deliverables [this table]	Planning	This is a section of the project plan that lists and describes the deliverables of the project and the timeframe for delivery.	7/29/19	Complete	Included in project plan	Project Manager	Project Plan submitted to ELUHO and accepted by the Project Manager
Project Plan [this document]	Planning	The project plan is a planning document that covers project roles, terminology, project flow, and project risks. Once this project plan is submitted and accepted by the ELUHO project manager, the deliverable will be considered met.	7/29/19	Complete	Written document	Project Manager & Project Sponsor	Project Plan submitted to ELUHO and accepted by the Project Manager

Deliverable	Phase	Description	Approx. Delivery	Status	Process to Complete	Process Involves	Conditions to Meet Delivery
Business Objectives	Discovery	High-level objectives of the project set by the leadership team, which includes the project sponsor and members of both boards. The Business Objectives set the stage for the project and help to relay the project objectives to the staff who define the process and data requirements. Most of the meetings scheduled at the beginning of August will be focused on ensuring that the business objectives for the project are set and the leadership team is in agreement.	8/12/19	Complete	Email	Project Sponsor	Business Objectives submitted to ELUHO Project Sponsor by email and accepted
Process Requirements	Discovery	The list of processes and future state requirements	9/13/19	In process	Included in final report	Internal system users	None. These will feed into the assessment report
Data Requirements	Discovery	The data elements and metrics that managers use to measure success and performance. These will come from meetings with the project sponsor and the members of both boards at the end of August	9/20/19	Not started	Included in final report	Board Members	None. These will feed into the assessment report
Current As-Is Process Documentation	Discovery	This document lists the processes related to ELUHO's Case Management System, including electronic processes performed in the system and peripheral paper-based processes. Where appropriate, processes will be documented using "swimlane" charts (example on next slide). In other cases, the process steps may be listed in outline form or the process may reference ELUHO's current staff desk manuals.	9/20/19	Not started	Written document	Internal system users	Submitted to ELUHO Project Manager and accepted

Deliverable	Phase	Description	Approx. Delivery	Status	Process to Complete	Process Involves	Conditions to Meet Delivery
Draft Project Initiation Assessment Report	Assessment	This is a draft of the main project deliverable—the project initiation assessment report. This report will include other minor deliverables, such as the business objectives and process and data requirements, and it will lay out a series of recommendations for Phase II of the project.	10/21/19	Not started	Written document	All impacted staff	Presented to ELUHO Project Manager
Draft Budget Package and IT Addendum	Assessment	At the end of September, a draft budget will be prepared to help ELUHO understand the cost differences between the various options presented. This deliverable will follow these State forms: 2019-21 IT Addendum and 2019-21 Biennial Budget Decision Package. Note that while this is closely related to the Project Initiation Assessment Report, it needs to be completed and submitted earlier in order to meet the State's budget deadline.	9/30/19	Not started	State of Washington form	Project Manager & Project Sponsor	Submitted to project manager and accepted by Steering Committee
Final Project Initiation Assessment Report	Closeout	This is the final version of the main project deliverable--the Project Initiation Assessment Report. After reviewing the draft version of the report with staff at the completion of the assessment phase, the report will be finalized and delivered to ELUHO in order to initiate Phase II.	10/31/19	Not started	Presentation and Written Document	Project Manager & Project Sponsor	Submitted to project manager and accepted by Steering Committee

Project Risks

Every project has risks and identifying them upfront is the first step in finding ways to mitigate the risks. The chart below lists some of the risks of the assessment project.

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
1	Software that meets agency's needs is unaffordable / out of budget	2	3	<ul style="list-style-type: none"> • Prioritize and estimated requirements separately so that they can be adjusted based on budgetary needs. • Ensure IT Budget proposal is sound and make solid case for ELUHO's software needs
2	Current IT vendor does not cooperate with the process of switching systems or providing required information	2	3	<ul style="list-style-type: none"> • Find ways to incentivize vendor to provide require information • Limit the necessary information needed from the vendor to the most critical
3	Data integrity issues discovered with current data or the overall data structure	2	3	<ul style="list-style-type: none"> • Engage software architects early on to help analyze system and build the conversion plan • Identify most critical fields and data points needed from current system and focus on those first
4	State Legislators disagree with ELUHO's approach or the assessment report	1	2	<ul style="list-style-type: none"> • Where there are disagreements or perceived disagreements, build a solid case in the report • Communicate early with Legislators so that they are not surprised at the end of Phase I • Share information with legislators who can help work with their colleagues to support ELUHO's approach
5	Conflict exists between what ELUHO needs and what is stated in SSB 5151	1	2	<ul style="list-style-type: none"> • Prepare an analysis of each area of conflict to address ELUHO's concerns in another way that conforms more closely to the rule
6	Internal disagreements at ELUHO about whether the project covers both boards or just the GMHB	2	1	<ul style="list-style-type: none"> • Settle the disagreement early on in the engagement • If unable to engage PCHB/SHB boards during the engagement, prepare benefit analysis that can be used during Phase II to help bring the board into the project

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
7	Governance policies are in their early stages	1	2	<ul style="list-style-type: none"> • Discuss software assessment project during each steering committee meeting to ensure members are up-to-speed • Write a solid governance policy document that members agree to adhere to
8	Agency has not had experienced with a governance policy in the past	1	2	<ul style="list-style-type: none"> • Review other small agency's governance policies • Implement internal policies
9	Lack of IT leadership at ELUHO to make informed IT decisions	2	1	<ul style="list-style-type: none"> • Identify external party (WaTech architect Jason Anderson and OCIO Amy Pearson) to help explain the choices and advise ELUHO leadership
10	Lack of IT staff at ELUHO to support a new system	1	1	<ul style="list-style-type: none"> • Require that system be easy to use and update as needed • Require that new system rely primarily on click configuration versus code • Work with WaTech to ensure internal support, as necessary
11	Denial of Funding for the Phase II of the project	1	2	<ul style="list-style-type: none"> • Ensure IT Budget proposal is sound and make solid case for ELUHO's software needs
12	Inconsistencies in how processes are performed based on who performs the process	2	1	<ul style="list-style-type: none"> • Identify a decision-maker—a person with ELUHO who is willing to decide how a certain process is to be performed • Understand policies governing ELUHO's work in order to help identify which method more closely conforms to the regulatory requirements
13	Inconsistencies in how processes are performed based on the board (GMHB vs. PCHB/SHB)	2	1	<ul style="list-style-type: none"> • Identify a decision-maker—a person with ELUHO who is willing to decide how a certain process is to be performed • Understand policies governing ELUHO's work in order to help identify which method more closely conforms to the regulatory requirements • Find ways to encourage and reward consistency between the boards
14	Key staff at ELUHO leave the agency in the middle of the project	2	3	<ul style="list-style-type: none"> • Wherever possible, ensure staff are cross-trained on processes and that key processes are documented
15	ELUHO experience with project management controls is limited.	1	2	<ul style="list-style-type: none"> • Utilize independent project manager vendor to initiate and implement project controls.

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
16	Project governance roles and responsibilities including decision making authority is not clear.	1	1	<ul style="list-style-type: none"> Develop a project charter and project plan that clearly identifies steering committee roles and responsibilities as well as decision making process.
17	Based on previous experience, system and business process documentation is inadequate resulting in inefficient work arounds and limited training and support for staff.	2	2	<ul style="list-style-type: none"> Plan for robust training to reflect both system and business process changes. Ensure formal documentation such as a desk manual is developed to ensure ongoing support.

* 1 = most severe or likely and 3 = least severe or likely

Project Particulars

Documents and Other Information Required

To help AvachaTech understand the current process and the future needs, the following documents and information have been collected from the ELUHO staff and the ELUHO website. This information will be used and relied upon during the Discovery and Assessment phases of the project.

- Staff desk manuals. Currently three desk manuals for ELUHO’s three administrative support staff have been provided.
- Any policies governing ELUHO’s work. Currently, this includes the Growth Management Act and the Shoreline Management Act.
- Organizational chart showing staff within ELUHO and ELUHO’s relationship to other State agencies. The former chart is available on ELUHO’s website.
- Any reports generated out of the current system that staff rely on. Several have been provided by Nina Carter and Lunn Eccles.
- Examples or samples of actual cases that have gone before the ELUHO Board. These can be found by searching the ELUHO website.
- The GMHB Handbook can be downloaded from the ELUHO website. A Word version of this document has also been obtained.
- List of keywords.
- PCHB and SHB “Your Right to be Heard” sheets
- The Ruckelshaus report: A Road Map to Washington’s Future
- The following sample forms:
 - Declaration in Support of a Motion
 - Declaration of Service
 - Exhibit List
 - Guidelines for Use of Electronic Exhibits
 - Motion to Intervene

- PCHB Notice of Appeal
- Petition for Review
- Petitioners’ List of Proposed Legal Issues...
- Proposed Issues, Witnesses & Exhibits
- Request for Settlement Extension
- SHB Petition for Review
- Stipulated Joint Motion of Dismissal
- Subpoena Outside County
- Subpoena within County

Project Roles

The chart below identifies the project manager and lists the staff and stakeholders involved in the project.

Role	Name, Title, Organization
Project Sponsor	Nina Carter, Director, ELUHO
Project Manager	Nancy Coverdell, Administrative Legal Assistant, ELUHO
OCIO Oversight	Amy Pearson, OCIO
Stakeholders / Users	GMHB Board Members
Stakeholders / Users	SHB and PCHB Board, ALJs, and Support Staff
Stakeholder	State Legislators
Department of Commerce	Stakeholder
Users	Building Industry Association of Washington, Identity Clark County, Futurewise, Ruckelshaus Center, Planning Association of Washington, American Planning Association

Weekly Project Check-In Meetings

At the onset of the project, the team set up a weekly check-in call on Fridays at 9:00 am. The first meeting of each month will be onsite and one hour long, while the other meetings will be via web-conference and will last for a half-hour. These meetings will continue throughout the duration of the project and the team will use them to ensure all tasks are moving forward and that any roadblocks are removed.

Scheduling Project Meetings

Most of the project meetings took place during the Discovery phase of the project and most of them were in interview format with questions prepared beforehand. Nancy Coverdell from ELUHO scheduled meetings as necessary, while others were scheduled by AvachaTech directly.

The strategy behind the meeting schedule is to schedule meetings with Board members at the onset of the Discovery phase so that each member can offer input into the business objectives, then to meet with the support staff who use the system on a daily basis in order to understand and document their process, and finally to meet again with the Board members to define the data requirements they need to manage their work. Interviews with legislators will be placed throughout the Discovery phase, depending on their availability. Since the legislator interest in the project is at a very high level, it is not anticipated that the content of these interviews will have a significant impact on the deliverables but will instead serve as a check-and-balance to ensure that the final assessment report accurately captures their expectations for the project.

Travel to Project Meetings

Meetings during the duration of the project will be held either via phone conference or in one of the following locations: Olympia, Seattle, Yakima, Pasco, or Vancouver. The team will attempt to group meetings that occur outside of Seattle so that multiple people can be interviewed during each trip.

The meetings will be scheduled based on Todd Craven’s availability and Nina Carter will be included in all invites with an open invitation to attend. The legislator meetings, in particular, will benefit from having Nina attend if it is possible to do so.

Project Contacts

Below is the list of people who will have input into the project throughout its duration, including interviewees, processors, board members, etc.

Name	Organization	Title	Email	Phone
Nancy Coverdell	ELUHO	Administrative Legal Manager	INTENTIONALLY REMOVED FOR PUBLIC DOCUMENT	
Nina Carter	ELUHO	Director		
Morgan Pilon	ELUHO	Office Assistant		
Lynn Eccles	ELUHO	PCHB/SHB Legal Assistant		
Desiree Ortiz	ELUHO	GMHB Legal Assistant		
Carolina Sun-Widrow	ELUHO	PCHB Member		
Neil Wise	ELUHO	PCHB Member		
Kay Brown	ELUHO	PCHB Member		
Joan Marchioro	ELUHO	Past PCHB Member		
Heather Francks	ELUHO	Administrative Law Judge		
Ray Paolella	ELUHO	GMHB Board Member		
Deb Eddy	ELUHO	GMHB Board Member		

Name	Organization	Title	Email	Phone
Bill Hinkle	ELUHO	GMHB Board Member		
Will Roehl	ELUHO	GMHB Board Member		
Cheryl Pflug	ELUHO	GMHB Board Member		
John Tacke	Frontline Solutions	Manager of current ELUHO database/website		
Amy Pearson	OCIO	Oversight Consultant		
Jason Anderson	OCIO	Enterprise Architect		
Michelle Tuscher	Board of Accountancy	CIO		
	Board of Industrial Insurance Appeals			
	Board of Tax Appeals			
	Dept. of Revenue			
Dave Andersen	Dept. of Commerce	GMA Managing Director		
Fawn Wilson	Planning Assoc. of WA			
Jan Himebaugh	BIAW			
Amber Carter	Clark County			
Paul Jewell	Assoc. of Counties			
Karl Schroeder	Cities Association			
Mike Ennis	Assoc. of WA Businesses			
Jeanette McKague	WA Assoc. of Realtor			
Tim Trohimovich	Futurewise			
Rep. Mary Dye	State of WA	Legislator		
Rep. Matt Boehnke	State of WA	Legislator		
Rep. Laurie Dolan	State of WA	Legislator		

Name	Organization	Title	Email	Phone
Rep. Beth Doglio	State of WA	Legislator		
Rep. Paul Harris	State of WA	Legislator		
Rep. Vicki Kraft	State of WA	Legislator		
Sen. Lynda Wilson	State of WA	Legislator		
Sen. Sharon Brown	State of WA	Legislator		
Sen. Shelly Short	State of WA	Legislator		
Sen. Dean Takko	State of WA	Legislator		

Process List and Process Sessions

AvachaTech and ELUHO have created a list of processes related to Case Management that staff currently perform. It is important that this list is as complete as possible prior to entering the Discovery phase as the meetings and discussions scheduled during the phase will be based on this list. AvachaTech and ELUHO have vetted the list and believe that the major processes that need to be looked at are captured. The list below is just a static list for the planning document, but the current list can be found here: [Process List](#).

The following diagram shows how the processes are broken out by Processor (the person who performs the process) and stage within the lifecycle of a case.

Legal Assistant		Legal Office Assistant		Presiding		Board Member		Administrative Law Judge	
Row Labels	Count of Processes	Row Labels	Count of Processes						
02 - New Case	15	02 - New Case	10	01 - Eligibility	1	05 - Mediation	1	01 - Eligibility	1
03 - Case Assignment	2	04 - Case Consolidation	1	02 - New Case	1	07 - Motions	4	03 - Case Assignment	1
04 - Case Consolidation	1	05 - Mediation	2	03 - Case Assignment	1	09 - Hearing	3	05 - Mediation	2
05 - Mediation	3	07 - Motions	4	05 - Mediation	2	10 - Exhibits	1	Grand Total	4
06 - Scheduling	9	09 - Hearing	1	06 - Scheduling	4	11 - Orders	2		
07 - Motions	5	10 - Exhibits	2	07 - Motions	6	14 - Extensions	2		
09 - Hearing	6	11 - Orders	1	08 - Subpoena	1	15 - Close Case	9		
10 - Exhibits	2	12 - Case Notices	1	09 - Hearing	4	17 - Superior Court / Court of Appeals	1		
11 - Orders	1	13 - Case Management	5	10 - Exhibits	1	Grand Total	23		
12 - Case Notices	1	15 - Close Case	4	11 - Orders	2				
13 - Case Management	13	16 - Archiving	3	13 - Case Management	2				
14 - Extensions	1	17 - Superior Court / Court of Appeals	1	14 - Extensions	2				
15 - Close Case	6	N/A - Reporting	3	15 - Close Case	9				
16 - Archiving	2	N/A - Website	1	17 - Superior Court / Court of Appeals	1				
17 - Superior Court / Court of Appeals	3	Grand Total	38	Grand Total	37				
N/A - Administration	1								
N/A - Board	1								
N/A - Reporting	2								
N/A - Website	2								
Grand Total	75								

During the months of August and September, process sessions will be held with ELUHO staff to dig into each stage. The stages will be captured in quarters and AvachaTech and pertinent ELUHO staff will meet to dive into the processes one quarter at a time. Below is the list of stages by quarter and the approximate date for meeting on them:

- **First Meeting** – scheduled for July 29
 - ◆ Eligibility of the petitioner
 - ◆ New cases

- ◆ Assigning Cases
- ◆ Consolidating Cases
- **Second Meeting** – scheduled for August 5
 - ◆ Mediation
 - ◆ Scheduling hearings
 - ◆ Motions
 - ◆ Conducting Hearings
- **Third Meeting** – scheduled for August 19
 - ◆ Exhibits
 - ◆ Orders
 - ◆ Case Notices
 - ◆ Case Management (letter templates, tracking cases, sending / receiving mail, etc.)
- **Fourth Meeting** – scheduled for August 26
 - ◆ Extensions
 - ◆ Closing cases
 - ◆ Archiving
 - ◆ Sending to other courts

The list begins on the next page and includes the following columns, which deserve some explanation:

- **Board:** this column indicates the board where the process is performed (GMHB or PCHB/SHB). If the process is the same in both boards, then it will read “Both”.
- **Stage:** this column indicates the stage in which the process is performed within the context of the entire process lifecycle. The stage column is used for sorting so that the processes appear in a conceptual order.
- **Process:** this is name of the process.
- **Processor:** the person or role who performs the process.
- **Process Owner:** the person or role who owns the process. Owning a process means that the person is interested in the outcome of the process and that the process is within their level of control based on their role within the organization. The process owner is typically not the same person/role as the processor.
- **Comments:** this column is used to add additional detail about the process beyond what is contained in the name of the process itself.

