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SNOHOMISH COUNTY COUNCIL  
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 12-047

RELATING TO THE GROWTH MANAGEMENT ACT, AMENDING  
THE LAND USE AND NATURAL ENVIRONMENT CHAPTERS OF THE  
GENERAL POLICY PLAN OF THE SNOHOMISH COUNTY GROWTH  
MANAGEMENT ACT COMPREHENSIVE PLAN RELATED TO THE  
PRESERVATION OF AGRICULTURAL RESOURCE LANDS AND HABITAT  
RESTORATION FOR THREATENED AND ENDANGERED SPECIES (GPP11)

WHEREAS, pursuant to the Growth Management Act (GMA), chapter 36.70A RCW, the Snohomish County Council (county council) has adopted the Snohomish County Growth Management Act Comprehensive Plan (GMACP) for the unincorporated areas of Snohomish County; and

WHEREAS, the county council determined that the proposed amendments to the General Policy Plan (GPP), a portion of the GMACP, promote a county purpose as established under RCW 36.70A.130 and chapter 30.73 SCC; and

WHEREAS, on February 9, 2011, the county council approved, by Motion No. 11-036, a list of county proposed GMACP amendments, including GPP11, to be processed concurrently with Docket XV, with the express understanding that GPP11 might be delayed pending completion of other initiatives and that GPP11 should continue to move forward even if final consideration did not occur in 2011; and

WHEREAS, these amendments address the county's desire to preserve agricultural resource lands and promote the long-term viability of our local agricultural industry while at the same time restoring habitat for threatened and endangered species of fish, including restoration required by the federally approved salmon recovery plans for the region; and

WHEREAS, the county recognizes that these priorities can conflict with each other when fish habitat restoration is proposed on agricultural resource land; and

WHEREAS, the county recognizes the close relationship of these priorities to other issues, including clean water, economic viability, and the cultural concerns of tribal governments; and

WHEREAS, in spring 2010, Snohomish County launched, with funding partners including State agencies and the Tulalip and Stillaguamish Tribes, the Sustainable Lands Strategy (SLS) Initiative for the purpose of generating net gains in agricultural, tribal cultural, and ecological productivity and health in Snohomish County; and

45 WHEREAS, founding members of the SLS Executive Committee included  
46 representatives from Futurewise, Forterra (formerly Cascade Land Conservancy), the  
47 Tulalip Tribes, Stillaguamish Tribe of Indians, Snohomish County Agricultural Advisory  
48 Board, Snohomish Conservation District and an independent farm operator; and  
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50 WHEREAS, the GMACP contains goals, objectives and policies that affect the  
51 conservation and protection of agricultural resource lands and the natural environment;  
52 and  
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54 WHEREAS, GOAL NE 4, of the Natural Environment chapter of the GPP directs  
55 the county to “balance the goals of protecting elements of the natural environment while  
56 promoting the long-term viability of commercial agriculture”, and Objective NE 4.A  
57 directs the county to “provide flexibility in regulations to provide protection of the natural  
58 environment while recognizing the need to promote viability in the commercial  
59 agricultural industry;” and  
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61 WHEREAS, in view of GOAL NE 4 and Objective NE 4.A, clear policies stating  
62 the need to coordinate the use of agricultural resource lands with the preservation of  
63 habitat for threatened and endangered species, to sustain the importance of both, would  
64 further the stated goal and objective; and  
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66 WHEREAS, the Surface Water Management Division of the Department of Public  
67 Works (SWM) completes habitat restoration projects corresponding to federally  
68 approved salmon recovery plans for the Snohomish and Stillaguamish Basins in  
69 cooperation with salmon recovery entities, and these habitat restoration projects may  
70 occur adjacent to or on agricultural resource lands; and  
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72 WHEREAS, in completing habitat restoration projects and in working with the  
73 agricultural community through the SLS Initiative, opportunities arise to coordinate the  
74 use of agricultural resource lands with the preservation of ecological values and  
75 function, and to develop incentive based programs to achieve these ends on-site and at  
76 a reach scale; and  
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78 WHEREAS, the amendments proposed to the Land Use and Natural  
79 Environment chapters of the GPP, as identified in Exhibits A and B, will strengthen the  
80 basis for the work noted above, more fully implement the goals and objectives of the  
81 GPP, and serve the community; and  
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83 WHEREAS, SWM completed its review and evaluation of GPP11 and forwarded  
84 recommendations to the Snohomish County Planning Commission (planning  
85 commission); and  
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87 WHEREAS, the planning commission held a public hearing and received public  
88 testimony on GPP11 on April 24, 2012; and

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WHEREAS, the planning commission completed deliberations on GPP11 and recommended approval as enumerated in its recommendation letter of May 10, 2012; and

WHEREAS, the county council held a public hearing on October 17, 2012, to consider the entire record, including the planning commission's recommendations on GPP11, and to hear public testimony on this Ordinance, No. 12-047.

**NOW, THEREFORE, BE IT ORDAINED:**

**Section 1. The county council makes the following findings:**

A. The county council adopts and incorporates the foregoing recitals as findings as if set forth fully herein.

B. The proposed amendments support the following GMA goals:

- 1. GMA planning goal 8 (RCW 36.70A.020 (8)): "Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses."
- 2. GMA planning goal 9 (RCW 36.70A.020 (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."
- 3. GMA planning goal 10 (RCW 36.70A.020 (10)): "Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water."
- 4. GMA planning goal 14 (RCW 36.70A.480; RCW 90.58.020): State policy and legislative findings regarding protection of shorelines of the state.