Process List Requirements

Board	Stage	Process	Processor	Process Owner	Comments
Both	01 - Eligibility	Determine Eligibility of Petitioner	Board Chair/Administrative Officer		1. The local legislative action must be within the Board's subject matter jurisdiction; 2. The petitioner must have standing; and 3. The PFR must be timely.
Both	02 - New Case	Add members to a Case	Legal Assistant/ Legal Office Assistant		
Both	02 - New Case	Add Parties to a Case	Legal Assistant/Legal Office Assistant		
Both	02 - New Case	Add Party to Address Book	Legal Assistant/ Legal Office Assistant		
Both	02 - New Case	Enter Contacts into Database	Legal Office Assistant/Legal Assistants		No connection between databases, so if two people / orgs are in both, you need to enter them separately, multiple times
Both	02 - New Case	File a Case Before the Board	Petitioner		
Both	02 - New Case	Forward Electronic Filings	Legal Office Assistant/ Legal Assistants		
Both	02 - New Case	Open New Case	Legal Assistant/ Legal Office Assistant		
Both	02 - New Case	Receive New Case via Email	Legal Assistant/ Legal Office Assistant		

Board	Stage	Process	Processor	Process Owner	Comments
Both	02 - New Case	Receive New Case via Hardcopy	Legal Assistant/ Legal Office Assistant		
Both	02 - New Case	Receive Notice of Appearance	Legal Assistant/ Legal Office Assistant		
Both	02 - New Case	Reload Deadlines from Template	Legal Assistant		Staff enter the type of case into the deadlines tab and click 'Reload", which creates the case deadlines based on the template
GMHB Board	02 - New Case	Make Alternative Arrangements for Filing Declaration of Service	Presiding		If petitioner does not have means to file electronically, the Board will help make other arrangements
PCHB / SHB	02 - New Case	Forward Electronic Filings	Legal Office Assistant/Legal Assistants		
PCHB / SHB	02 - New Case	Issue Perfection Letter	Legal Assistant		Prepared by LA, signed by Board Chair
PCHB / SHB	02 - New Case	Process Derelict Vessel Case	Legal Assistant		
PCHB / SHB	02 - New Case	Process Forest Practice - Stop Work	Legal Assistant		
PCHB / SHB	02 - New Case	Process Request for Stay	Legal Assistant		
Both	03 - Case Assignment	Assign Case to Board Member	Board Chair/Administrative Officer		
PCHB / SHB	03 - Case Assignment	Assigning Penalty Cases	Legal Assistant	Board Chair	Penalties under \$15,000 go to short board, others go to the full board
PCHB / SHB	03 - Case Assignment	Log Case Assignments	Legal Assistant		

Board	Stage	Process	Processor	Process Owner	Comments
Both	04 - Case Consolidation	Consolidate cases	Legal Assistant/ Legal Office Assistant		When multiple cases are appealing the same penalty or permit, they are then consolidated into a single case
Both	05 - Mediation	Open Mediation File	Legal Office Assistant/ Legal Assistants		Note that mediation is very rare for the GMHB as cases are typically more complicated / involved than those that can be easily solved through mediation, but it can happen
Both	05 - Mediation	Select Mediator	Board/ Administrative Officer		Note that mediation is very rare for the GMHB as cases are typically more complicated / involved than those that can be easily solved through mediation, but it can happen
GMHB Board	05 - Mediation	Send Case to Mediation	Legal Assistant		Note that mediation is very rare for the GMHB as cases are typically more complicated / involved than those that can be easily solved through mediation, but it can happen
PCHB / SHB	05 - Mediation	Open Mediation File	Legal Assistant/ Legal Office Assistant		
PCHB / SHB	05 - Mediation	Select Mediator	Administrative Officer		Carolina and Heather are mediators (ALJ's) and they get assigned based on who is on the case (cannot be on the case and mediator at the same time) Board Chair if Board member is presiding; if AAJ presiding, then mediator will have to be other AAJ (see comments)

Board	Stage	Process	Processor	Process Owner	Comments
PCHB / SHB	05 - Mediation	Send Case to Mediation	Board Chair		
Both	06 - Scheduling	Issue Notice of Hearing and Preliminary Schedule	Presiding / Legal Assistant		
Both	06 - Scheduling	Schedule Hearing	Legal Assistant/ Presiding		Use the term Presiding Officer instead of Board because whoever in PCHB is presiding on a case, whether Board member or AAJ, is the one responsible for scheduling hearing dates.
Both	06 - Scheduling	Schedule Hearing on the Merits	Presiding/Legal Assistants		
Both	06 - Scheduling	Schedule Prehearing Conference	Presiding/ Legal Assistant		
GMHB Board	06 - Scheduling	Schedule bi-Monthly GMHB Board Meetings	Legal Assistant		
PCHB / SHB	06 - Scheduling	Reschedule Hearing	Legal Assistant		
PCHB / SHB	06 - Scheduling	Schedule Monthly Case and Docket Meting	Legal Assistant		
PCHB / SHB	06 - Scheduling	Schedule Monthly PCHB Meeting	Legal Assistant		
PCHB / SHB	06 - Scheduling	Schedule Onsite Visit	Legal Assistant	Presiding	The Presiding determines whether to allow site visit in a case and scheduling site visit is part of determining hearing dates, see box 3.
Both	07 - Motions	Enter Dispotive Motions in the Database	Legal Office Assistant/ Legal Assistants		
Both	07 - Motions	Enter Motions into Database	Legal Office Assistant/ Legal Assistants		

Board	Stage	Process	Processor	Process Owner	Comments
Both	07 - Motions	File Dispositive Motion	Either Party		
Both	07 - Motions	File Motion for Reconsideration	Any Party		
Both	07 - Motions	File Motion to Intervene	Other Party		Filed by someone with an interest in the case other than the respondent or the petitioner
Both	07 - Motions	Receive Motion to Intervene	Legal Assistant/ Legal Office Assistant		
Both	07 - Motions	Receive Motions	Legal Assistant/Legal Office Assistant		
Both	07 - Motions	Review Dispositive Motion	Board		
Both	07 - Motions	Review Motion to Intervene	Presiding		
GMHB Board	07 - Motions	File Amended Index of the Record	City or County		
GMHB Board	07 - Motions	File Motion to File Amicus Brief	Other Party		Filed by someone with an interest in the case other than the respondent, petitioner, or intervenor
GMHB Board	07 - Motions	File Motion to Supplement Record	Either Party		
GMHB Board	07 - Motions	Receive Motions Outside Prehearing Order Schedule	Legal Assistant		
GMHB Board	07 - Motions	Review Amended Index of the Record	Board		
GMHB Board	07 - Motions	Review Motion for Reconsideration	Board		

Board	Stage	Process	Processor	Process Owner	Comments
GMHB Board	07 - Motions	Review Motion to File Amicus Brief	Presiding		
GMHB Board	07 - Motions	Review Motion to Supplement Record	Board		
PCHB / SHB	07 - Motions	Enter Dispositive Motions in the Database	Office Assistant		There is a huge variety of dispositive and nondispositive motions filed with the PCHB that the Presiding and/or Board decides. You have GMHB Motions broken down in many varieties/categories in boxes 31-45. PCHB can similarly provide with many most commonly filed motions that will be helpful in developing templates for the process.
PCHB / SHB	07 - Motions	Enter Motions into Database	Office Assistant		
PCHB / SHB	08 - Subpoena	Serve subpoena	Presiding		Presiding signed the order, which is prepared by requesting party
Both	09 - Hearing	Assign Court Reporter	Legal Assistant		Legal Assistants send Court Reporters our hearing schedule and the Court Reporting office assigns the court reporters.
Both	09 - Hearing	Cancel / Continue Hearing	Legal Assistant	Presiding	Parties may request by motion that a hearing be canceled and/or continued. The Presiding may also continue a hearing
Both	09 - Hearing	Conduct Hearing on the Merits	Board		

Board	Stage	Process	Processor	Process Owner	Comments
Both	09 - Hearing	Conduct Prehearing	Board		
Both	09 - Hearing	Hold Pre-Hearing Conference	Presiding		By telephone typically
Both	09 - Hearing	Retrieve Recording from Court Reporter	Legal Assistant		We only need to retrieve hearing recordings for PCHB/SHB hearings that are not held in our office.
GMHB Board	09 - Hearing	Create and Provide Agenda for Hearing	Board/ Legal Assistant		Provided 1 week before hearing
GMHB Board	09 - Hearing	Record Case (audio recording)	Court reporter		
PCHB / SHB	09 - Hearing	Log Hearings	Legal Assistant		
PCHB / SHB	09 - Hearing	Prepare Hearing Binder	Legal Assistant/ Legal Office Assistant		
Both	10 - Exhibits	File Exhibits	Both Parties		
Both	10 - Exhibits	Index Exhibits	Legal Office Assistant/Legal Assistants		
GMHB Board	10 - Exhibits	File Prehearing Brief	Petitioner		
GMHB Board	10 - Exhibits	File Prehearing Brief Response	Respondent		
GMHB Board	10 - Exhibits	Review Exhibits	Board		
PCHB / SHB	10 - Exhibits	Handle Electronic Exhibits	Legal Assistant/ Legal Office Assistant		
Both	11 - Orders	Issue Prehearing Order	Board		
Both	11 - Orders	Receive Orders	Legal Assistant/ Legal Office Assistant		

Board	Stage	Process	Processor	Process Owner	Comments
GMHB Board	11 - Orders	Issue Compliance Order	Board		
Both	12 - Case Notices	Enter Notices into the Database	Legal Office Assistant/ Legal Assistant		
Both	12 - Case Notices	Serve notice of appeal	Appellant		
PCHB / SHB	12 - Case Notices	Enter Notices into the Database	Office Assistant		
Both	13 - Case Management	Enter Case Notes	Legal Assistant/Legal Office Assistant		
Both	13 - Case Management	Log Calls from Parties to the Case	Legal Assistant		We don't log phone calls. We do log when Administrative Appeals Judges give procedural assistances for PCHB/SHB cases.
Both	13 - Case Management	Manage Board Member Deadlines	Legal Assistant		
Both	13 - Case Management	Receive and Distribute Case-related Mail	Legal Office Assistant/ Legal Assistant		
Both	13 - Case Management	Receive Document for the Board	Legal Assistant/ Legal Office Assistant		
Both	13 - Case Management	Send Case-related Mail	Legal Office Assistant/ Legal Assistant		
Both	13 - Case Management	Track Case Deadlines	Legal Assistant		
Both	13 - Case Management	Track Case Statuses	Legal Assistant/Legal Office Assistant		
GMHB Board	13 - Case Management	File Notice of Appearance	Respondent		

Board	Stage	Process	Processor	Process Owner	Comments
PCHB / SHB	13 - Case Management	Complete Pre-hearing Order Template	Legal Assistant		After parties' prehearing conference with Presiding, the Presiding determines how the appeal will be conducted, finalizes legal issues, and sets deadlines for case preparation. All these are then written into the Prehearing Order.
PCHB / SHB	13 - Case Management	Create new Letter Template	Legal Assistant		
PCHB / SHB	13 - Case Management	Receive and Distribute Case-related Mail	Office Assistant		
PCHB / SHB	13 - Case Management	Send Case Letters - Initial	Presiding/ Legal Assistant		Appeal Perfection Letter, Not Considered an Appeal Letter, Mitigation letter
PCHB / SHB	13 - Case Management	Send Case Letters - Non-participation	Presiding/Legal Assistant		Rescheduling of Prehearing Conference, Order to Show Cause, Request for Response to Summary Judgment, Dismissal - Failure to perfect, Dismissal - Failure to participate
PCHB / SHB	13 - Case Management	Send Case-related Mail	Office Assistant		
PCHB / SHB	13 - Case Management	Send Prehearing Order Template	Legal Assistant		
GMHB Board	14 - Extensions	File Request for Settlement Extension	Both Parties		
GMHB Board	14 - Extensions	Issue Settlement Extension	Board / Legal Assistant		

Board	Stage	Process	Processor	Process Owner	Comments
GMHB Board	14 - Extensions	Review Request for Settlement Extension	Board		
Both	15 - Close Case	Close Case	Legal Assistant/ Legal Office Assistant		
Both	15 - Close Case	Dismiss case - joint settlement reached	Board / Legal Assistant/Legal Office Assistant		
Both	15 - Close Case	Dismiss case - Mediator settlement	Board		Note that mediation is very rare for the GMHB as cases are typically more complicated / involved than those that can be easily solved through mediation, but it can happen
Both	15 - Close Case	Dismiss case - Other	Board / Legal Assistant/Legal Office Assistant		For PCHB, there are many processes of arriving at result of closing a case , as indicated by "Other."
Both	15 - Close Case	Issue Concurring or Dissenting Opinion	Board Member		
Both	15 - Close Case	Modify Decision	Board		Based on Motion for Reconsideration
GMHB Board	15 - Close Case	Issue Corrected FDO	Board		
GMHB Board	15 - Close Case	Issue Determination of Invalidity	Board		
GMHB Board	15 - Close Case	Issue Final Decision and Order (FDO)	Board / Legal Assistant		Includes multiple drafts and steps that go between board members and must be reviewed by three (3) board members

Board	Stage	Process	Processor	Process Owner	Comments
GMHB Board	15 - Close Case	Re-Open Closed Hearing	Board		Based on Motion for Reconsideration
PCHB / SHB	15 - Close Case	Close Case	Legal Assistant		
PCHB / SHB	15 - Close Case	Dismiss case - Mediator settlement	Legal Assistant/ Legal Office Assistant	Board	
Both	16 - Archiving	Archive Cases	Legal Office Assistant		Lynn determines what to archive, Morgan archives
Both	16 - Archiving	Archive Court Documents	Legal Assistant/ Legal Office Assistant		
Both	16 - Archiving	Request File from Archives	Legal Office Assistant/ Legal Assistants		
Both	17 - Superior Court / Court of Appeals	Petition for Judicial Review	Either Party		Cases are sent to other courts, but there is typically no response so there is not any closure on these cases; this is the permission to send for appeal
Both	17 - Superior Court / Court of Appeals	Process to Superior Court	Legal Assistant/ Legal Office Assistant		Deliver documents, enter info into SC database, copies of briefs/decisions, manage index, etc.

Board	Stage	Process	Processor	Process Owner	Comments
PCHB / SHB	17 - Superior Court / Court of Appeals	Petition for Judicial Review	Board / Legal Assistant		Cases are sent to other courts, but there is typically no response so there is not any closure on these cases; this is the permission to send for appeal. Before the process of parties petitioning for judicial review of PCHB decisions, there are two recurring process: (1) parties petitioning for reconsideration of PCHB decisions (function is to ask PCHB to reconsider its decision), and (2) parties requesting a certificate of appealability (function is to ask that Court of Appeals, instead of superior court, directly review PCHB decision)
PCHB / SHB	17 - Superior Court / Court of Appeals	Process to Superior Court	Legal Assistant		Deliver documents, enter info into SC database, copies of briefs/decisions, manage index, etc.
GMHB Board	N/A - Administration	Track Board Member Training Requirements	Legal Assistant		
Both	N/A - Board	Board Member / Presiding Change	Legal Assistant	Board Chair	For PCHB, if the function/process described is who will make up the Board or Presiding that hears a case, the Board Chair makes decision.
Both	N/A - Reporting	Run and Distribute Weekly Reports	Legal Office Assistant		
Both	N/A - Reporting	Search Cases	Legal Office Assistant/ Legal Assistants		

Board	Stage	Process	Processor	Process Owner	Comments
PCHB / SHB	N/A - Reporting	Provide Weekly Reports to Board Members	Legal Office Assistant		
PCHB / SHB	N/A - Reporting	Update Performance Measure spreadsheet	Legal Assistant		
Both	N/A - Website	Update Meeting Notices on Website	Legal Assistant		
Both	N/A - Website	Update the GMHB Digest on the Website	Legal Assistant/ Legal Office Assistant		

Terminology

Throughout the project, the team will need to rely on common terminology. The space below is a reference point for project terms and can be added to as new terms are used. The purpose of this section is to ensure common understanding of the terms in order to avoid miscommunication.