C. The proposed amendments are consistent with all substantive and procedural requirements of the GMA, including:

- 1. RCW 36.70A.060, 36.70A.170, and 36.70A.700 (conservation of agricultural resource lands and protection of critical areas).
- 2. RCW 36.70A.172 (special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries).

- 133  
134 3. RCW 36.70A.130 (comprehensive plan amendments considered no more  
135 frequently than once per year).  
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137 4. RCW 36.70A.070 (comprehensive plan must be internally consistent document).  
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139 5. RCW 36.70A.040 and .210 (comprehensive plan must be consistent with the  
140 Countywide Planning Policies (CPP)).  
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142 D. The proposed amendments are consistent with the Multicounty Planning Policies  
143 (MPP) of the Puget Sound Regional Council's VISION 2040, particularly MPP-En-10  
144 regarding preservation and enhancement of habitat to prevent ESA listing or to  
145 accelerate removal from the list, and MPP-DP-31 regarding supporting the  
146 sustainability and conservation of designated resource lands.  
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148 E. The proposed amendments are consistent with the CPP, including DP-23, DP-29,  
149 ED-1, ED-9, Env-1, Env-4, Env-5, and PS-6.  
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151 F. All applicable elements of the GMACP support the proposed amendments.  
  
152 G. The proposed amendments are consistent with and support the following goals and  
153 objectives of the GPP:  
  
154 1. Goal LU 7: "Conserve agriculture and agricultural land through a variety of  
155 planning techniques, regulations, incentive and acquisition methods."  
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157 2. Objective LU 7.B: "Conserve designated farmland and limit the intrusion of non-  
158 agricultural uses into designated areas."  
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160 3. Goal NE 1: "Continue existing and develop new county plans and programs  
161 which establish priorities to protect and enhance the natural environment through  
162 a coordinated policy framework to maintain and improve the quality of life for  
163 Snohomish County. The policy framework below provides a non-exclusive list of  
164 the core priorities and strategies that must be addressed in all plans and  
165 programs that affect the natural environment."  
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167 4. Objective NE 1.A: "Balance the protection of the natural environment with  
168 economic growth, housing needs and the protection of property rights."  
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170 5. Objective NE 1.C: "Protect and enhance natural watershed processes, wetlands,  
171 fish and wildlife habitat conservation areas, shorelines, and water resources with  
172 the long-term objective of protecting ecological functions and values."  
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174 6. Goal NE 4: "Balance the goals of protecting elements of the natural environment  
175 while promoting the long term viability of commercial agriculture."

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177 7. Objective NE 4.A: "Provide flexibility in regulations to provide protection of the  
178 natural environment while recognizing the need to promote viability in the  
179 commercial agricultural industry."  
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181 8. Goal NE 5: "Improve and protect ecological functions and values of the natural  
182 environment through non-regulatory programs."  
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184 9. Objective NE 5.B: "Provide incentives for voluntary environmental restoration,  
185 enhancement and protections."  
186  
187 H. All SEPA requirements with respect to this non-project action have been satisfied.  
188 On April 6, 2012, Planning and Development Services issued Addendum No. 35 to  
189 the Final Environmental Impact Statement (FEIS) for the Snohomish County  
190 GMACP 10-Year Update. Addendum No. 35 adds information pertaining to the  
191 proposed amendments to the GMACP – GPP. This information does not change the  
192 analysis of previously identified significant impacts of alternatives in the county's  
193 GMA Comprehensive Plan 10-Year Update EIS dated May 5, 2004 (Draft EIS) and  
194 December 13, 2005 (Final EIS).  
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196 I. The county complied with RCW 36.70A.106 (1) by providing advance notification to  
197 the Washington State Department of Commerce.  
198  
199 J. The Washington State Attorney General issued an advisory memorandum in  
200 December of 2006 entitled Advisory Memorandum: Avoiding Unconstitutional  
201 Takings of Private Property to help local governments avoid the unconstitutional  
202 taking of private property. The 2006 advisory memorandum was used by the County  
203 in objectively evaluating the amendments proposed by this ordinance. The  
204 amendments proposed by this ordinance do not result in or direct the adoption of  
205 policies or regulations that would result in the unconstitutional taking of private  
206 property or violate substantive due process guarantees.  
207  
208 K. Appropriate public participation has been provided through a public hearing on this  
209 ordinance held after public notice on October 17, 2012.  
210  
211 L. The county council includes in its findings and conclusions the final review and  
212 evaluation staff report completed by SWM, which is hereby made a part of this  
213 ordinance as if set forth herein.  
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215 Section 2. The county council makes the following conclusions:

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217 A. The proposed amendments to the GPP are consistent with the following review and  
218 evaluation criteria:  
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- 220 1. The proposed amendments maintain the GMACP's consistency with the CPP.  
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222 2. All applicable elements of the GMACP support the proposed amendments.  
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224 3. The proposed amendments meet the goals, objectives, and policies of the  
225 GMACP as discussed in the specific findings.  
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227 4. The proposed amendments are consistent with the CPP as discussed in the  
228 specific findings.  
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230 5. The proposed amendments are consistent with and comply with the procedural  
231 and substantive requirements of the GMA.  
232  
233 6. The 2007 legislative amendments to the GMA and the resulting studies have led  
234 to new information and recognition of the need to better coordinate habitat  
235 restoration for threatened and endangered species and the preservation of  
236 agricultural resource lands, which support the basis for the proposed  
237 amendments.  
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239 B. The proposed amendments are consistent with the MPP.  
240  
241 C. The proposed amendments to the GPP of the GMACP pertaining to the coordination  
242 of the preservation of agricultural resource lands and the restoration of threatened  
243 and endangered species habitat will help promote the overall goals of the county.  
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245 D. All SEPA requirements with respect to this non-project action have been satisfied.  
246  
247 E. The proposed amendments to the LU and NE chapters of the GPP of the GMACP  
248 have been broadly disseminated and opportunities have been provided for written  
249 comments and public hearing after effective notice.  
250  
251 F. The county complied with state and local requirements for public participation for the  
252 adoption of comprehensive plan amendments under the GMA and chapter 30.73  
253 SCC.  
254  
255 G. The county council considered the entire hearing record and written testimony during  
256 the public comment period and oral testimony given during public hearings before  
257 the planning commission and the county council.  
258  
259 H. The proposed amendments set forth in this ordinance are in the best interest of the  
260 county and protect the public health, safety, and welfare.  
261  
262 I. The proposed amendments do not result in an unconstitutional taking of private  
263 property for a public purpose.

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265 Section 3. The county council bases its findings and conclusions on the entire record  
266 of the planning commission and the county council, including all testimony and exhibits.  
267 Any finding which should be deemed a conclusion, and any conclusion which should be  
268 deemed a finding, is hereby adopted as such.

269  
270 Section 4. The Agricultural Lands Section of the Land Use chapter of the GPP, last  
271 amended by Amended Ordinance No. 11-053 on September 28, 2011, is amended as  
272 indicated in Exhibit A to this ordinance, which is attached hereto and incorporated by  
273 reference into this ordinance as if set forth in full.

274  
275 Section 5. The Natural Environment Chapter of the GPP, last amended by Amended  
276 Ordinance No. 11-055 on September 28, 2011, is amended as indicated in Exhibit B to  
277 this ordinance, which is attached hereto and incorporated by reference into this  
278 ordinance as if set forth in full.

279  
280 Section 6. The county council directs the Code Reviser to update SCC 30.10.060  
281 pursuant to SCC 1.02.020(3).


282  
283 Section 7. Severability. If any section, sentence, clause or phrase of this ordinance  
284 shall be held to be invalid or unconstitutional by the Growth Management Hearings  
285 Board, or a court of competent jurisdiction, such invalidity or unconstitutionality shall not  
286 affect the validity or constitutionality of any other section, sentence, clause or phrase of  
287 this ordinance. Provided, however, that if any section, sentence, clause or phrase of  
288 this ordinance is held to be invalid by the Board or court of competent jurisdiction, then  
289 the section, sentence, clause or phrase in effect prior to the effective date of this  
290 ordinance shall be in full force and effect for that individual section, sentence, clause or  
291 phrase as if this ordinance had never been adopted.

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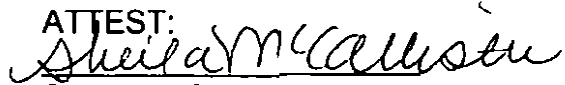
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PASSED this 17<sup>th</sup> day of October, 2012.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

  
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Brian Sullivan  
Council Chair

ATTEST:

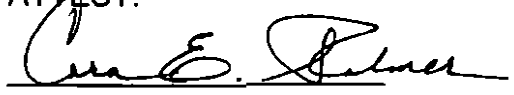
  
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Sheila McCallister  
Asst. Clerk of the Council

- (  ) APPROVED
- (  ) EMERGENCY
- (  ) VETOED

DATE: Oct. 31, 2012

  
\_\_\_\_\_  
Snohomish County Executive

ATTEST:

  
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Approved as to form only:

\_\_\_\_\_  
Deputy Prosecuting Attorney

D-8



**Exhibit A**  
**Amended Ordinance No. 12-047**  
**Amendments to the Agricultural Lands Section of the**  
**Land Use Chapter of the General Policy Plan**  
**GPP 11 – Public Works Surface Water Management**

## Agricultural Lands

Geological forces, glacial action and great river systems have created soils of fertility and depth within Snohomish County. These soils, a mild climate and an abundance of water brought early farming pioneers and settlers. Along with forestry and mining, agriculture dominated the earlier history of Snohomish County. From the early 1800's through to the 1980's, Snohomish County farms produced milk, eggs, chickens, hogs, beef, berries, vegetables such as corn, peas, pumpkins and other row crops, hay and nursery stock among other crops.

Since agriculture had a place of prominence in the economy of the county, the county prepared an agriculture plan in 1982. When the Growth Management Act came into effect in the early 1990's, the county was positioned to amalgamate the GMA requirements into its framework of agricultural planning.

The Growth Management Act (GMA) states that cities and counties should "assure conservation of agricultural land of long-term commercial significance."

The Act also requires local government to assure that land uses adjacent to designated resource lands not interfere with the continued resource use. These statements provide a clear directive to conserve agricultural lands for the future of the state.

The GMA required the county to prepare and adopt an interim agricultural conservation plan and development regulations. The interim agricultural conservation planning process began in 1990 and has relied heavily on the farmland-use inventory, documented farmland loss, and issues discussion completed for the 1982 Agricultural Preservation Plan.