Term	Definition
General Terms	
Air Pollution Control Agency	A local or regional agency authorized under the Washington Clean Air Act, RCW 70.94, to issue orders and assess penalties for air pollution violations, and to issue notices of construction for new air emission sources.
Appeal	A request for review of a decision filed with the Board.
Appellant	A person or entity bringing the appeal.
Dismissal	Dismissal is an order entered by the Board terminating the appeal, canceling the hearing, and ending the Board’s consideration of the case.
Dispositive Motion	Motions concerning matters that are central to the case (such as a motion for summary judgment or a motion to dismiss) are called “dispositive” motions because they can “dispose of” (or end), all or part of the appeal.
Hearing	An administrative proceeding before one of the three boards that make up the Environmental and Land Use Hearings Office (GMHB, PCHB, SHB)
Intervenor	A third party asking to be heard in an appeal.
Mediation	A voluntary process in which a neutral third party acts as a mediator to help the parties work together to create a mutually acceptable resolution of all or part of the appeal. The Board encourages the use of mediation in Board cases. (See WAC 242-03-540(1); WAC 242-03-575).
Motion in Limine	A motion in limine asks the Board, in advance of the hearing to exclude certain evidence.
Non-Dispositive Motion	A non-dispositive motion is a request for relief, which does not decide an issue or issues or the whole case.
Party	A person who is an appellant, respondent, or intervenor.
Person	An individual, partnership, corporation, association, organization, governmental subdivision, agency, or entity of any character.
Petitioner	The person(s) and/or organization(s) filing the Petition for Review with the Board (See WAC 242-03-030(14)).

Term	Definition
Pre-Hearing Conference	A telephone meeting with the Presiding Officer and all parties (and/or their attorneys) to discuss the case, set the hearing schedule, and determine the legal issues in the appeal.
Stipulation	An agreement between the parties.
Witness	A person who testifies at a Board hearing under oath about facts and other information based on his or her personal knowledge or experiences related to the case.
GMHB Board Terms	
Administrative Procedures Act	Clarifies the existing law of administrative procedure, to achieve greater consistency with other states and the federal government in administrative procedure and to provide greater public and legislative access to administrative decision making. (See RCW 34.05).
Amicus Curiae	Latin for friend of the court, an Amicus is a person who is not party to a matter but who desires to file a brief in the action to advise the Board of additional facts or legal authorities (See WAC 242-03-280).
Attestation Statement	A statement affirming the contents of the document are, to the best of the signer's knowledge, true and accurate.
Authority [Authorities]	A case, statute, administrative rule, or Board decision cited in support of a legal argument
Board	The Legislature established the Growth Management Hearings Board and authorized that these Boards "hear and determine" allegations that a city, county, or state agency has not complied with the goals and requirements of the Growth Management Act (GMA), and related provisions of the Shoreline Management Act (SMA), RCW 90.58, and the State Environmental Policy Act (SEPA), RCW 43.21C.
Brief	A written document in which the party provides essential facts, arguments, and legal authority that supports its allegations (See WAC 242-03-590). Briefing in a case will include: <ul style="list-style-type: none"> · Petitioner's Prehearing Brief: filed by the Petitioner prior to the Hearing on the Merits · Respondent's Response Brief: filed by the Respondent after receipt of the Petitioner's Prehearing Brief; provides the Respondent the opportunity to counter any facts and arguments set forth by the Petitioner · Petitioner's Reply Brief: filed by the Petitioner after receipt of the Respondent's Response Brief; provides the Petitioner with the opportunity to counter any facts and arguments set forth by the Respondent and bolster any of the facts and arguments set forth in the Petitioner's Prehearing Brief. No new issues not raised in the Prehearing Brief or Response may be introduced.

Term	Definition
Burden of Proof	A party's duty to prove a disputed assertion. The Petitioner must prove the local government has not acted in compliance with the GMA (See RCW 36.70A.302(2)).
Clearly Erroneous	The Standard of Review the Board uses to analyze a matter. To make a finding that a city, county, or state agency action was clearly erroneous, the Board must be left with a firm and definite conviction, in view of the entire record and in light of the goals and requirement of the GMA, that a mistake has been made (See RCW 36.70A.302(3)).
Compliance Hearing	A hearing held after a finding of non-compliance to determine if the action taken by the city, county, or state agency brings the non-compliant provision into compliance (See RCW 36.70A.330, WAC 242-03-940).
Compliance Index	A listing of all of the documents the city, county or state agency has relied on in taking action to bring the non-compliant provision into compliance with the GMA. (See WAC 242-03-920).
Compliance Participant	A person with standing to challenge the legislation enacted in response to the Board's finding of non-compliance who requests to participate in compliance proceedings (See RCW 36.70A.330(2); WAC 242-03-930).
Compliance Report	The local government's statement of actions it has taken to comply with the Board's order, as provided in the FDO. This document is sometimes called the Statement of Actions Taken to Comply (WAC 242-03-920).
Compliance Schedule	The table in the FDO or subsequent Compliance Order that sets the dates for compliance hearings and filings required by the Board (see WAC 242-03-900, 242-03-940(6)).
Comprehensive Plan	A generalized coordinated land use policy statement of the governing body of a county or city adopted pursuant to the GMA (see RCW 36.70A.030(4)).
Conclusory Argument	An argument which expresses a factual or legal conclusion without explaining the underlying facts or legal authority on which the conclusion is based; allegations that lack supporting evidence and argument.
Concurring Opinion	Opinion written by one member of the Board agreeing with the outcome of the Board order but for different reasons or providing a different perspective.
Consolidation	The combining of all PFRs challenging the same comprehensive plan, development regulation or SMP into a single case for hearing and decision (See RCW 36.70A.290(5); WAC 242-03-030(5)).
County-Wide Planning Policies (CPPs)	A written policy statement or statements adopted by a county in cooperation with its cities establishing a county-wide framework from which county and city comprehensive plans are developed and adopted (see RCW 36.70A.210).

Term	Definition
Court Reporter	A person who records a verbatim transcript of the HOM. Transcripts are available to a party at the cost of production (See WAC 242-03-600; WAC 242-03-880).
Critical Areas	Areas and ecosystems which include wetlands; areas with a critical recharging effect on aquifers used for potable water; fish and wildlife habitat conservation areas; frequently flooded areas; and geologically hazardous areas (see RCW 36.70A.030(5)).
Day	A calendar day; if the last day of a deadline falls on a Saturday, Sunday, or legal holiday, the party has until the next business day (see WAC 242-03-045).
Declaration of Service	A signed document attesting that the legal documents were served on named parties/individual, the date on which service occurred, and the method of service. (See WAC 242-03-245; Sample Forms).
Deemed Abandoned	Any legal issue in the Prehearing Order which the Petitioner fails to argue in the Prehearing Brief is deemed abandoned and is dismissed (See WAC 242-03-590(1)).
Deference	The legislatively-mandated requirement that the Board recognize the responsibility for managing local growth and shaping a county's or city's future rests with the local community and that the Board give consideration to the local government on how it plans for and manages growth (see RCW 36.70A.3201).
Determination of Invalidity	A Board determination in the FDO or Compliance Order that the continued validity of a non-compliant plan, development regulation or Shoreline Master Program would substantially interfere with the goals of the Act (see RCW 36.70A.302; WAC 242-03-280(3), 242-03-940(7)).
Development Regulations	The controls placed on the development or use of land by a county or a city including, but not limited to, zoning ordinances, critical area ordinances, shoreline master programs, and subdivision ordinances. RCW 36.70A.030(7).
Digest of Decisions	The Digest is a summary of all the Board's decisions and is organized by keyword and available on the Boards' website – www.eluho.wa.gov .
Direct Review Agreement	An agreement entered into by all parties within seven days of filing of the PFR, which states that the parties agree to have the matter reviewed by the applicable Superior Court instead of the Board (see RCW 36.70A.295; WAC 242-03-290).
Dispositive Motion	A motion to dismiss all or part of a case based on untimely filing, Petitioner's lack of standing, the Board's lack of subject matter jurisdiction, or other necessary threshold determination. The Board generally will not consider summary judgment motions seeking to resolve the case as a whole. (See WAC 242-03-555).
Dissenting Opinion	Opinion written by one member of the Board disagreeing with the order of the Board, in whole or in part.

Term	Definition
Ex-Parte Communication	Communication about issues in a pending case between any party— Petitioner, Respondent, Intervener, or Amicus— and a Board Member or Board staff without including or providing notice to all other parties to the case, except with respect to administrative or logistical matters (See WAC 242-03-030(7); WAC 242-03-130).
Exhibit	The evidence to be relied upon; it may be photographic, illustrative, demonstrative, or written documentation. (WAC 242-03-520).
Failure to Act	A local government’s non-action by a required deadline. For example, the GMA mandates that local governments review their comprehensive plans at certain times; if a government does not perform this required review, a petitioner may bring a Failure to Act challenge (See WAC 242-03-220(5)).
File [Filing]	The act of delivering the legal documents in the case to the Board (i.e., PFR, motions, briefs); delivery should be by electronic transmission, with hard copy placed in the mail the same day. (See WAC 242-03-230 for filing the PFR and 242-03-240 for all other filings.)
Final Action	In a GMA matter, the decision and/or action of the highest governing level of the jurisdiction (for a city this would be the City Council; for a county this would be the County Council or Board of Commissioners); in an SMA matter, the Department of Ecology’s final decision approving or disapproving an SMP.
Final Decision and Order (FDO)	The Board’s final order deciding the issues in a case. It is required to state whether the local government’s disputed action is or is not in compliance with the GMA, SMA or SEPA, and it must be issued within 180 days of the filing of a PFR, unless time has been extended for settlement discussions (see RCW 36.70A.300; WAC 242-03-800; WAC 242-03-820).
Growth Management Act (GMA)	RCW 36.70A. The GMA can be accessed through the Board’s website – www.eluho.wa.gov
Growth Management Hearings Board (GMHB)	The seven-member quasi-judicial Board appointed by the Governor to hear challenges to local actions arising under the GMA, SEPA and SMA (see RCW 36.70A.250; WAC 242-03-010, 242-03-020).
Growth Management Planning Population Projections	Issued by the State of Washington Office of Financial Management (OFM). Figures are from the US Census and provide the basis for new projections of population growth. Counties utilize these figures for allocating growth and revising comprehensive plans.
Hearing on the Merits (HOM)	A hearing on the Record considered by the city, county, or state agency in taking the challenged action (closed record hearing) that is conducted by the Board, the purpose of which is to provide the

Term	Definition
	representatives of the parties the opportunity to orally argue their case and for the Board to ask questions as necessary to understand the evidence and the argument (See WAC 242-03-610, 242-03-650).
Index of Record	A listing of all of the materials used by a city, county, or state agency in taking the action which is the subject of the PFR (See WAC 242-03-510, Sample Forms).
Intervenor	A person who voluntarily seeks to enter a case pending before the Board (See WAC 242-03-270; Sample Forms).
Jurisdiction (Subject matter jurisdiction)	The nature of the cases which the Board has authority to decide. For the Board, subject matter jurisdiction is limited to compliance with the GMA, with the SMA as it relates to Shoreline Master Programs, and with SEPA as it relates to GMA and SMP actions (See RCW 36.70A.280(1); WAC 242-03-025).
Lack of Prosecution	A Petitioner's failure to actively pursue a case (WAC 242-03-710(1); WAC 242-03-720(2)(a)).
Motion	A written request by one or more of the parties asking the Board to rule on a particular issue. A motion must state the particular grounds for which the motion is being requested and the relief sought by the requestor, along with any facts and legal authorities needed to support the motion (See general requirements at WAC 242-03-550).
Motion for Reconsideration	Filed within ten days of the Board's issuance of its FDO or other final order (i.e., Order on Compliance, Order of Dismissal) by a party who alleges the Board has erred in procedure or misinterpreted law or fact (See WAC 242-03-830).
Notice of Appearance	The Respondent's notice to the Board and all parties identifying the person who will be representing the Respondent in the case (see WAC 242-03-250).
Notice of Hearing	A document issued by the Board within seven days of the receipt of the PFR, notifying the parties of the date and location of the Prehearing Conference and a tentative case schedule including the date of the HOM (See WAC 242-03-500).
Official Notice	The act of the Board in recognizing certain evidence and/or facts that may or may not have been contained within the Record but which are capable of being known to a veritable certainty such as laws, ordinances, scientific and technical facts, business customs, or widely-known notorious facts (See WAC 242-03-630; WAC 242-03-640).
Panel	Three Board members assigned to hear a case (see RCW 36.70A.260(1); WAC 242-03-015.)
Participation Standing	Obtained when a person participated, either orally or in writing, before the local government in its public process and raised the disputed issue in sufficient detail for the government to have had the opportunity to consider the issue prior to taking its action. (RCW 36.70A.280(2)(b)).

Term	Definition
Petition for Review (PFR)	The initial document that must be filed with the Board to initiate a case before the Board. The PFR provides a detailed statement of the legal issues the Petitioner wishes the Board to resolve (See RCW 36.70A.290; WAC 242-03-210; Sample Forms).
Precedent	A case previously decided, either by the Board or the courts, which furnishes a basis for determining later cases involving similar facts or issues.
Prehearing Conference	A conference held by the Presiding Officer after receipt of the PFR to encourage settlement, establish a schedule, address procedural requirements, and finalize the legal issues to be decided (See WAC 242-03-540).
Prehearing Order	Issued after the Prehearing Conference. It provides the final legal issues and schedule for the matter (see WAC 242-03-545).
Presiding Officer	The member of the Board who is designated to manage a specific case, including conducting hearings and preparing orders (See WAC 242-03-525; WAC 242-03-530).
Presumption of Validity	The assumption that a local government's actions are in compliance with the law. The Board presumes all comprehensive plans, development regulations, and shoreline master programs are valid upon adoption (see RCW 36.70A.320)
Pro Se Petitioner	Latin for on one's own behalf; a party who represents himself/herself before the Board without the aid of an attorney (see WAC 242-03-100(1)).
Publication	The date upon which a local jurisdiction provides the public with notice of its legislative action or the Department of Ecology issues notice of its final action approving or disapproving an SMP (See RCW 36.70A.290; WAC 242-3-220).
Quasi-Judicial	A term applied to governmental bodies that have the power to hold hearings, weigh evidence, draw conclusions, and use this information to make rulings concerning the lawfulness of an action.
Record	A compilation of all of the documents the local government or state agency relied on in taking the action which is the subject of the PFR (See WAC 242-03-510).
Remand	An order issued by the Board that sends the matter back to the city, county or state agency for further action (See RCW 36.70A.300(3)(b)).
Resource Lands	Land designated for natural resource use under the GMA (i.e. agricultural, mineral, or forestry).
Respondent	The city, county or state agency against whom the Petitioner is alleging violation of the GMA, SMA or SEPA.
Revised Code of Washington (RCW)	The laws of Washington State. The RCW is available at public libraries or via the Washington State Legislature's website at http://apps.leg.wa.gov/RCW .

Term	Definition
Rules of Procedure	The rules contained in WAC Chapter 242-03, which have been adopted by the Board pursuant to RCW 36.70A.270(7) to facilitate expeditious and summary disposition of appeals. WAC Chapter 242-03 is available on the Board’s website – www.eluho.wa.gov .
Rules of Professional Conduct (RPC)	The rules to which all attorneys practicing law within the State must adhere. Attorneys appearing before the Board must conform to the RCPs (see WAC 242-03-120. Contact the Washington State Bar Association for a copy of these rules – www.wsba.org .)
Sanctions	Monetary penalties imposed by the Governor for non-compliance with the GMA (See RCW 36.70A.340; 36.70A.345; WAC 242-03-960).
Savings Clause	A provision in an ordinance which will “reinstate” the previous GMA-compliant ordinance or regulation if an ordinance or regulation which replaced that ordinance or regulation is found invalid.
Service (Served)	The act of delivering legal documents in the case to the parties (i.e., PFR, motions, briefs); any document filed with the Board must be served on all other parties (See WAC 242-03-230(2) for serving the PFR and WAC 242-03-240(2) for service of all other documents).
Settlement Extension	A written request made by both parties to extend the 180-day time limitation for no longer than 90 days so the parties may participate in negotiations to settle the matter (see RCW 36.70A.300(2)(b); WAC 242-03-575; Sample Forms).
Severability Clause	A provision in an ordinance or regulation that keeps the remaining provisions in effect, if any portion of the ordinance or regulation is found to be invalid.
Shoreline Management Act (SMA)	RCW 90.58; a statute that provides for the management of the shorelines of the state by planning and fostering all reasonable and appropriate uses. The goals and policies of the SMA are incorporated as goal 14 of the GMA (See RCW.36.70A.480(1)).
Shoreline Master Program (SMP)	Prepared by a city or county and approved by the Washington State Department of Ecology, the SMP contains policies and regulations applicable to the use of shorelines within that city or county. The SMP is incorporated into the local comprehensive plan and development regulations (See RCW 36.70A.480(1)).
Shorelines of Statewide Significance	Shorelines designated for special consideration under the SMA (see RCW 90.58.030(2)(f)). The Board’s review of challenges concerning shorelines of statewide significance is limited (See RCW 90.58.190(2)(c)).
Standard of Review	The “lens” that the Board must look through when reviewing a challenged city, county or state agency action. Generally, the Board will uphold the action unless it determines the action is clearly erroneous in view of the evidence provided to the Board and in light of the goals and requirements of the GMA (See RCW 36.70A.320(3)). In

Term	Definition
	reviewing a challenged SMP for a Shoreline of Statewide Significance, the Board will uphold the Department of Ecology's approval or denial of the SMP unless the Board finds clear and convincing evidence that Ecology's decision is inconsistent with SMA policy and guidelines (See RCW 90.58.190(2)(c)).
Standing	The Petitioner's right to file a case with the Board (See RCW 36.70A.280(2)). The GMA provides for four bases for standing— Governmental, Participation, Governor-Certified, and APA. The most common basis for standing before the Board is Participation Standing.
State Environmental Policy Act (SEPA)	A statute that requires state and local agencies to consider the likely environmental consequences of a proposal before approving or denying the proposal (See RCW 43.21C). The Board may review challenges to SEPA compliance relating to adoption or amendment of GMA plans and development regulations or Shoreline Master Programs (RCW 36.70A.280(1)(a); WAC 242-03-025(1)(c)).
Statement of Actions Taken to Comply (SATC)	The local government's statement of actions it has taken to comply with the Board's order as provided in its FDO. This document is sometimes called the Compliance Report (See WAC 242-03-920).
Stay of Proceedings (Stay)	A request to the Board by the appealing party, when a Board order has been appealed to court, to postpone or suspend all or part of the Board's order until the matter has been resolved by the Court (See WAC 242-03-860).
Sua Sponte	Latin for "on its own accord"; this is the ability of the Board to raise an issue or remedy without any party stating the issue or requesting the remedy.
Subject Matter Jurisdiction	(see Jurisdiction, above)
Urban Growth Area (UGA)	A regional boundary required by the GMA to control urbanization by designating the area inside the boundary for higher density urban development and the area outside the boundary for lower density rural and natural resource use (See RCW 36.70A.030(20); RCW 36.70A.110)).
Washington Administrative Code (WAC)	Regulations of executive branch agencies that are issued by authority of statutes. The WAC is available at public libraries and on the Washington State Legislature's website at http://apps.leg.wa.gov/WAC/default.aspx?cite=242-23 . The Board's Rules of Practice and Procedure are found at WAC 242-03 and are available on the Board's website – www.eluho.wa.gov .
PCHB / SHB Board Terms	
Adjudicative proceeding	means a proceeding involving an opportunity for hearing before the board as defined in chapter 34.05 RCW. The terms "appeal," "adjudicative proceeding" and "case" are used interchangeably.

Term	Definition
Administrative Appeals Judge	An official of ELUHO who oversees an administrative proceeding, most often in the case of mediation.
Agency	means any state governmental entity, air pollution control authority, local health department or other agency whose decisions are subject to the board's jurisdiction.
Continuance	A postponement of the hearing or other appeal deadline that delays or reschedules the date something is due to happen.
Date of receipt	The "date of receipt" of an order or decision means: "(a) Five business days after the date of mailing; or (b) The date of actual receipt, when the actual receipt can be proven by a preponderance of the evidence. The recipient's sworn affidavit or declaration indicating the date of receipt, which is unchallenged by the agency, shall constitute sufficient evidence of actual receipt. The date of actual receipt, however, may not exceed forty-five days from the date of mailing." WAC 371-08-335.
Declaration	A written statement that is signed and sworn to be true and correct under penalty of the perjury laws of the State of Washington.
Discovery	The process of exchanging information between the parties before the hearing.
Ecology	refers to and means the department of ecology.
Exhibit	A document used as evidence in a hearing that contains or shows information relevant to the facts of a case. Examples of exhibits include papers, letters, reports, photographs, receipts, maps, etc...
File	The process of delivering the original appeal or other documents to the Board.
Filing of a Document	means actual receipt by the board between the hours of 8:00 a.m. and 5:00 p.m. on days other than Saturdays, Sundays, or legal holidays. The board's date stamp placed on the document shall be evidence of the date of filing: (a) Electronic filing of documents and fax filing of documents ten pages or less are permitted, so long as the original document and any required copies are mailed or submitted to a commercial delivery service on the same day. The date and time of receipt will be the date of transmission as indicated by the board's computer or fax machine and will constitute the date of filing, unless the transmission is completed after 5:00 p.m. or on a Saturday, Sunday, or legal holiday, in which case the date of filing will be the next business day. (b) Any document filed with the board shall contain an affirmation that copies were served on the appropriate agency and parties.
Initial scheduling letter	A letter sent by the Board to all the parties of a case soon after an appeal is filed that sets up a Pre-Hearing Conference, establishes other

Term	Definition
	important dates for your hearing, and gives additional directions for the parties to follow.
Oral argument	A conference attended by all parties and the Board (either in person or by telephone) where parties present and explain the reasons supporting their position on a motion and respond to questions from the Board.
Parties	The persons (or businesses, agencies, or other entities) who file an appeal, are named in an appeal, or who are allowed to participate in an appeal.
Party	means: (a) A person to whom any agency decision is specifically directed; or (b) A person named as a party to the adjudicative proceeding, allowed to intervene or joined as a party by the board.
Pre-Hearing Order	The document issued by the Presiding Officer after the Pre-Hearing Conference that sets the hearing date and establishes the legal issues, deadlines, and other requirements that will govern the appeal.
Presiding Officer	The Administrative Appeals Judge or Board Member who conducts the hearing and all related conferences and regulates the course of the appeal.
Serve	The process of delivering a copy of an appeal or other document to all the parties in a case. Service can be completed by personally delivering or mailing the documents. If mailed to the proper address and with adequate postage, a document is considered served on the date it is mailed.
Service of a Document	means delivery of the document to the other parties to the appeal. Service may be made in any of the following ways: (a) Personally, in accordance with the laws of the state, with a return of service or affidavit of service completed. (b) First-class, registered or certified mail. Service is complete upon deposit in the United States mail properly stamped and addressed. (c) Fax transmission with mailing or submission to commercial delivery service of copies on the same day. Service by fax is regarded as complete by production of the confirmation of transmission and evidence of mailing or submission to delivery service of the copies. (d) Commercial parcel delivery service. Service by commercial parcel delivery service is regarded as complete upon delivery to the parcel delivery company with charges prepaid. (e) Electronic service. Electronic service of documents, other than the appeal document itself, is authorized if the parties agree to electronic service or if authorized by the presiding officer.
Stay	An action or order that delays or stops the effectiveness of an agency order for a certain amount of time, usually until the appeal is finished.

Term	Definition
PCHB Board Terms	
Board	means the pollution control hearings board, a quasi-judicial board created pursuant to chapter 43.21B RCW and described in WAC 371-08-315. Where appropriate, the term board also refers to the designated agents of the pollution control hearings board.
Business days	means Monday through Friday exclusive of any state or federal holidays.
Motion	A request from a party for the Presiding Officer or the Board to do something in a case (for example, to make a ruling or take some action before the hearing). The Board's rule that applies to motions is WAC 371-08-450.
SHB Board Terms	
Board	means the shorelines hearings board, a quasi-judicial body created pursuant to chapter 90.58 RCW and described in WAC 461-08-315.
Date of filing	as used in this chapter and RCW 90.58.140(6) has different meanings depending upon the type of local government decision that is being appealed. (a) "Date of filing" of a local government's approval or denial of a substantial development permit, or local government's denial of a variance or conditional use permit, is the date of actual receipt by the department of the local government's decision. (b) "Date of filing" of a local government's approval of a conditional use permit or variance is the date that the department transmits its final decision or order to local government. (c) For substantial development permits filed simultaneously with approvals of conditional use permits or variances, the "date of filing" is the date that the department transmits its final decision or order on the variance or conditional use permit to local government.
Local Government	means any county, incorporated city or town which contains within its boundaries any lands or water subject to chapter 90.58 RCW.
Motion	A request from a party for the Presiding Officer or the Board to do something in a case (for example, to make a ruling or take some action before the hearing). The Board's rule that applies to motions is WAC 371-08-450.
Petition for Review	is a document that when properly filed with the board initiates an adjudicative proceeding before the board.
Shorelines of the State	Includes saltwater areas of the state, reservoirs, streams with more than 20 cubic feet per second of mean annual flow, lakes equal to or greater than 20 acres in size, and their associated wetlands.
Substantial Development	Any development where the total cost or fair market value is greater than \$5000, or which materially interferes with the normal public use of the water or shorelines of the state.

Change Log

#	Date	Author	Description of Changes
0.0	July 25, 2019	Todd Craven	
0.1	July 26, 2019	Amy Pearson	Redline edits
1.0	July 26, 2019	Todd Craven	Accepted Amy's edits

Exhibit 2: Gartner Magic Quadrants

8/4/2019

Gartner Reprint



As of September 2018 © Gartner, Inc

Alfresco

Micro Focus

DocuWare

Evertteam

GRM Information Management

Fabasoft

Objective

Nuxeo

M-Files

Box

Hyland

OpenText

Microsoft

IBM

SER Group

Newgen

Laserfiche

Oracle

<https://www.gartner.com/doc/reprints?id=1-50QIPYR&ct=181029&st=sb>



Source: Gartner (June 2019)

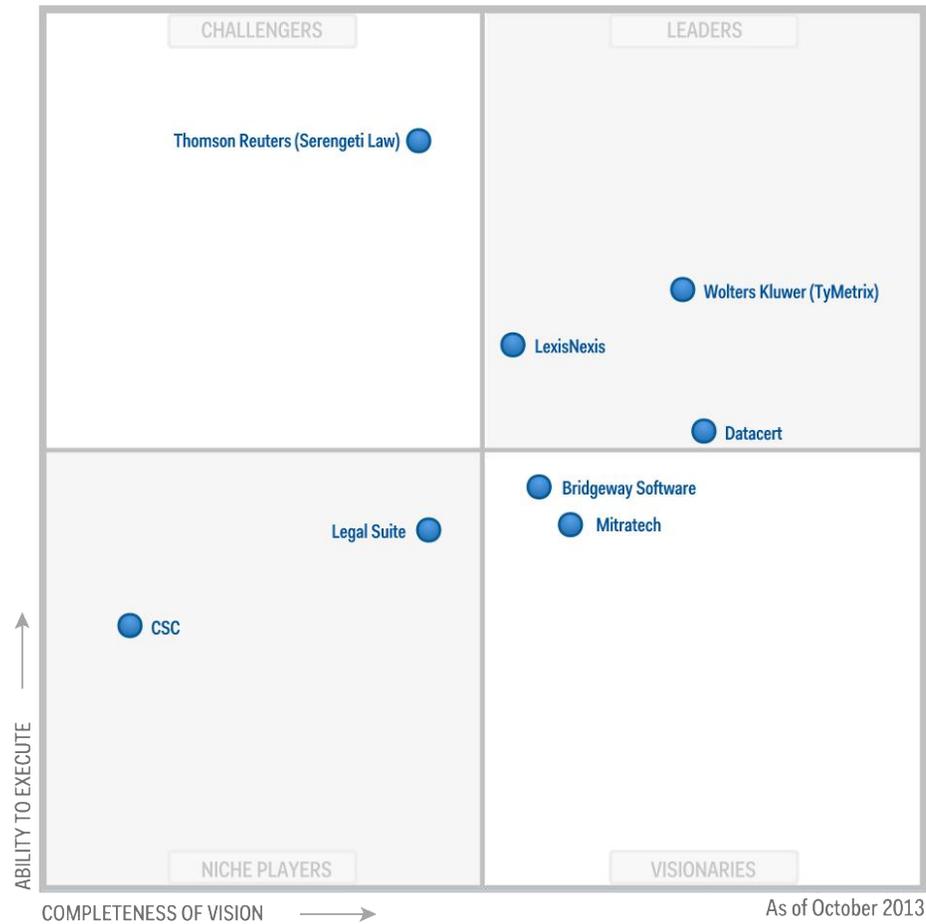
Vendor Strengths and Cautions

Appian

Appian (<https://www.appian.com/>) is a publicly traded company focused on low-code application development and intelligent BPM markets. This U.S.-based company provides case-centric applications, and it expanded into customer engagement in 2018 with its Intelligent Contact Center (ICC) solution.

Magic Quadrant

Figure 1. Magic Quadrant for Enterprise Legal Management



Source: Gartner (October 2013)

Vendor Strengths and Cautions

Bridgeway Software

Bridgeway Software's core ELM platform, eCounsel, is designed for midsize to large global legal departments within the Fortune 1000. The platform is offered as a traditional on-premises perpetual

REQUEST FOR INFORMATION (RFI)

Solicitation 19-02: Case Management System Design and Implementation

Due Date: August 30, 2019, 4:00 PM Pacific Daylight Time

Send Response to: Nancy Coverdell, nancy.coverdell@eluhwa.gov

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Announcement

The Environmental and Land Use Hearings Office (ELUHO) is developing specifications for a new case management system and is requesting input from the vendor community. This Request for Information (RFI) is being issued to solicit responses from vendors capable of providing a system that meets ELUHO’s needs. The responses to the RFI will be used to inform ELUHO’s 2020 budget request and subsequent RFP for a new case management system.

Background

ELUHO is the over-arching administrative agency managing all support functions for three quasi-judicial Boards (Growth Management Hearings Board (GMHB), Pollution Control Hearings Board (PCHB) and the Shoreline Hearings Board (SHB)). The Boards are responsible for hearing appeals of land use, environmental and shoreline cases. ELUHO consists of 15 employees of which nine are Board Members who are appointed by the Governor and are either attorneys or former local elected officials. The remaining six employees are two administrative appeals judges and four administrative support staff. ELUHO now relies on two separate but similar

“Case Management Systems” (CMS) with approximately 8,000 existing cases. ELUHO processes approximately 200 new cases each year. ELUHO’s website draws information from the system to allow Board Members, staff, and the public to access Board decisions and other case information. The CMS has limitations and according to the OCIO, it must be modernized and moved to a modern platform.

Currently, ELUHO contracts with an outside Information Technology (IT) vendor to manage its databases and the website because ELUHO does not have IT staff. In 2018, the OCIO and Department of Enterprise Services (DES) completed a cursory review of ELUHO’s current CMS and website. They recommended a technical review and Project Initiation Assessment in preparation for improving or replacing existing websites and CMS, which have a number of limitations. Simultaneously, constituents and users of the CMS brought limitations and problems were brought to the attention of the 2019 Washington State Legislature, which subsequently passed [Substitute Senate Bill 5151](#), which directs ELUHO to fix its current system. While the new legislation focuses on the GMHB, the databases and website at ELUHO are inter-related and should be reviewed agency-wide.

In July 2019, ELUHO hired a consultant to review its current systems, processes, and future process requirements in order to deliver an assessment that can be used in the potential procurement of a new system. As part of this process, ELUHO must submit a budget to the State based on an estimate of what the agency will need to procure, customize, and implement a new system in 2020. The responses to this RFI will inform the budget and will help ELUHO understand the range of available options and possible implementation costs, as well as any ongoing costs to the agency.