The GMA interim plan mapped and characterized farmlands included in the 1982 plan, as well as other identified areas fulfilling state and local criteria for designation as agricultural lands of long-term commercial significance. Three types of agricultural land were classified and designated:

- Riverway Commercial Farmland,
- Upland Commercial Farmland, and
- Local Commercial Farmland.

Protective measures were adopted for each of the three farmland classifications together with supplemental policies for land use and zoning, adjacent land uses, innovative land use techniques, road and utility restrictions, water management, and industry enhancements. Where appropriate, future policy needs were identified along with a strategy to ensure their timely consideration.

Formal public participation for GMA agricultural planning was initiated in August 1991. The Citizen Agriculture Committee consisted of eleven farm-related positions and an equal number of non-farm related positions.

The committee generally met every two weeks from August until it completed a recommendation in early February 1992. During that same period, five public meetings were held in five locations throughout the county. The 1993 Interim Agricultural Conservation Plan provided the basis for the agricultural land designations in the General Policy.

Agriculture in Snohomish County has been undergoing significant changes over the last two decades. It has shifted from dairy farms that have traditionally been a cornerstone of agriculture in Snohomish County to smaller

diversified crop farms; agri-tourism and pumpkin patches.

There has been an overall decline in agriculture in the county due to shifts in the global economy, changing markets, increased conversion of agricultural lands to non-agricultural uses and environmental regulations - all played a part in the overall decline of dairying in particular and agriculture in general in the county.

To respond to the challenges facing Snohomish County farmers, the Agricultural Advisory Board, county staff, the county council and the Executive's office together with local farmers began to take steps to increase the economic viability of agriculture in Snohomish County. Some of these early actions were:

- Harvest Celebrations;
- Participation in a regional agriculture product marketing campaign - Puget Sound Fresh;
- Regional agricultural summits;
- Transfer of Development Rights Program;
- Purchase of Development Rights program; and
- Farmers' markets and farm stands as a new outlet for farm products.

In 2004, staff was dedicated solely to agriculture as a liaison to encourage agriculture overall and individual farms. Staff works directly with farmers as well as other agencies and groups within the county, region and state to increase the economic viability of farming. The Focus on Farming website was developed to bring together information pertinent to the agricultural community and to provide a multitude of resources that were previously not available or hard to locate.

The Executive's Citizen Cabinet which met in late 2004, formally recommended in its Citizens Cabinet Final Report that the county should increase support for agriculture. In early 2005, the Agriculture Action Plan, which was generated from the Focus on Farming Conference held in the fall of 2004, was also released. Together, these two documents will work to increase the viability of agriculture, clearly showing the county's emphasis on preserving and conserving both the land and the farming livelihood. Some of the measures and topics outlined are:

- Implement the Transfer of Development Rights and Purchase of Development Rights Programs;
- Improve information access and communications with farmers;
- Provide clear definition and clarity as to what agriculture is;
- Conduct regulation reforms to increase efficiency and clarity on agricultural issues;
- Increase agricultural economic development efforts;
- Strengthen public outreach and education efforts on the importance of agriculture and its contributions;
- Recognize agriculture's cultural heritage and historic importance;
- Acknowledge that growth impacts agriculture and work to define measures for assistance and mitigation;
- Educate the next generation of farmers;
- Create the Agriculture Action Plan Advisory Group; and
- Emphasize the importance of the Agriculture Advisory Board.

In 2010, the county co-sponsored and launched, along with funding partners including state agencies and the Tulalip and Stillaguamish Tribes, the Sustainable Lands Strategy Initiative. Founding members of the

SLS Executive Committee included representatives from Futurewise, Forterra (formerly Cascade Land Conservancy), the Tulalip Tribes, Stillaguamish Tribe of Indians, Snohomish County Agricultural Advisory Board, Snohomish Conservation District and an independent farm operator. The goal of the initiative is to accommodate both habitat restoration for threatened and endangered species and protection of agricultural resource lands, in a manner that would generate net gains for the agricultural, tribal cultural and ecological productivity and health in Snohomish County. Through this initiative, the general guidelines and principles upon which to base future actions to preserve farmlands and restore fish and wildlife have been developed.

Snohomish County agriculture gives life and diversity to our local, regional and international economies, and provides open space as well as fish and wildlife habitat. It also contributes to a level of food security for the region and provides access to affordable and nutritious food and fiber for animal and human use.

Collectively, these measures, programs and other endeavors have helped bring about a new level of cooperation between the agriculture community, county staff, council and executive. These policies are based on these growing efforts and work to preserve farmland and increase the viability of agriculture, while at the same time striving to protect the farmer, the essential key to sustaining agriculture in Snohomish County for the next generation.

In 2005 the state legislature amended the GMA to authorize the limited redesignation of Commercial Farmland to Recreational Land to permit the continued use of grass playing fields and supporting facilities in existence as of July 1, 2004. The amendment to the GMA specifies the criteria for redesignation and establishes a limited timeframe for the registration of pre-existing playing fields and supporting facilities and redesignation to Recreational Land.