To this end, ELUHO encourages software companies, implementation partners, consultants, and software development firms to respond to this RFI, including but not limited to companies that fit into one or more of the following categories:

1. Enterprise Content Management Systems (ECM)
2. Customer Resource Management Systems (CRM)
3. Enterprise Resource Planning Systems (ERP)
4. Enterprise Legal Case Management Systems (ELM)

Specifications

ELUHO is currently in the middle of a software assessment project. The goal of the project is to review the current system, analyze all agency processes related to case management, and provide a detailed assessment report that will be used to decide how to move forward. This project is scheduled for completion on or before October 31, 2019. At the completion of the project, ELUHO will have a detailed list of future state requirements. This means that the requirements list at the time is fairly high level.

Business Objectives

As part of the initial project, ELUHO developed the following business requirements, which should be considered when responding to this RFI:

1. **Easy for the Public to Get to the Decisions Securely**
The externally-facing website must allow the public to easily recall historical and current information in the database, including all details about a case, documents associated with the case, and other cases that are related to it by topic, statute, or locale. Searching should include topical searches, searches in “natural language”, case browsing by category (cases must be categorized), searches based on RCW / statute, and other similar search and browse functionality.
2. **Increase Productivity of Staff**
The new system should automate processes where possible, digitize processes that are currently manual or paper-based, templatize cases to reduce the amount of data that needs to be input, and enable staff to print letters and other documents directly out of the system using pre-defined templates. It should do this in a way that ensures secure storage and retrieval of data.
3. **Store Documents and other Information with the Case:**
Documents, emails, and other information need to be tagged and saved with the case for easy retrieval for both internal staff and the general public. Public-facing documents need to follow State and Federal guidelines when handling personally-identifiable information (PII).
4. **Advanced Analytics and Reporting:**
The system should allow staff to trend cases, cases decisions, and other factors over time and be able to report on and group any system data point with ease.
5. **GIS Mapping:**
Cases should be tagged with Geocodes and the system should allow for GIS mapping, for external users using the website and internal users alike.

General Description of the Case Management System

The ELUHO Boards (Growth Management Hearing Board, Pollution Control Hearing Board, and Shorelines Hearing Board) hear appeals cases from citizens, companies, local government agencies, and others. When ELUHO receives appeals, the administrative support staff enter a case into one of two databases, both of which are very similar in nature and function. From there, the life of a case goes something like this:

1. Case is entered into the database
2. Case is assigned to board members
3. Pre-hearings and hearings are scheduled
4. Case deadlines and other dates are set
5. Pre-hearing is conducted
6. Motions are filed, reviewed, and approved / denied
7. Exhibits are filed and attached to the case
8. Orders are issued
9. Case notices are issued
10. Hearing is conducted
11. Case may be extended
12. Case is decided by the board and a board member writes the decision
13. Case closes by one of the following:
 - a. Dismissed prior to the hearing taking place
 - b. Case decision reached (upheld / overturned)
 - c. Case is sent to upper court, such as the Court of Appeals

Throughout this process, various updates are made to the case and documents are uploaded to the website. Both the case information and the related documents are searchable on the website by the general public.

Requirements

The chart below lists the future state requirements for the case management system, as ELUHO currently envisions it.

Requirement	How you will (or won't) meet this requirement
Proposed solution must be cloud-based and must not require any local servers, drives, or software other than standard desktop processing software (e.g., MS Word, Adobe Acrobat)	
Proposed solution must meet the State of Washington's minimum standards for data privacy and security, which can be found HERE .	
Proposed solution must be able to generate documents (Word / PDF) that are populated based on information in the system	
Proposed solution must be built on a relational data structure that is easily accessed by support staff for reporting purposes	
Proposed solution must allow administrators to configure processes and workflows in order to customize the operation of the system	
Proposed solution must integrate email and calendars with MS Outlook	
Proposed solution must allow for the storage and retrieval of documents related to a case	
Proposed solution must be searchable by keyword, location, natural language, and other means	
Proposed solution must be browsable by category, status, and location	
Proposed solution must include a map that shows cases plotted throughout the State of Washington that's accessible to the public and can be filtered and drilled into	
Proposed solution must allow the public to submit forms and information about a case electronically on a portal access through the ELUHO website	
Proposed solution must include the ability to add contacts, relate those contacts to cases, identify the role of the contact as it pertains to the case, and email contacts directly from the	

Requirement	How you will (or won't) meet this requirement
system, including automated notifications based on dates, statuses, and other information in the system	
Proposed solution must allow internal staff members and board members to communicate internally about a particular case	
Proposed solution must include functionality that allows staff to consolidate multiple cases into a single case without losing information from the original cases that were consolidated	
Proposed solution must have the ability to create and store an unlimited number of document templates that can be used to generate letters, notices, and other types of documents based on data stored in the system	
Proposed solution must have the ability to generate calendar invites and reminders	
Proposed solution must have the ability to "templatize" cases, meaning that different types of cases use a different template that determines the fields that are available, the values available in the dropdown menus, etc.	
Proposed solution must have the ability to track case dates and statuses	
Proposed solution must allow staff and board members to log notes about a case	
Proposed solution must provide a customizable way to calculate the complexity of a case based on information entered into the database	
Proposed solution must track contact method preferences (email, phone, mail) for users as well as outside contacts and parties to the case	
Proposed solution must include the ability to make "mailing lists" of people who are not parties to a case but have indicated they want to be notified about changes to a case's status or deadlines	
Proposed solution must include the ability to relate cases to each other, either by using categories that can be grouped or other means	
Proposed solution must only require a single update to the case, which is instantly "live" for	

Requirement	How you will (or won't) meet this requirement
both internal staff and the general public looking at case information on ELUHO's website (i.e., no duplication of data entry)	
Proposed solution must include both the internally-facing system that staff use to make updates and the externally-facing website that the public uses to search and view case information	
Proposed solution must seamlessly integrate with ELUHO's website	
Proposed solution must allow integrations to be built between it and other systems using API's	

Information Requested

In order to respond to this RFI, please submit your response electronically to Nancy Coverdell at nancy.coverdell@eluho.wa.gov. Please include the following information in your response:

1. Description of your company or firm
2. Description of the solution that you propose
3. The completed chart under the "Process Requirements" section of the RFI
4. The completed chart below
5. Any other documentation or information that you believe would be helpful to ELUHO

One-Time Costs (implementation costs)			
	Item	Est. Cost	Comments
	Discovery and Design	\$	
	Configuration / customization / custom development	\$	
	System Install and Setup	\$	
	Training	\$	
	Implementation	\$	
	Other (please explain)	\$	
	Total One-Time Costs	\$	
Ongoing Costs			
	Item	Est. Cost	Comments
	Annual per-user license for core product	\$	
	Annual maintenance cost for core product	\$	
	Additional required per-user costs	\$	
	Additional optional per-user costs	\$	
	Total Ongoing Costs (incl. optional)	\$	
Questions			
	Question	Vendor Response	

	Is your company registered in WEBS?	
	Is your company currently on a Master Contract with the State of Washington?	

RFI Process

Responses to this RFI should be submitted electronically to the contract administrator listed below no later than August 30, 2019.

Please put "19-02 RFI Response" in the email subject line.

A response to this request for information is not mandatory for participation in any solicitations released by ELUHO. This RFI should not be considered as a marketing opportunity for your firm, nor will your response confer a competitive advantage in any subsequent solicitation.

Your response will provide ELUHO valuable information about the marketplace in order to help craft a meaningful competitive solicitation.

All other vendor communications about this RFI should be directed to:

Nancy Coverdell, Administrative Legal Manager
 Environmental and Land Use Hearings Office
 1111 Israel Rd SW, Ste. 301
 Tumwater, WA 98501
 PO Box 40903, Olympia, WA 98504
 360-664-9171
nancy.coverdell@eluhwa.gov

Public Records

The vendor acknowledges that state agencies are subject to [Chapter 42.56 RCW](#), the Public Disclosure Act. Vendor responses to this RFI will become public record as defined in the RCW. For the purposes of this RFI no information considered confidential or proprietary should be included.

No Obligation to Contract

Release of this RFI in no way obligates the ELUHO to award a contract.

Thank You

ELUHO appreciates your thoughts and input on the proposed specifications and would also welcome any thoughts on associated new, green, and/or sustainable technology.

Exhibit 4: GMHB Key Words List

Digest Entries

1. Write a brief summary to insert under "2017 Cases" describing the challenge. You can look to the Digest for format examples. The best approach is to use the case synopsis at the top of the FDO as a starting point, plus any subsequent history.
2. After the synopsis, list the Key Holdings, using the format in our Digest. It is not necessary to identify every possibly holding, just those that are good additions. For example, we don't need yet another example of the rule on statutory construction, but do put a quote for any holding that might be helpful to a future litigant (or Board member writing a FDO). It is possible a case won't merit a key holding. Occasionally you will need to identify a new key word, but try not to add new key words unnecessarily.
3. Next, find a quote from the case orders that summarizes each key holding. *Do not paraphrase or summarize*. You can use ellipses as well as []s to keep the quote shorter. It is not necessary to use external quotation marks as these holdings *should be quotes*. Under each quote, identify the document and page number so staff can put in a link. Example: FDO at 6.
4. Send your work to the designated Board digest liaison, if any, to review it for accuracy and consistency with our format before forwarding the entries to staff.

Key Words (merged list)

- Abandoned Issues
- *Accessory Dwelling Units* – See Development Regulations
- Administrative Discretion
- *Affordable Housing* – See: Housing
- Agricultural Lands
 - Accessory Uses
 - De-Designation
 - Shoreline Management Act
- Airports
- *Allocation of Population* – See Land Capacity Analysis
- Amendment – *See also* Timeliness
 - *De Facto*
- Amicus Curiae
- Annexation

- *Aquifer Recharge Area* – See Critical Aquifer Recharge Area
- *Average Net Density* – See Land Capacity Analysis
- *Best Available Science* See Critical Areas, Best Available Science
- Best Management Practices
- *Buffers* – See: Critical Areas
- Buildable Lands Report
- Burden of Proof
- Capital Facilities Element
- Certificate of Appealability
- *Clustering* – See Innovative Techniques, Clustering
- Collateral Estoppel
- Commerce, Department of – See *also* Guidelines
- Compliance
- Comprehensive Plan
- Concurrency
- Consistency
 - External Consistency
 - Internal Consistency
- Consolidation/Coordination/Consultation
- County-wide Planning Policies
- Critical Areas
 - Best Available Science
 - Critical Aquifer Recharge Area (CARA)
 - Ecosystems
 - Fish & Wildlife Habitat Conservation Area (FWHCA)
 - Geologically Hazardous Areas
- *De Facto*- See: Amendment
- Deference
- Definitions
- Density – See: Rural Densities and Urban Density
- Development Regulations
 - Accessory Dwelling Units
 - Existing Uses
 - Non-conforming Uses
 - Zoning
- Discovery
- Discretion, Administrative
- Dispositive Motion
- Economic Development Element (Goal 5)
- Environment (Goals 10)
- Equitable Doctrines
- Essential Public Facilities
- *Evidence* – See Record
- Exhaustion of Administrative Remedies
- *Exhibits* – See Record
- *Existing Uses* – See: Development Regulations

- *External Functional Plans* – See Interjurisdictional Coordination
- Failure to Act
- Findings
 - Board
 - Legislative
- *Fish and Wildlife Habitat Conservation Areas* – See Critical Areas
- *Forest Lands* – See Natural Resource Lands
- *Geologically Hazardous Areas* – See Critical Areas
- Growth Management Goals, generally
 - Hierarchy
 - Substantive Requirements
- *Growth Management Goals*, See
 - Economic Development (Goal 5)
 - Environment (Goal 10)
 - Housing (Goal 4)
 - Natural Resource Industries (Goal 8)
 - Open Space/Parks and Recreation (Goal 9)
 - Permits (Goal 7)
 - Property Rights (Goal 6)
 - Public Facilities and Services (Goal 12) – See Capital Facility Element
 - Public Participation (Goal 11)
 - Sprawl (Goal 2)
 - Transportation (Goal 3)
 - Urban Growth (Goal 1)
- *Hierarchy* – See Growth Management Goals, generally
- Housing (Goal 4)
- Innovative Techniques
 - Agriculture
 - Clustering
 - Zoning
- Interim Ordinance - See *also* Moratoria
- Interjurisdictional Coordination – See *also* Multi-County Planning Policies
- Intervention
- *Invalidity* – See Remedies
- Jurisdiction
- Land Capacity Analysis – See *also* UGAs, Size
- Land Use Element
- *Legislative Intent* – See Statutory Construction
- *Levels of Service* – See Capital Facilities Element
- Limited Areas of More Intensive Rural Development – LAMIRDs
- *Market Factor* – See Land Capacity Analysis
- Mineral Resource Lands
- Minimum Guidelines
- Mootness
- Moratoria
- Multi-County Planning Policies

- Natural Resource Industries (Goal 8)
- Natural Resource Lands
- *Neighborhood* - See Sub Area Plans
- Noncompliance
- *Nonconforming* – See Development Regulations
- Notice
- Open Space/Greenbelts/Parks and Recreation (Goal 9)
- Permits (Goal 7)
- Petition for Review
- *Planned Action Ordinance* – See SEPA
- *Presumption of Validity* – See Deference
- Property Rights (Goal 6)
- Publication of Notice of Adoption
- *Public Facilities and Services* (Goal 10) – See Capital Facility Element
- Public Participation (Goal 11)
- *Reasonable Measures* – See Buildable Lands Report
- Reconsideration
- Record
 - Discovery
 - Illustrative Exhibits
 - Supplemental Exhibits
- Recusal
- *Regional Planning* – See Interjurisdictional Coordination
- Remedies
 - Remand
 - Invalidity
- Rural Character
- Rural Densities
- Rural Element
- Sequencing
- Service
- Settlement
- *Settlement Extensions* – See Extensions
- *Sewer* – See Utilities Element and Capital Facilities Element
- Shorelines
 - Shoreline Management Act – SMA
 - Shorelines Master Programs – SMPs
 - Shorelines of Statewide Significance
- Show Your Work
- Sprawl (Goal 2)
- Standard of Review
 - GMA
 - Shoreline Management Act
- Standing
 - APA
 - Participation

- SEPA
- State Environmental Policy Act - SEPA
 - Planned Action Ordinance
- Statutory Construction
- Stay
- Stipulation
- *Stormwater* – See Land Use Element and Capital Facilities Element
- Subarea Plans
- *Summary Judgment* – See Dispositive Motions
- *Tiering* - See Sequencing
- Timeliness
- Transfer of Development Rights
- Transportation (Goal 3)
- *Updates* – See Amendment, Timeliness
- Urban Densities
- Urban Growth (Goal 1)
- Urban Growth Areas, generally
 - Interim UGAs
 - Location
 - Size
- Urban Services
- Utilities Element – See *also* Capital Facilities Element
- Water
- *Zoning* – See Development Regulations, Innovative Techniques

Exhibit 5: PCHB Key Words List

<p>AIR POLLUTION* agricultural air permit asbestos BACT BART biosolids burn ban burning certification compliance inspection compliance report compliance testing construction dangerous waste data center demolition dust emissions equipment exemption fees gas station grass seed greenhouse gases industrial leak control materials mining MTCA no burn area notice of constr. notification nuisance odor opacity pathogen reduction permit conditions petroleum prohibited materials RACT reasonableness record keeping registration renovation reporting roads rock crushing plant sampling error</p>	<p>SEPA service sovice test spray painting steam boiler stove unattended fire underground storage tanks urban growth area vapor control variance visible emissions VOC VOHAP woodstove/fireplace zoning</p> <hr/> <p>HAZARDOUS WASTE* closure plan dangerous waste designation fish protection gas station generators laboratory debris milestone MTCA RCRA spill treatability study sample TSD underground storage tanks</p> <hr/> <p>HYDRAULIC* agriculture bulkhead dock eelgrass equipment erosion fish protection mining no net loss OHWM</p>	<p>SEPA stabilization streambank</p> <hr/> <p>WATER POLLUTION* 401 certification acreage expansion ADA adaptive management administrative order AKART aquaculture aquatic noxious weeds automatic coverage benchmark values biosolids BMP Boatyard General Permit CAFO certification compliance schedule conditions Constr. Stormwater Permit daily minimum discharge dairy inspection dairy waste plan dam dangerous waste date of receipt dilution discharge discharge monitoring report drought effluent standards fact sheet farm farm plan fecal coliform fee category field citation flood flows flooding forest practices groundwater</p>	<p>herbicide application Indust Stormwater Permit instream flow Integrated Aquatic Mgt LID limitations Livestock Nutr Mgmt manure metals mixing zones modification modification of flows monitoring municipal natural resources new sources NPDES odor oil spill oil spill plan permit conditions rare & sensitive plants reclaimed water permit recreation regulation regulatory order Sand/Gravel Gen. Permit sandblasting sediment SEPA sewage lagoon sewer sewer treatment plant soil stabilization spill stormwater surface mining SWPPP temperature TMDL turbidity underground storage tank vested rights waste discharge permit water quality water quality modification</p>
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* See also 'ALL BOARDS' list (p. 3) for additional keywords.

water supply
well drilling
wetlands

DERELICT VESSELS*
cost reimbursement
derelict vessel

WATER RIGHT*
abandonment
acquavella adjudication
acreage expansion
amendment
annual consumptive
artificial stored water
assignment
availability
base flows
beneficial use
cancelation
certificate
change
claims
closure
collateral estoppel
computer model
conditions
contract with bureau
cumulative effects
decommission
decree
determined future dev.
development schedule
domestic use
drought
drought mgmt plan
due diligence
enlargement
equitable estoppel
exemption
family farm
federal reserved rights
flood plain
general permit
good cause
group water system
impairment

instream
irrigation
landfill
manner of use
metering
mitigation
monitoring
municipal
non-use
notice
OCPI
permit cancellation
place of use
point of diversion
preliminary permit
procedural
protests
public interest
pump lifts
purpose of use
recharge
registration
regulation
regulatory order
relinquishment
replacement
report of examination
reservoir
riparian rights
saltwater
sand & gravel permit
SEPA
sewer
solid waste
spreading
spring
stockwater
superceding certificate
surface water
transfer
tribal
tribal court
trust water right
variance
waste
water conservancy
board
water duty
water right trust

water use
welfare
well
well contamination
well drilling

FOREST*
access
aesthetics
agriculture
archeology
bald eagle
buffer
channel migration zone
chemicals
classification
clearcut
compliance
conversion
critical area ordinance
cultural resources
erosion
fish habitat
green recruitment trees
habitat conservation
plan
hazard tree removal
indian tribe
landslide
large woody debris
marbled murrelet
moratorium
national scenic area
northern spotted owl
notice of comply
notice of intent
operator
peregrine falcon
pesticide
plat
recreation
reforestation
related actions
riparian
road
salvage
sedimentation
selective cut

SEPA
service
stabilization
state sale
stay
steep slopes
stop work order
stream
stream typing
streambank
streamcrossing
title
trail
urban
vicarious
view impairment
watershed analysis
western gray squirrel
wetlands
wild & scenic rivers
wildlife
wildlife recruitment
trees

OTHER*
administrative order
biosolids
BMP
CZMA
dam
emergency action plan
landfill
mine reclamation
modification
monitoring
odor
RACT
recycling
SEPA
solid
surface mining
tires
underground storage
tanks
woodwaste

* See also 'ALL BOARDS' list (p. 3) for additional keywords.

SHB*

access
aesthetics
agriculture
alternative moorage
annexation
aquaculture
aquatic weeds
archeology
artifacts
bridge
buffer
bulkhead
certification
conditional use
conditions
conversion
cove rule
critical area ordinance
cumulative effects
dam
deck
density
dependency
development
dike
DNS
dock
dredging
dunes
eelgrass
erosion
exemption
fill
fish
floatlift
flood control
floodplain
floodway
flushing
geoduck
gravel
greenhouse gas
height
hotel
houseboat
industrial
joint use
lake

landslide
marbled murrelet
marina
marsh
mining
navigation
noise
nonconforming use
Northern Spotted Owl
notice
NPDES
OHWM
operator
participation
pesticide
plat
PRF
parking
piecemealing
pollution
reasonable use
recreation
reforestation
regulation
residential
restoration
restrictive covenant
revision
riparian
road
selective cut
SEPA
setback
shellfish
spawning
steep slopes
stop work order
storage lagoon
stormwater
stream bank
substantial dev.
title
trail
unauthorized constr.
utilities
variance
vegetation
vesting
vicarious

view
view impairment
water quality
Western Gray Squirrel
wetlands
wild & scenic rivers
wildlife
zoning

ALL BOARDS

appealable order
burden of proof
constitution
declaratory ruling
default
equitable estoppel
failure to participate
intervention
jurisdiction
mediation
mitigation
mootness
penalty
penalty paid
perfection of appeal
permit
premature filing
pro se
reconsideration
remand
res judicata
rescission
rule validity
scope of review
settlement
standing
stay
timeliness
withdrawal

* See also 'ALL BOARDS' list (p. 3) for additional keywords.

Exhibit 6: Growth Management Act Goals

10/11/2019

RCW 36.70a.020: Planning goals.

RCW 36.70A.020

Planning goals.

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW **36.70A.040**. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

- (1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
- (2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.
- (3) Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.
- (4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.
- (5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.
- (6) Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.
- (7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.
- (8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.
- (9) Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.
- (10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.
- (11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.
- (12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.
- (13) Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

[2002 c 154 § 1; 1990 1st ex.s. c 17 § 2.]

NOTES:

For a 14th goal: See RCW 36.70A.480.

<https://app.leg.wa.gov/rcw/default.aspx?cite=36.70a.020>

1/1

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 5151

66th Legislature
2019 Regular Session

Passed by the Senate April 22, 2019
Yeas 48 Nays 0

President of the Senate

Passed by the House April 17, 2019
Yeas 98 Nays 0

Speaker of the House of Representatives
Approved

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5151** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5151

AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By Senate Local Government (originally sponsored by Senators Wilson, L., Becker, Honeyford, Zeiger, and Short)

READ FIRST TIME 01/25/19.

1 AN ACT Relating to requiring the growth management hearings board
2 to topically index the rulings, decisions, and orders it publishes;
3 amending RCW 43.21B.005; reenacting and amending RCW 36.70A.270; and
4 creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 43.21B.005 and 2018 c 22 s 10 are each amended to
7 read as follows:

8 (1) There is created an environmental and land use hearings
9 office of the state of Washington. The environmental and land use
10 hearings office consists of the pollution control hearings board
11 created in RCW 43.21B.010, the shorelines hearings board created in
12 RCW 90.58.170, and the growth management hearings board created in
13 RCW 36.70A.250. The governor shall designate one of the members of
14 the pollution control hearings board or growth management hearings
15 board to be the director of the environmental and land use hearings
16 office during the term of the governor. Membership, powers,
17 functions, and duties of the pollution control hearings board, the
18 shorelines hearings board, and the growth management hearings board
19 shall be as provided by law.

20 (2) The director of the environmental and land use hearings
21 office may appoint one or more administrative appeals judges in cases

1 before the environmental boards and, with the consent of the chair of
2 the growth management hearings board, one or more hearing examiners
3 in cases before the land use board comprising the office. The
4 administrative appeals judges shall possess the powers and duties
5 conferred by the administrative procedure act, chapter 34.05 RCW,
6 have a demonstrated knowledge of environmental law, and shall be
7 admitted to the practice of law in the state of Washington. The
8 hearing examiners possess the powers and duties provided for in RCW
9 36.70A.270.

10 (3) Administrative appeals judges are not subject to chapter
11 41.06 RCW. The administrative appeals judges appointed under
12 subsection (2) of this section are subject to discipline and
13 termination, for cause, by the director of the environmental and land
14 use hearings office. Upon written request by the person so
15 disciplined or terminated, the director of the environmental and land
16 use hearings office shall state the reasons for such action in
17 writing. The person affected has a right of review by the superior
18 court of Thurston county on petition for reinstatement or other
19 remedy filed within thirty days of receipt of such written reasons.

20 (4) The director of the environmental and land use hearings
21 office may appoint, discharge, and fix the compensation of such
22 administrative or clerical staff as may be necessary.

23 (5) The director of the environmental and land use hearings
24 office may also contract for required services.

25 (6) The director of the environmental and land use hearings
26 office must ensure that timely and accurate growth management
27 hearings board rulings, decisions, and orders are made available to
28 the public through searchable databases accessible through the
29 environmental and land use hearings office web sites. To ensure
30 uniformity and usability of searchable databases and web sites, the
31 director must coordinate with the growth management hearings board,
32 the department of commerce, and other interested stakeholders to
33 develop and maintain a rational system of categorizing growth
34 management hearings board rulings, decisions, and orders. The
35 environmental and land use hearings office web sites must allow a
36 user to search growth management hearings board decisions and orders
37 by topic, party, and geographic location or by natural language. All
38 rulings, decisions, and orders issued before January 1, 2019, must be
39 published by June 30, 2021.

1 **Sec. 2.** RCW 36.70A.270 and 2010 c 211 s 6 and 2010 c 210 s 16
2 are each reenacted and amended to read as follows:

3 The growth management hearings board shall be governed by the
4 following rules on conduct and procedure:

5 (1) Any board member may be removed for inefficiency,
6 malfeasance, and misfeasance in office, under specific written
7 charges filed by the governor. The governor shall transmit such
8 written charges to the member accused and the chief justice of the
9 supreme court. The chief justice shall thereupon designate a tribunal
10 composed of three judges of the superior court to hear and adjudicate
11 the charges. Removal of any member of the board by the tribunal shall
12 disqualify such member for reappointment.

13 (2) Each board member shall receive reimbursement for travel
14 expenses incurred in the discharge of his or her duties in accordance
15 with RCW 43.03.050 and 43.03.060. Each member shall receive an annual
16 salary to be determined by the governor pursuant to RCW 43.03.040.
17 The principal office of the board shall be located in Olympia.

18 (3) Each board member shall not: (a) Be a candidate for or hold
19 any other public office or trust; (b) engage in any occupation or
20 business interfering with or inconsistent with his or her duty as a
21 board member; and (c) for a period of one year after the termination
22 of his or her board membership, act in a representative capacity
23 before the board on any matter.

24 (4) A majority of the board shall constitute a quorum for
25 adopting rules necessary for the conduct of its powers and duties or
26 transacting other official business, and may act even though one
27 position of the board is vacant. One or more members may hold
28 hearings and take testimony to be reported for action by the board
29 when authorized by rule or order of the board. The board shall
30 perform all the powers and duties specified in this chapter or as
31 otherwise provided by law.

32 (5) The board may use one or more hearing examiners to assist the
33 board in its hearing function, to make conclusions of law and
34 findings of fact and, if requested by the board, to make
35 recommendations to the board for decisions in cases before the board.
36 Such hearing examiners must have demonstrated knowledge of land use
37 planning and law. The board shall specify in its rules of practice
38 and procedure, as required by subsection (7) of this section, the
39 procedure and criteria to be employed for designating hearing
40 examiners as a presiding officer. Hearing examiners used by the board

1 shall meet the requirements of subsection (3) of this section. The
2 findings and conclusions of the hearing examiner shall not become
3 final until they have been formally approved by the board. This
4 authorization to use hearing examiners does not waive the requirement
5 of RCW 36.70A.300 that final orders be issued within one hundred
6 eighty days of board receipt of a petition.

7 (6) The board shall make findings of fact and prepare a written
8 decision in each case decided by it, and such findings and decision
9 shall be effective upon being signed by two or more members of the
10 regional panel deciding the particular case and upon being filed at
11 the board's principal office, and shall be open for public inspection
12 at all reasonable times.

13 (7) All proceedings before the board, any of its members, or a
14 hearing examiner appointed by the board shall be conducted in
15 accordance with such administrative rules of practice and procedure
16 as the board prescribes. The board shall develop and adopt rules of
17 practice and procedure, including rules regarding expeditious and
18 summary disposition of appeals and the assignment of cases to
19 regional panels. The board shall publish such rules (~~and decisions~~)
20 it renders and arrange for the reasonable distribution of the rules
21 (~~and decisions~~). Except as it conflicts with specific provisions of
22 this chapter, the administrative procedure act, chapter 34.05 RCW,
23 and specifically including the provisions of RCW 34.05.455 governing
24 ex parte communications, shall govern the practice and procedure of
25 the board.

26 (8) The board must ensure all rulings, decisions, and orders are
27 available to the public through the environmental and land use
28 hearings office's web sites as described in RCW 43.21B.005. To ensure
29 uniformity and usability of searchable databases and web sites, the
30 board shall coordinate with the environmental and land use hearings
31 office, the department of commerce, and other interested stakeholders
32 to develop and maintain a rational system of categorizing its
33 decisions and orders.

34 (9) A board member or hearing examiner is subject to
35 disqualification under chapter 34.05 RCW. The rules of practice of
36 the board shall establish procedures by which a party to a hearing
37 conducted before the board may file with the board a motion to
38 disqualify, with supporting affidavit, against a board member or
39 hearing examiner assigned to preside at the hearing.

1 (~~(9)~~) (10) All members of the board shall meet on at least an
2 annual basis with the objective of sharing information that promotes
3 the goals and purposes of this chapter.

4 (~~(10)~~) (11) The board shall annually elect one of its members
5 to be the board administrative officer. The duties and
6 responsibilities of the administrative officer include handling day-
7 to-day administrative, budget, and personnel matters on behalf of the
8 board, together with making case assignments to board members in
9 accordance with the board's rules of procedure in order to achieve a
10 fair and balanced workload among all board members. The
11 administrative officer of the board may carry a reduced caseload to
12 allow time for performing the administrative work functions.

13 NEW SECTION. **Sec. 3.** If specific funding for the purposes of
14 this act, referencing this act by bill or chapter number, is not
15 provided by June 30, 2019, in the omnibus appropriations act, this
16 act is null and void.

--- END ---

Exhibit 8: Steering Committee Project Charter



THE STATE OF WASHINGTON
ENVIRONMENTAL & LAND USE HEARINGS OFFICE



**Upgrade ELUHO Case Management System (CMS)
Project Charter**

Version 2.0

October 24, 2019

Prepared by

Data Governance Steering Committee

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Purpose

The purpose of this Charter is to guide the Data Governance Steering Committee to operate in support of the Project purpose.¹ The project is to modernize ELUHO's Case Management System to provide timely and searchable access to decisions made by the Growth Management Hearings Board (GMHB), Pollution Control Hearings Board (PCHB), and Shoreline Hearings Board (SHB). This project is subject to and adheres to the Office of the Chief Information Officer (OCIO) Policies and Standards including overall project oversight.

1. Project Charter Authorization

This project charter delineates the ELUHO upgrade to the Case Management System. My signature indicates that I have reviewed the attached project charter and concur with its contents.



Nina Carter, ELUHO, Executive Sponsor



Nancy Coverdell, ELUHO, Steering Committee



Carolina Sun-Widrow, PCHB/SHB, Steering Committee



Deb Eddy, GMHB, Steering Committee



Heather Francks PCHB/SHB Alternate


10/29/19

Lynn Eccles PCHB/SHB Alternate



Desiree Ortiz, GMHB Alternate

¹ In the creation of this charter we acknowledged that a permanent steering committee will be needed to guide future IT ELUHO decisions.

2. Decision-Making

As issues and questions arise during Phase I or Phase II of this project, or in the future after the new CMS is launched, the Board members, staff or the public may raise issues to the Data Governance Steering Committee (Steering Committee). The Steering Committee will make decisions in the following manner:

1. Seek to resolve the issue by consensus.
2. If there is no consensus, the Executive Sponsor will be asked to decide the issue.
3. Prior to making the decision, the Executive Sponsor will seek to understand legal and procedural policies governing the Board or ELUHO's work in order to help identify options and then a solution.
4. The Executive Sponsor will inform the Steering Committee, the agency or the public of the final decision.

3. Project Overview

The project approach is to upgrade the two linked databases that fuel the information available on the Environmental and Land Use Hearings Office (ELUHO) websites to create uniformity and consistency for the Boards under the administrative umbrella of ELUHO. Upgrading both databases and ELUHO's website at the same time is the best approach to this project. This process was initiated by legislation in the 2019 Session ([SSB 5151](#)) and will have two phases: Phase I – Feasibility and Readiness Assessment and Phase II – Design, Build, and Launch. (See Attachment #1 [SSB 5151](#))

The necessary upgrade to the Case Management System (CMS) will allow the public to access Board decisions by topic and other key indicators, increase staff productivity through automation, provide electronic case document storage, along with advanced analytics and reporting. Geographic Information System Mapping Technology (GIS) is an added feature enabling stakeholders to access cases in their region.

4. Business Need

Technology is constantly changing and ELUHO must have the ability to query the relevant data for public access and agency needs. A website that causes users to become frustrated will have a high bounce rate. The website needs to be easier to use and have the data available based on the requirements. An environmental agency's process should support paperless functions for efficacy and advancement. Society is moving away from paper and ELUHO wants to be in step with the modern office.