## **GOAL LU 7**

**Conserve agriculture and agricultural land through a variety of planning techniques, regulations, incentive and acquisition methods.**

### **Objective LU 7.A**

**Classify and designate agricultural land of long-term commercial significance.**

#### **LU Policies 7.A.1**

The county shall classify and designate farmlands in three classes: Riverway Commercial Farmland, Upland Commercial Farmland, and Local Commercial Farmland as shown on the Future Land Use map and shown in greater detail on a set of assessor's maps which will be part of the implementation ordinances.

#### **7.A.2**

Landowners may request in writing a review of the farmland designations as part of the county's annual GMA comprehensive plan amendment process.

**7.A.3** The county shall designate farmland as required by the GMA, and consider the guidance provided for designating agricultural lands of long term commercial significance adopted by the State. In addition, farmland designations and expansions of such designations on contiguous lands should be made considering all of the following criteria:

- (a) The land is prime farmland as defined by the U.S. Soil Conservation Service (SCS) or consists of other Class III soils in the SCS capability classification;
- (b) The land is shown to be devoted to agriculture by:
  - 1. the adopted future land use map;
  - 2. a current zoning classification of Agriculture-10 acre; and
  - 3. was identified in the 1982 agriculture land inventory, the 1990 aerial photo interpretation, or the 1991 field identification of land devoted to agriculture;
- (c) The land is located outside a UGA;
- (d) The land is located outside a sewer service boundary; and
- (e) The land consists of a parcel of 10 acres or greater in areas designated as Upland Commercial Farmland or Local Commercial Farmland.

#### **7.A.4**

If requested by a landowner, the county shall consider adding farm lands to the commercial farmland designation if they meet the following criteria:

- (a) the lands are adjacent to designated farmland and are a minimum of 10 acres; and
- (b) if not adjacent to designated farmland, the lands must be a minimum of forty (40) acres.

**Objective LU 7.B**

**Conserve designated farmland and limit the intrusion of non-agricultural uses into designated areas.**

- LU Policies**
- 7.B.1 Areas designated Local Commercial Farmland and not zoned Agriculture-10 shall not be divided into lots of less than 10 acres except when used exclusively for agricultural purposes.
  - 7.B.2 Conversion of Riverway Commercial and Upland Commercial Farmland to ultra-light fields, churches, or new government facilities shall not be allowed.
  - 7.B.3 The county development regulations shall require residential dwellings, with the exceptions of existing dwellings and when rebuilding on the previous dwelling site, be set back from the property line abutting designated farmland as follows:
    - (a) dwellings within or adjacent to designated farmland shall be setback 50 feet
    - (b) if the size, shape, and/or physical site constraints of an existing legal lot do not allow for the required setback, the new dwelling shall maintain the maximum setback possible within the physical constraints of the lot as determined by the department; or
    - (c) the owner of the land proposed for residential development and the owner of the adjacent designated farmland each legally record and file signed covenants running with the land and a document establishing an alternative setback for one or both of the properties which meets the intent of this policy.
  - 7.B.4 The county should work to find alternatives to the planning or construction of public or private infrastructure improvements such as electrical substations, sewer lines and treatment facilities and services on designated farmland. If located on or adjacent to designated farmland the county shall ensure that impacts on commercial agriculture are minimized.
  - 7.B.5 Recreational uses that do not preclude future agriculture use shall be allowed consistent with the Growth Management Act, as now exists or hereafter amended, through implementing development regulations, which incorporate conditions ensuring compatibility with surrounding agricultural uses and limiting loss of prime agricultural soils.

7.B.6 In cases where a sewer line has been installed through farmland, residences shall be prohibited from connecting to the sewer line, unless a public health emergency is declared.

7.B.7 The county shall coordinate the use of agricultural resource lands with the preservation of ecological functions and values by incorporating incentives into reach scale plans.

**Objective LU 7.C Enhance and encourage the agricultural industry through development and adoption of supporting programs and code amendments.**

- LU Policies**
- 7.C.1 The Agricultural Advisory Board shall provide advice on and recommendations for goals, policies, programs, incentives and regulations related to agriculture and agricultural conservation.
  - 7.C.2 The county shall work with the cities to develop interlocal agreements that apply standards that include Right to Farm noticing and setback requirements to developments which occur in cities and are adjacent to designated farmlands.
  - 7.C.3 The county shall promote the expansion of agricultural enterprises, such as agri-tourism, specialty and niche agriculture, and especially greenhouses and hydroponic farming on Local and Upland Commercial Farmland and Rural Residential areas.
  - 7.C.4 The county shall ensure that permitted uses in designated agricultural lands adjacent to airports are compatible with airport operations and requirements of the Federal Aviation Administration.
  - 7.C.5 The county shall continue to educate the public on the importance of, and many benefits associated with, the long-term commercial viability of Snohomish County's local agricultural economy.
  - 7.C.6 The county shall support the use of innovative agricultural technologies, procedures and practices that protect existing land, soil and water resources.
  - 7.C.7 The county shall support programs and partnerships that recognize and promote public awareness of the economic, historic and cultural importance of local agriculture.
  - 7.C.8 The county shall expand opportunities for the agriculture community to participate in economic development, code development and public policy initiatives related to agriculture and agricultural practices.
  - 7.C.9 The county shall consider grade separations, frontage roads, or other methods to safely move vehicles and livestock when new or

improved roads are proposed in designated farmland or on roads that receive substantial farm vehicle traffic.

7.C.10 The county shall support and participate in programs that promote and market locally grown and processed products.

7.C.11 The county shall participate in the development of a farm product processing facility (USDA certified) to be located within the county.

**Objective LU 7.D Initiate and continue studies which may result in improved conservation of agricultural lands.**

**LU Policies** 7.D.1 The county should study methods such as the Transfer of Development Rights or Purchase of Development Rights Programs for mitigating the de-designation of farmlands.

7.D.2 Incentives for agricultural industry enhancement such as improved permit processing for designated farmlands and value assessment of farm residences in designated farmland areas at farm rates shall be investigated.

7.D.3 The impacts of siting public facilities such as schools, fire stations, and community centers adjacent to designated farmland should be studied and, if necessary, plan and code amendments should be initiated.

7.D.4 The county shall investigate improvements to development regulations that will reduce the stormwater run-off and water quality impacts of upstream developments on designated farmland .

7.D.5 The county shall investigate ways to simplify the permit process for routine maintenance and repair of dikes/levees and drainage systems on designated farmland.

7.D.6 The county shall investigate funding mechanisms such as grants to help fund the maintenance and repair of agricultural drainage systems.

7.D.7 The county shall conduct a traffic study to identify and assess where traffic interferes with farming.

7.D.8 The county shall study methods to decrease and mitigate the negative effects of residential development adjacent to or on designated agricultural land.

7.D.9 The county shall investigate programs that have the potential to convert farmland for habitat restoration, mitigation or flood storage and their resulting long term effects on agriculture. This investigation shall provide the basis for a subsequent analysis of the effects of such programs on farmland and shall be followed



with appropriate policies and regulations to protect designated commercial farmlands.

- 7.D.10 The county may scope and conduct an analysis of designated farmlands and lands that could be utilized for agriculture. This analysis shall provide the basis for subsequent analysis of the land's future use, and designation.

**Objective LU 7.E**

**Designate as Recreational Land playing fields and supporting facilities historically located on commercial farm land.**

**LU Policies LU 7.E.1**

Pursuant to state legislation (Laws of Washington 2005, chapter 423), the county shall consider proposals for the Recreational Land designation consistent with the GMA, chapter 36.70A RCW, using the following criteria:

- a. The property is designated as Commercial Farmland on the Future Land Use Map at the time the county considers redesignation.
- b. Grass playing fields and supporting facilities for sports played on grass playing fields were in existence on the property proposed for redesignation prior to July 1, 2004.
- c. The property proposed for designation is not currently in use for commercial production of food or other agricultural products.
- d. The proposed property is not included in a UGA.

LU 7.E.2 The opportunity to redesignate Commercial Farmland to Recreational Land shall expire June 30, 2006.

LU 7.E.3 Designated Recreational Land may be used only for playing fields and supporting facilities for sports played on grass playing fields or for agricultural uses.

LU 7.E.4 Continued operation of playing fields and supporting facilities on lands designated Recreational Land shall not affect other natural resource lands designated under RCW 36.70A.170 (1) (b), and shall not preclude reversion to agricultural uses.

LU 7.E.5 Lands designated Recreational Land are agricultural lands appropriate only for playing fields or agricultural use and not for future transition into UGAs, and subsequent land use actions must be consistent with the Commercial Agriculture of Long Term Significance designation.

LU 7.E.6 Reconsideration of the Recreational Land designation and possible redesignation to Commercial Farmland can occur through a subsequent comprehensive plan amendment when:

- a. Use of playing fields and supporting facilities on designated Recreational Land ceases as the result of a voluntary action by the property owner for two consecutive years; or
- b. Use of playing fields on Recreational Land interferes with surrounding Commercial Farmland or agricultural uses or activities.

**Exhibit B**  
**Amended Ordinance No. 12-047**  
**Amendments to the Natural Environment Chapter**  
**of the General Policy Plan**  
**GPP 11 - Public Works Surface Water Management**

# Natural Environment

Snohomish County's natural features combine to create a unique environmental setting in the Puget Sound Basin. The Cascade Mountains, parts of five major river watersheds, lowland forests, estuaries, marine shorelines, numerous lakes, wetlands, and streams all combine to create the special character that is Snohomish County. These features also contribute to the county's economy and quality of life to its citizens.

Protection of the natural environment is fundamental to achieving and preserving the quality of life for Snohomish County residents. People and businesses choose to locate in Snohomish County due in large part to the quality of the natural environment. The natural environment element of the comprehensive plan provides the framework to realize the vision of thriving communities while protecting and preserving natural resources and the environment. It also provides for protection from various forms of pollution and natural hazards such as flooding, landslides, and other natural disasters. To be effective, in our efforts to protect and enhance the natural environment, the various policies, plans, and programs must be coordinated and focused through a consistent policy framework that has a multi-faceted approach. Our guiding principle is that the cumulative effect of all of the county's programs and efforts should result in no net loss of ecological functions and values consistent with the requirements of state law.

This multi-faceted approach includes planning; intergovernmental coordination;

development of regulation; enforcement; and improved protection of ecological functions and values through non-regulatory incentive-based means, such as voluntary enhancement and restoration, public education and other voluntary activity; and monitoring and adaptive management. The plan provides policies in each of these areas to direct the county's efforts to protect the natural environment of Snohomish County and to achieve the outcome of no net loss of functions and values to the extent mandated by state law.