5. Background and Objectives

Substitute Senate Bill (SSB) 5151 was passed in 2019 requiring the GMHB to topically index the rulings, decisions, and orders it publishes. ELUHO's current case management system was launched in 2007 and includes two separate databases with links to websites for three Boards (GMHB, PCHB, and SHB). Implementing SSB 5151 requires ELUHO to review and upgrade the infrastructure and data management processes from the three Boards because technology has greatly advanced since 2007. Therefore, ELUHO wishes to take advantage of this opportunity to consider the needs of all three Boards to understand the feasibility of bringing all data into a single, congruent database and easily accessed website for the public.

6. Project Objectives

The primary objective of the project is to create a system that will allow easy queries about Board cases and make all Board orders easily available to the public. In doing so, the project will update the case management system to eliminate redundancy and increase staff productivity. By including features such as GIS mapping and advanced reporting techniques, the project will improve the agency's transparency and overall performance. Other objectives are:

1. Publish all Board orders online.
2. Comply with legislature's direction to create searchable Board orders.
3. Upgrade the two databases (GMHB and PCHB/SHB).
4. Automate case management processes for accuracy and efficiency.
5. Generate agency reports and Board member current workload.
6. Use continuous process improvement principles by surveying users and making changes as needed.

7. Performance Measures

The success of the project will be evaluated using the following general performance measures in the chart below. In addition, the Steering Committee will adhere to these tasks:

- The Steering Committee will meet as needed to review problems raised by staff, Board members or external users and discuss options to improve the new case management system.
- The Steering Committee will host meetings with its Implementation Vendor, OCIO and WaTech on a regular basis to review new OCIO policies, technical issues arising from WaTech requirements or other issues that may come up as the new CMS is launched and used.
- Annually, the Steering Committee will review ELUHO's budget to decide if new funds are needed to improve ELUHO's CMS. Executive Sponsor will take appropriate budgetary or legislative action as needed.

Business Benefit	Performance Measure(s)
1. Publish all Board orders online	<ol style="list-style-type: none"> a) Publish all Board orders online by June 2021. b) Decrease by 70% time per month spent by staff time to manually providing Board orders to public and Department of Commerce.
2. Comply with legislature's direction to create searchable Board orders	<ol style="list-style-type: none"> a) Create website searchable by criteria specified in SSB 5151 (topic, party, geographic location, or natural language) by June 2021.

3. Upgrade the two databases (GMHB and PCHB/SHB).	<ul style="list-style-type: none"> a) Board and staff will be able to make changes to and obtain advanced database information 100 % of the time without reliance on external IT provider. b) Track website uses by frequency and duration to gauge ease of use.
4. Automate the case management processes for accuracy and efficiency.	<ul style="list-style-type: none"> a) Decrease staff time by 50% for performing redundant tasks and for scanning documents.
5. Generate agency's and Board members' current workload.	<ul style="list-style-type: none"> a) Board members and staff will report improved communication, time management, and case assignment process. b) Workload reports will support agency director and board chairs in resource deployment and in budget consultation with OFM and the legislature.

8. Scope

The upgrade to the databases will cover the following functional and technical changes. There are some anticipated time constraints based on the requirements of SSB 5151.

Functional

The new solutions will support the following business processes for ELUHO.

1. The website will have Board orders and analytics necessary for stakeholders to access and query data.
2. Time management
 - a. Staff will not have redundancies in entering data multiple times.
 - b. Electronic document storage in the CMS will remove the need for scanning.
3. Board can access Board member and agency-wide workload assignments.
4. Paperless functions.
5. Electronic document storage will allow accessing data quickly.

Technical

ELUHO has several technical requirements. Among many other functions, the database should:

1. Allow parties to electronically file documents with the Boards.
2. Sync with Outlook to auto generate emails and adding items to the calendar and show all who will attend meetings and other events.
3. Generate templates for Board orders based on case information.
4. Mass-generate emails to court reporters or parties.
5. Website map and graphics to show and explain status on Board cases.

9. Constraints

SSB 5151 presents a time and resource constraint since SSB 5151 states “[a]ll rulings, decisions, and orders issued before January 1, 2019, must be published by June 30, 2021.”

ELUHO does not have full funding for Phase II but has requested funding in the 2020 Supplemental Budget.

10. Funding Phases & Gates

To adhere to these requirements, the project has been organized into the following two phases and corresponding “Gates” managed by OCIO and WaTech:

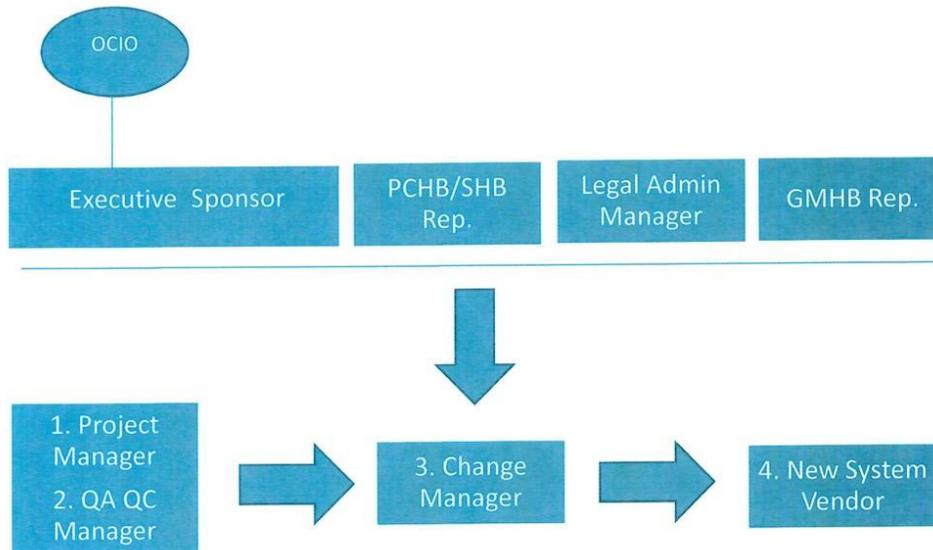
Phase 1 FY20	Total	Gate ²	Deliverables
Feasibility and Readiness (FRS)	\$ 64,350		Complete Phase I Feasibility Study by October 31, 2019.
Research, find and upload previous GMHB Orders (temporary office assistant)	\$ 17,000		Complete June 30, 2020
Project Manager	\$ 48,000		
Implementation Vendor to start Discovery/Design	\$ 40,000		
TOTAL	\$ 170,000		
Phase 2 FY21 (Estimated)	Total	Gate	Deliverables
Case Management System (CMS) (Design, build, launch)	\$ 300,000		Design, Build, Launch, Beta Test, Change Management
Contractors (PM, QA/QC, Change Managers)	\$ 534,000		Manage and Control
Software License/Maintenance	\$ 100,000		On-going maintenance
Legal Research	\$ 75,000		Cases Categorized
Office Assistant for document migration	\$ 15,000		All cases in new system
Outreach materials	\$ 10,000		Help for external audience
TOTAL	\$ 1,034,000		New CMS December 2020

11. Project Organization

- **Project Governance**

The **Steering Committee** will be responsible for overall project oversight on behalf of the ELUHO and the three Boards. It will make decisions regarding significant changes to scope, schedule, or budget. The Steering Committee will address questions and issues raised while constructing the new CMS and following implementation. In the future, staff and Board members will be asked to bring all questions and issues to this Committee regarding the CMS at ELUHO.

² This is terminology from the OCIO ([Gated Funding](#)).



The governance model for the Project will balance perspectives and interests of Board members, staff and key partners. Project governance will include:

- The **Executive Sponsor** ([Executive Sponsor](#)) will ultimately be responsible for making any pertinent decisions in the event the *Steering Committee* cannot reach consensus. The *Executive Sponsor* is responsible for direct oversight of *External Project Manager, Quality Assurance Manager and Change Manager*.
- The **OCIO Oversight Consultant** will provide oversight services and relay OCIO suggestions or requirements. The consultant participates in *Steering Committee* meetings, provides project oversight, monitors project progress, and attends team meetings.
- The **Legal Administrative Manager** is ELUHO's office and legal manager and is responsible for the agency's contracts with vendors, timelines, billing and assists the Executive Sponsor in general oversight of the project.
- **Board Members and their alternates** are representatives of and spokespersons for the three Boards.
- The **Project Manager** will review all aspects of the project and provide general day-to-day project coordination, supervise new system Implementation Vendor, prioritization, and facilitation for all project activities. This manager will assure the project is successfully planned, executed, and implemented. The Project Manager will report to the Executive Sponsor and the *Steering Committee*.
- The **Quality Assurance and Quality Control (QA/QC) Manager** will assess the techniques, procedures, and methodologies used by the Implementation Vendor to complete the project. Any problems will be brought to the attention of the Project Manager and the *Steering Committee*. See [OCIO QA policy below](#).
- The **Change Manager** will facilitate business process changes for the Boards, staff and external parties before, during, and after the new Case Management System is launched.

Project Leadership

Name	Project Role	Steering Committee Role	Area of Representation	Department Role
Nina Carter	Executive Sponsor/Steering Committee	Member	ELUHO	Director
Nancy Coverdell	Project Manager	Vendor Manager	ELUHO	Administrative Legal Manager
Deb Eddy	Steering Committee	GMHB Representative	Database	Board Member
Carolina Sun-Widrow	Steering Committee	PCHB/SHB Representative	Database	Board Member

OCIO Project Oversight

The OCIO Senior Technology/Oversight Consultant will provide oversight services for the ELUHO Project. The consultant participates as a non-voting member in the Steering Committee meetings, provides project oversight, monitors project progress, attends team meetings, and is the interface with the Technology Services Board (TSB) and WaTech. In addition, the consultant reviews documentation as needed to provide advice, evaluates project risks, helps develop solutions and mitigation strategies, and provides additional project management expertise.

Quality Assurance

[OCIO Project Quality Assurance Number 132](#)

The QA services provide the Executive Sponsor, the steering committee, project teams, the State Chief Information Officer (CIO)/Office of the Chief Information Officer (OCIO) and other oversight entities with valuable independent insight into how well project activities are going and where corrections might be needed. The greatest value of QA is realized when present at all stages of a project, from feasibility through implementation, to help anticipate problems before they occur and to ensure business value is realized.

The QA consultant will help as we launch into Phase II:

- Provide quality assurance for this project.
- Work with the Steering Committee and Project Manager to provide advice, direction, and informal reporting on operational and project assessments.
- Provide independent feedback of key stakeholders (anonymously, if appropriate) to the Steering Committee and Project Manager.
- Provide independent and objective reviews of the project, its progress, and any difficulties including, but not limited to, an assessment of the quality of project management.
- Provide a common source of reliable independent information to those charged with project oversight.
- Perform periodic reviews, analysis, and written feedback of the project, and related activities to ensure that effective project planning, management, risk assessment, and controls are being applied to ensure success.
- Provide monthly draft reports to the Executive Sponsor and Project Manager for review before finalizing and distributing to the Steering Committee and other key stakeholders.

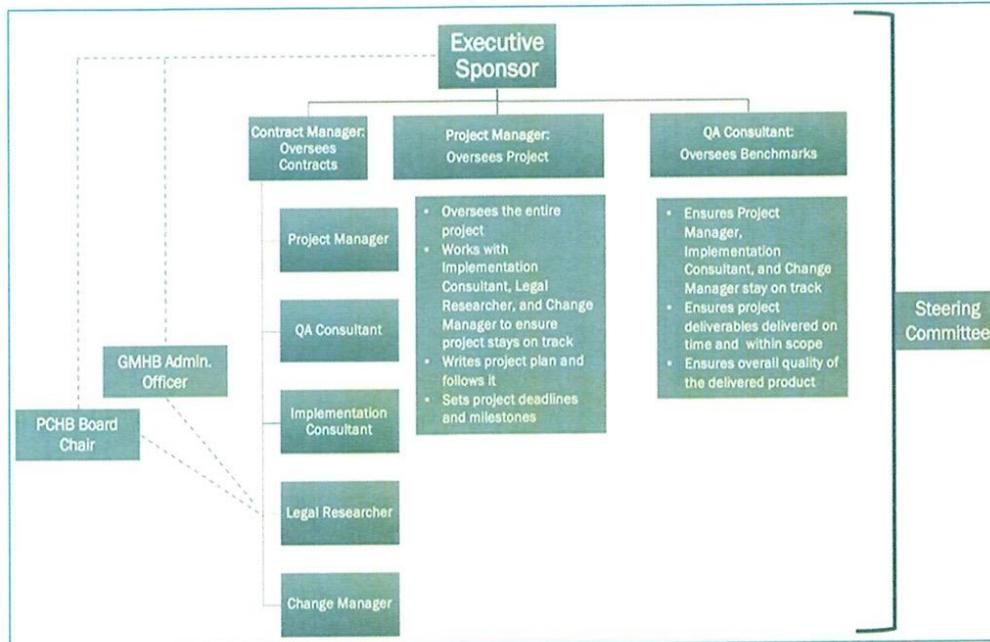
- Provides monthly final Quality Assurance reports and any Findings or Recommendations to the Executive Sponsor and OCIO, via the OCIO Information Technology Project Dashboard. (<http://waocio.force.com/>)

Project Resources

The following roles are needed to complete the new system modernization project. See details of Initial Assessment Report under Project Plan for specific working relationships.

Role	Role Type	Existing Staff	Description
Executive Sponsor (Carter)	Internal ELUHO staff	Yes	Responsible for defining project goals and ensuring the project has proper resources to meet those goals.
Contract Manager (Coverdell)	Internal ELUHO staff	Yes	Internal staff overseeing the work of various contractors needed to complete the work.
Project Oversight (Pearson)	OCIO Consultant/Advisor	Yes	Responsible for setting objectives and benchmarks throughout the project and reporting project status and project health back to OCIO
Project Manager (TBD)	Contractor	No	Responsible for overseeing the work of the Implementation Consultant and ensuring ELUHO's needs are understood and met.
QA Consultant (TBD)	Contractor	No	Responsible for setting and measuring a variety of benchmarks related to quality.
Change Management Consultant (TBD)	Contractor	No	Responsible for rolling out changes and developing strategies to help staff, partners, and the general public adapt to the new environment.
Legal Researcher (TBD)	Contractor	No	Responsible for categorizing GMHB cases.
Implementation Vendor (TBD)	Contractor	No	Primary consultant responsible for designing, building, and implementing the new system.

The project team will consist of multiple work streams all reporting to the Project Sponsor. There are multiple accountability streams to ensure coordination and completing the project on time.



Project Manager will coordinate all design/development of the new system and communicate regularly with the Implementation Vendor. They will identify gaps or problems arising during the project and communicate those to the Project Sponsor and Steering Committee.

Implementation Consultant will design, build, and launch the new system and will deliver a product that meets the agency's specific requirements. They will ensure a successful transition for all stakeholders to the new system and corresponding business processes.

Quality Control consultant will ensure that:

- Overall technical architecture for all systems is within scope.
- Approval of all technical design for all systems is within scope.
- The technical infrastructure will support the new solution.
- The Implementation Consultant works with WaTech to integrate the new technology into the existing environment.

Legal Researcher will work with GMHB to decide on categorization of decisions by concepts, keywords or other criteria. Then legal researcher will read through and re-arrange decisions based on the agreed upon categories. Steering Committee Board members will work closely with GMHB on this process.

Change Manager will develop strategies to help staff, Board members, parties to cases, local governments, courts and the general public adapt to the new case management system.

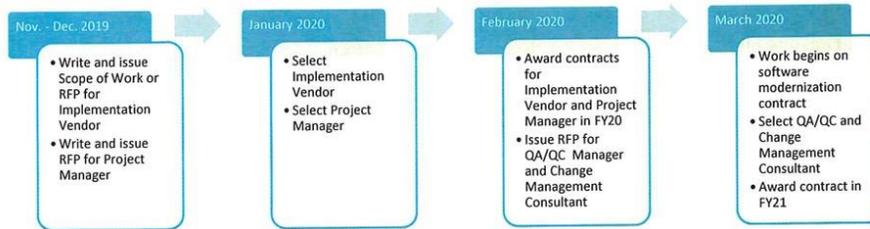
Project Costs

ELUHO was allotted \$170,000 in the current Fiscal Year budget. Approximately \$70,000 of this is allocated to the Phase 1 assessment, leaving an additional \$100,000 that can be used to perform project implementation tasks during the current Fiscal Year (prior to July 2020). This may require that ELUHO will have a “rest” period between the design and build of the new system.