The need for a rigorous protection program is balanced by providing a fair and equitable distribution of the impacts of regulation, flexibility and clarity in approach, and fast service delivery. The public must be educated to understand the county's regulatory approach and the reasons for the regulation. Vital to the success of the county's program is careful consideration of how the burdens of environmental protection may impact property owners and business. Severe financial impacts, unclear government purposes, or circumstances where a less intrusive means for accomplishing the identified purpose are factors that must be avoided in developing policy and regulation that may adversely affect property rights. In developing policy and regulation affecting property rights, as well as issuing permits, county decision makers must evaluate constitutional principles relating to the taking of property and the application of substantive due process. Tools available to aid this evaluation process include the Washington State Attorney General's Advisory Memorandum on Avoiding Unconstitutional Takings of Private Property.

## **GOAL NE 1**

**Continue existing and develop new county plans and programs which establish priorities to protect and enhance the natural environment through a coordinated policy framework to maintain and improve the quality of life for Snohomish County. The policy framework below provides a non-exclusive list of the core priorities and strategies that must be addressed in all plans and programs that affect the natural environment.**

### **Objective NE 1.A**

**Balance the protection of the natural environment with economic growth, housing needs and the protection of property rights.**

#### **NE Policies**

- 1.A.1 Regulatory programs developed for the protection of the natural environment shall provide certainty, clarity, flexibility, efficiency, public outreach and education so that citizens understand the requirements, permits are processed quickly, and alternative approaches that provide equal or greater protection to the environment may be considered.
- 1.A.2 The County shall seek to maintain a sufficient inventory of developable land to meet economic, housing and agricultural needs.
- 1.A.3 The county shall provide flexibility in policies and programs so as to protect property rights and minimize impacts to development of property.
- 1.A.4 The county's plans and programs shall not contain provisions that violate federally-protected treaty rights.
- 1.A.5 The county shall encourage and accommodate economic growth through plans and programs in a manner that minimizes impacts to the natural environment.
- 1.A.6 The county shall incorporate provisions and incentives for flexibility in environmental plans and programs to promote growth and viability of natural resource industries.
- 1.A.7 The county shall establish criteria for prioritizing natural resource industry uses and natural environment protection enhancement

and/or restoration based on the land's potential for resource productivity, ecological function and investment-to-return ratio.

**Objective NE 1.B**

**Accommodate population growth in a manner that maintains and protects elements of the natural environment.**

**NE Policies 1.B.1**

The county shall consider comprehensive land use plan designations and development regulations that take into account:

- (a) environmental sensitivity and ecological functions and values;
- (b) limitations of ground and surface water quantities; and
- (c) potential impacts on surface and ground water quality.

**1.B.2**

The county shall consider air pollution and nuisance odors associated with land uses and development in plans and programs to assure compatibility with the surrounding environment, provided that odors occurring as a result of accepted agricultural or forest practices on natural resource lands shall be presumed reasonable and not a nuisance.

**1.B.3**

The county shall consider noise associated with land uses and development in plans and programs to assure compatibility with the surrounding environment, provided that noise occurring as a result of accepted agricultural or forest practices on natural resource lands shall be presumed compatible with the surrounding environment.

**1.B.4**

The county shall plan for growth in a manner that encourages reduction of sprawl, meets GMA housing goals and places employment and residential uses in close proximity to reduce impacts to air quality.

**Objective NE 1.C**

**Protect and enhance natural watershed processes, wetlands, fish and wildlife habitat conservation areas, shorelines, and water resources with the long-term objective of protecting ecological function and values.**

**NE Policies 1.C.1**

The county shall continue to protect water resources and natural watershed processes by maintaining the quality, rates and supplies of water, sediment, and woody debris through the use of a variety of strategies, such as:

- (a) maintaining the natural hydrologic cycle and minimizing alterations of natural drainage patterns;
- (b) encouraging alternative impervious surface techniques;
- (c) providing for the retention of natural vegetation; and

- (d) developing and implementing watershed management plans that protect water quality and address non-point pollution and the cumulative effects of land management on ecological systems.

1.C.2 The county shall continue to protect and enhance wetlands and fish and wildlife habitat conservation areas through the use of a variety of strategies, such as:

- (a) including best available science in plans and programs;
- (b) supporting the development and implementation of watershed management plans and identifying areas where voluntary restoration and enhancement should be used to improve water quality, water quantity, fish habitat and overall hydrologic function;
- (c) coordinating the use of agricultural resource lands with the protection, restoration and/or enhancement of ecological functions and values;
- (d) developing incentive-based, voluntary restoration and enhancement programs to offset impacts to overall ecological functions and values resulting from development projects or the use of agricultural resource lands and encouraging creative on-site, ~~off-site, or joint~~ and reach scale restoration/enhancement proposals that optimize natural and/or agricultural resource values and ecological function; and

- (e) ((d)) including strategies for monitoring and adaptive management in plans and programs.

1.C.3 The county shall protect and enhance the ecological functions of shorelines through the Snohomish County Shoreline Management Program.

**Objective NE 1.D The county shall protect the health, safety, welfare and the economy of the community by minimizing the risks associated with natural hazards.**

**NE Policies** 1.D.1 The county should consider natural hazards in all land use planning.

1.D.2 The county should develop comprehensive floodplain management plans. Where cities and the county share common floodplains, joint flood hazard planning and interlocal agreements should be used to ensure consistent floodplain management.