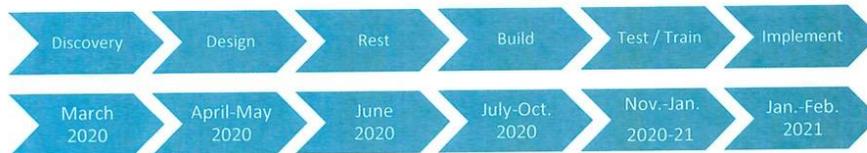
Phase II costs for FY 21 are estimated to be approximately \$1 million to pay for new system implementation vendor, project manager, QA/QC, change manager, and legal researcher. On-going costs are estimated to be approximately \$100,000 per year for maintenance and licensing.

Project Timeline

To design, build and launch a modernized case management system in FY21 will take approximately six to nine months from the execution of the vendor contract to go-live. Prior to the execution of the contract in FY20, a number of milestones must be met, which are listed in the chart below.



Once FY20 and FY21 contracts are issued, the project plan and timeline area approximately as follows:



12. Risks

Every project has risks and identifying them upfront is the first step in finding ways to mitigate the risks. The chart below lists some of the risks of ELUHO’s software modernization project as developed in the Phase I Initiation Assessment Document. Note that many of these risks apply to both Phase I and Phase II of the IT project. The Steering Committee will monitor and immediately address the risks if they arise.

** Note that (1) is most severe or most likely while (3) is least severe or least likely*

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
1	Software that meets agency’s needs is unaffordable	2	3	<ul style="list-style-type: none"> Prioritize and estimate requirements separately so

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
				that they can be adjusted based on budgetary needs
2	Current IT vendor does not cooperate with the process of switching systems or providing required information	2	3	<ul style="list-style-type: none"> • Ensure IT Budget proposal is sound and make a solid case for ELUHO's software needs • Find ways to incentivize vendor to provide required information • Limit the necessary information needed from the vendor to the most critical
3	Data integrity issues discovered with current data or the overall data structure	2	3	<ul style="list-style-type: none"> • Engage software architects early on to help analyze system and build the conversion plan • Identify most critical fields and data points needed from current system and focus on those first
4	State Legislators disagree with ELUHO's approach or the assessment report	1	2	<ul style="list-style-type: none"> • Where there are disagreements or perceived disagreements, build a solid case in the report • Communicate early with Legislators so that they are not surprised at the end of Phase I • Share information with legislators who can help work with their colleagues to support ELUHO's approach
7	Governance policies are in their early stages	1	2	<ul style="list-style-type: none"> • Discuss software assessment project during each Steering Committee meeting to ensure members are up-to-speed • Write a solid governance policy document that members agree to adhere to
8	Agency has not had experienced with a governance policy in the past	1	2	<ul style="list-style-type: none"> • Review other small agency's governance policies • Implement internal policies
9	Lack of IT leadership at ELUHO to make informed IT decisions	2	1	<ul style="list-style-type: none"> • Identify external party to help explain the choices and advise ELUHO leadership

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
10	Lack of IT staff at ELUHO to support a new system	1	1	<ul style="list-style-type: none"> Require that system be easy to use and update as needed Require that new system rely primarily on click configuration versus code Work with WaTech to ensure internal support, as necessary
11	Denial of Funding for the Phase II of the project	1	2	<ul style="list-style-type: none"> Ensure IT Budget proposal is sound and make solid case for ELUHO's software needs
12	Inconsistencies in how processes are performed based on who performs the process	2	1	<ul style="list-style-type: none"> Identify a decision-maker—a person with ELUHO who is willing to decide how a certain process is to be performed Understand policies governing ELUHO's work in order to help identify which method more closely conforms to the regulatory requirements
13	Inconsistencies in how processes are performed based on the board (GMHB vs. PCHB/SHB)	2	1	<ul style="list-style-type: none"> Identify a decision-maker—a person with ELUHO who is willing to decide how a certain process is to be performed Understand policies governing ELUHO's work in order to help identify which method more closely conforms to the regulatory requirements Find ways to encourage and reward consistency between the boards
14	Key staff at ELUHO leave the agency in the middle of the project	2	3	<ul style="list-style-type: none"> Wherever possible, ensure staff are cross-trained on processes and that key processes are documented
15	ELUHO has limited experience with project management controls.	1	2	<ul style="list-style-type: none"> Utilize independent Project Manager to initiate and implement project controls.
16	Project governance roles and responsibilities including decision making authority is not clear.	1	1	<ul style="list-style-type: none"> Develop a project charter and project plan that clearly identifies Steering Committee roles and responsibilities as

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
17	Based on previous experience, system and business process documentation is inadequate resulting in inefficient work a rounds and limited training and support for staff.	2	2	<ul style="list-style-type: none"> well as decision making process. Plan for robust training to reflect both system and business process changes. Ensure formal documentation such as a desk manual is developed to ensure ongoing support.
18	Flaws in scheduling methodology	2	1	<ul style="list-style-type: none"> Involve the internal project team in the scheduling and let them drive internal deadlines
19	Scope creep	1	2	<ul style="list-style-type: none"> Ensure software consultants adhere to agile project management methodology, especially during design and build phases. Allow sufficient time for vendors to flush out requirements and ensure a complete list prior to design
20	Incomplete or conflicting specifications	1	3	<ul style="list-style-type: none"> Ensure that the Project Consultant Team is in complete agreement on detailed specifications
21	Loss of productivity and/or project momentum	1	2	<ul style="list-style-type: none"> Ensure that the work is done using short iterations, keeping staff engaged and the project moving forward Spend time to select the right people for the team Invest time and resources in coaching and developing where needed
22	Lack of willing decision-makers internally	2	2	<ul style="list-style-type: none"> Ensure that the Project Sponsor has the ultimate authority to make decisions even when others refuse to participate in the process
23	Users lack commitment to the project	2	3	<ul style="list-style-type: none"> Include group projects and contexts as part of the effort,

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
				such as naming the solution or designing icons for use in the system
24	Users feel threatened by the project	1	3	<ul style="list-style-type: none"> • Use the Change Management Consultant to find other ways to energize and engage the staff • Use the Change Management Consultant to communicate changes and educate staff on the process • Communicate early on and ensure staff understand the goals is to gain efficiencies so their work can be higher value and not so that ELUHO can reduce staff
25	Technology selected is not mature	1	3	<ul style="list-style-type: none"> • Give adequate weight to experience factors in the RFP scoring process • Participate in product demonstrations that will help to judge the maturity of the product
26	Project milestones lack definition	2	3	<ul style="list-style-type: none"> • Educate the team on SMART (Specific, Measurable, Attainable, Relevant, Time-Bound) goals and help to choose and define project milestones based on the overall project goals
27	Conflicts or disagreements between members of the Project Consultant Team	2	3	<ul style="list-style-type: none"> • Ensure that one of the consultants on the team has the decision-making authority • Assign a single point of contact between ELUHO and the team
28	Ineffective communication	2	3	<ul style="list-style-type: none"> • At the onset of the project, select a tool that the project teams will use to communicate • Ensure regular meetings are set up and team members are diligent about attendance

#	Risk	Severity (1-3)*	Likelihood (1-3)*	Mitigating Factors
29	Boards are not able to decide on a usable key word list	1	2	<ul style="list-style-type: none"> Steering Committee works with Legal Researcher to select keywords
30	Team members lack specialized skills required by the project	1	3	<ul style="list-style-type: none"> Ensure contracts require ELUHO approval of consultants working on the project and ELUHO approval of any changes to project consultants Ensure ELUHO understands the skills that are necessary to complete the project

* Note that (1) is most severe or most likely while (3) is least severe or least likely.

13. Addendum

Funds Requested in FY 2021-23 Budget Decision Package
 Budget Projections for Phase II
 October 12, 2020

Phase 2 FY22	One-time	On-going	Gate	Deliverables
Case Management System (CMS) (Design, build, launch)	\$ 300,000			Design, Build, Launch, Beta Test, Change Management
Contractors (PM, QA/QC, Change managers, Data migration)	\$ 997,600			Manage and Control
Software License/Maintenance	\$ 30,000	\$ 80,000		On-going maintenance
Office support	\$ 22,220			Backfill agency staff
Outreach materials	\$ 10,000			Help for external audience
TOTAL	\$ 1,359,820	\$ 80,000		New CMS June 2021

ATTACHMENT 1
SUBSTITUTE SENATE BILL 5151

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 5151

66th Legislature
2019 Regular Session

Passed by the Senate April 22, 2019
Yeas 48 Nays 0

President of the Senate

Passed by the House April 17, 2019
Yeas 98 Nays 0

Speaker of the House of Representatives
Approved

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5151** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

Secretary of State
State of Washington

SUBSTITUTE SENATE BILL 5151

AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By Senate Local Government (originally sponsored by Senators Wilson, L., Becker, Honeyford, Zeiger, and Short)

READ FIRST TIME 01/25/19.

1 AN ACT Relating to requiring the growth management hearings board
2 to topically index the rulings, decisions, and orders it publishes;
3 amending RCW 43.21B.005; reenacting and amending RCW 36.70A.270; and
4 creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 43.21B.005 and 2018 c 22 s 10 are each amended to
7 read as follows:

8 (1) There is created an environmental and land use hearings
9 office of the state of Washington. The environmental and land use
10 hearings office consists of the pollution control hearings board
11 created in RCW 43.21B.010, the shorelines hearings board created in
12 RCW 90.58.170, and the growth management hearings board created in
13 RCW 36.70A.250. The governor shall designate one of the members of
14 the pollution control hearings board or growth management hearings
15 board to be the director of the environmental and land use hearings
16 office during the term of the governor. Membership, powers,
17 functions, and duties of the pollution control hearings board, the
18 shorelines hearings board, and the growth management hearings board
19 shall be as provided by law.

20 (2) The director of the environmental and land use hearings
21 office may appoint one or more administrative appeals judges in cases

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1 before the environmental boards and, with the consent of the chair of
2 the growth management hearings board, one or more hearing examiners
3 in cases before the land use board comprising the office. The
4 administrative appeals judges shall possess the powers and duties
5 conferred by the administrative procedure act, chapter 34.05 RCW,
6 have a demonstrated knowledge of environmental law, and shall be
7 admitted to the practice of law in the state of Washington. The
8 hearing examiners possess the powers and duties provided for in RCW
9 36.70A.270.

10 (3) Administrative appeals judges are not subject to chapter
11 41.06 RCW. The administrative appeals judges appointed under
12 subsection (2) of this section are subject to discipline and
13 termination, for cause, by the director of the environmental and land
14 use hearings office. Upon written request by the person so
15 disciplined or terminated, the director of the environmental and land
16 use hearings office shall state the reasons for such action in
17 writing. The person affected has a right of review by the superior
18 court of Thurston county on petition for reinstatement or other
19 remedy filed within thirty days of receipt of such written reasons.

20 (4) The director of the environmental and land use hearings
21 office may appoint, discharge, and fix the compensation of such
22 administrative or clerical staff as may be necessary.

23 (5) The director of the environmental and land use hearings
24 office may also contract for required services.

25 (6) The director of the environmental and land use hearings
26 office must ensure that timely and accurate growth management
27 hearings board rulings, decisions, and orders are made available to
28 the public through searchable databases accessible through the
29 environmental and land use hearings office web sites. To ensure
30 uniformity and usability of searchable databases and web sites, the
31 director must coordinate with the growth management hearings board,
32 the department of commerce, and other interested stakeholders to
33 develop and maintain a rational system of categorizing growth
34 management hearings board rulings, decisions, and orders. The
35 environmental and land use hearings office web sites must allow a
36 user to search growth management hearings board decisions and orders
37 by topic, party, and geographic location or by natural language. All
38 rulings, decisions, and orders issued before January 1, 2019, must be
39 published by June 30, 2021.

1 **Sec. 2.** RCW 36.70A.270 and 2010 c 211 s 6 and 2010 c 210 s 16
2 are each reenacted and amended to read as follows:

3 The growth management hearings board shall be governed by the
4 following rules on conduct and procedure:

5 (1) Any board member may be removed for inefficiency,
6 malfeasance, and misfeasance in office, under specific written
7 charges filed by the governor. The governor shall transmit such
8 written charges to the member accused and the chief justice of the
9 supreme court. The chief justice shall thereupon designate a tribunal
10 composed of three judges of the superior court to hear and adjudicate
11 the charges. Removal of any member of the board by the tribunal shall
12 disqualify such member for reappointment.

13 (2) Each board member shall receive reimbursement for travel
14 expenses incurred in the discharge of his or her duties in accordance
15 with RCW 43.03.050 and 43.03.060. Each member shall receive an annual
16 salary to be determined by the governor pursuant to RCW 43.03.040.
17 The principal office of the board shall be located in Olympia.

18 (3) Each board member shall not: (a) Be a candidate for or hold
19 any other public office or trust; (b) engage in any occupation or
20 business interfering with or inconsistent with his or her duty as a
21 board member; and (c) for a period of one year after the termination
22 of his or her board membership, act in a representative capacity
23 before the board on any matter.

24 (4) A majority of the board shall constitute a quorum for
25 adopting rules necessary for the conduct of its powers and duties or
26 transacting other official business, and may act even though one
27 position of the board is vacant. One or more members may hold
28 hearings and take testimony to be reported for action by the board
29 when authorized by rule or order of the board. The board shall
30 perform all the powers and duties specified in this chapter or as
31 otherwise provided by law.

32 (5) The board may use one or more hearing examiners to assist the
33 board in its hearing function, to make conclusions of law and
34 findings of fact and, if requested by the board, to make
35 recommendations to the board for decisions in cases before the board.
36 Such hearing examiners must have demonstrated knowledge of land use
37 planning and law. The board shall specify in its rules of practice
38 and procedure, as required by subsection (7) of this section, the
39 procedure and criteria to be employed for designating hearing
40 examiners as a presiding officer. Hearing examiners used by the board

1 shall meet the requirements of subsection (3) of this section. The
2 findings and conclusions of the hearing examiner shall not become
3 final until they have been formally approved by the board. This
4 authorization to use hearing examiners does not waive the requirement
5 of RCW 36.70A.300 that final orders be issued within one hundred
6 eighty days of board receipt of a petition.

7 (6) The board shall make findings of fact and prepare a written
8 decision in each case decided by it, and such findings and decision
9 shall be effective upon being signed by two or more members of the
10 regional panel deciding the particular case and upon being filed at
11 the board's principal office, and shall be open for public inspection
12 at all reasonable times.

13 (7) All proceedings before the board, any of its members, or a
14 hearing examiner appointed by the board shall be conducted in
15 accordance with such administrative rules of practice and procedure
16 as the board prescribes. The board shall develop and adopt rules of
17 practice and procedure, including rules regarding expeditious and
18 summary disposition of appeals and the assignment of cases to
19 regional panels. The board shall publish such rules (~~and decisions~~)
20 it renders and arrange for the reasonable distribution of the rules
21 (~~and decisions~~). Except as it conflicts with specific provisions of
22 this chapter, the administrative procedure act, chapter 34.05 RCW,
23 and specifically including the provisions of RCW 34.05.455 governing
24 ex parte communications, shall govern the practice and procedure of
25 the board.

26 (8) The board must ensure all rulings, decisions, and orders are
27 available to the public through the environmental and land use
28 hearings office's web sites as described in RCW 43.21B.005. To ensure
29 uniformity and usability of searchable databases and web sites, the
30 board shall coordinate with the environmental and land use hearings
31 office, the department of commerce, and other interested stakeholders
32 to develop and maintain a rational system of categorizing its
33 decisions and orders.

34 (9) A board member or hearing examiner is subject to
35 disqualification under chapter 34.05 RCW. The rules of practice of
36 the board shall establish procedures by which a party to a hearing
37 conducted before the board may file with the board a motion to
38 disqualify, with supporting affidavit, against a board member or
39 hearing examiner assigned to preside at the hearing.

1 (~~(9)~~) (10) All members of the board shall meet on at least an
2 annual basis with the objective of sharing information that promotes
3 the goals and purposes of this chapter.

4 (~~(10)~~) (11) The board shall annually elect one of its members
5 to be the board administrative officer. The duties and
6 responsibilities of the administrative officer include handling day-
7 to-day administrative, budget, and personnel matters on behalf of the
8 board, together with making case assignments to board members in
9 accordance with the board's rules of procedure in order to achieve a
10 fair and balanced workload among all board members. The
11 administrative officer of the board may carry a reduced caseload to
12 allow time for performing the administrative work functions.

13 NEW SECTION. **Sec. 3.** If specific funding for the purposes of
14 this act, referencing this act by bill or chapter number, is not
15 provided by June 30, 2019, in the omnibus appropriations act, this
16 act is null and void.

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