- 1.D.3 The county should develop and update drainage basin plans that document urban flooding problems and potential solutions.
- 1.D.4 The county should adopt and implement a Natural Hazards Mitigation Plan to reduce the vulnerability to natural hazards.
- 1.D.5 The county shall develop programs that provide for notification of the presence of geologic hazards.

**GOAL NE 2**

**Provide for the protection and encourage restoration of ecological functions and values across the landscape by coordinating planning efforts among jurisdictions and citizens.**

**Objective NE 2.A**

**Coordinate and support the adoption of programs to protect, restore and enhance ecological functions with other jurisdictions, agencies, tribes and non-governmental organizations.**

**NE Policies**

- 2.A.1 The county should coordinate with and participate in the watershed-based planning processes within the region to provide an ongoing opportunity for tribes, municipalities, regional, state, federal agencies, and nongovernmental organizations to develop compatible environmental protection and restoration approaches.
- 2.A.2 The county should coordinate scientific data collection and monitoring activities with other affected governments, agencies, and tribes, and collaboratively exchange data with such entities. Monitoring data from approved land use applications should also be considered.
- 2.A.3 The county should work with other jurisdictions, agencies, and tribes to protect and enhance water quality at commercial and recreational shellfish beds.
- 2.A.4 The county should coordinate with the state department of fish and wildlife and other agencies and tribes to protect, manage, and monitor habitat for fish and wildlife.
- 2.A.5 The county should work with other jurisdictions and state or federal agencies to ensure adequate flood protection from forestry and development activities outside of county control.
- 2.A.6 The county should participate in regional salmon recovery planning efforts and aggressively pursue funding that can provide multiple environmental benefits.



## **GOAL NE 3**

**Comply with the requirements of state, federal and local laws for protecting and managing critical areas, shorelines, and water.**

### **Objective NE 3.A**

**Develop regulatory policies that apply to elements of the natural environment.**

- NE Policies**
- 3.A.1 The county shall designate and protect critical areas including fish and wildlife habitat conservation areas, wetlands, critical aquifer recharge areas, frequently flooded areas and geologically hazardous areas and include best available science in the development of programs, policies and regulations relating to critical areas.
  - 3.A.2 The county shall establish development regulations that offer flexibility in site design to accommodate innovative solutions for critical area protection where site constraints or critical area characteristics warrant use of a creative approach. Flexibilities may be considered on a site-by-site basis. Examples of innovative options include but are not limited to buffer width averaging, on- or off-site enhancement or restoration projects, use of best management practices, or a combination of creative solutions.
  - 3.A.3 The county shall evaluate immediate and cumulative effects on the natural environment, critical areas, shorelines and buildable land inventory when formulating development regulations, including but not limited to, stormwater management, clearing, and grading.
  - 3.A.4 The county shall evaluate the level of risk of damage or injury to people, property and the environment when formulating development regulations.
  - 3.A.5 The county shall design development regulations to avoid or minimize impacts to the ecological functions and values of critical areas.
  - 3.A.6 The county should generally require that mitigation for impacts to the natural environment be located in the following sequential order of preference: on-site, in the same sub-basin, in the same watershed, or in another appropriate ecosystem.
  - 3.A.7 The county shall consider a variety of strategies for the permanent protection of critical areas.
  - 3.A.8 The county shall consider the recommendations contained in watershed management plans and salmon recovery plans in drafting development regulations.

### **Objective NE 3.B**

### **Designate and protect fish and wildlife habitat conservation areas and wetlands pursuant to the Growth Management Act.**

- NE Policies**
- 3.B.1 Vegetated areas in and adjacent to wetlands and fish and wildlife habitat conservation areas shall be established to protect their ecological functions and values and include special consideration for the protection of water-dependent and riparian-dependent fish and wildlife.
  - 3.B.2 The county should maintain a fish and wildlife corridor map for critical habitat.
  - 3.B.3 The county shall adopt special provisions for the protection of unique wetlands such as bogs, fens, estuarine wetlands, coastal lagoon wetlands, wetlands with old growth forests, and wetlands with unique or rare wildlife or plant communities.
  - 3.B.4 The county shall adopt vegetation retention standards to protect fish and wildlife habitat conservation areas and limit the use of invasive and non-native plant species that may adversely impact such habitat.
  - 3.B.5 The county shall protect state and federal officially designated threatened and endangered species and their habitat conservation areas, as prescribed by state and federal law.
  - 3.B.6 The county should develop a legislative approval process for the purpose of nominating and protecting species and habitats of local importance.
  - 3.B.7 The county shall protect critical saltwater habitats such as eelgrass and kelp beds, shellfish areas, forage fish spawning areas and coastal lagoons.
  - 3.B.8 The county shall include special consideration to conserve, protect and enhance anadromous fish and their habitat in policies and regulations.
  - 3.B.9 The county should adopt a water typing system and wetland classification system consistent with state guidelines.
  - 3.B.10 The county shall require that alterations to wetlands and fish and wildlife habitat conservation areas be avoided or minimized to protect ecological functions and values consistent with the GMA's requirement of ensuring no net loss of the functions and values of critical areas.

### **Objective NE 3.C**

### **Designate and protect critical aquifer recharge areas pursuant to the Growth Management Act.**

- NE Policies 3.C.1 The county shall establish a groundwater management program to protect groundwater quality, assure groundwater quantity, and provide efficient management of water resources for meeting future needs while protecting existing water rights.
- 3.C.2 The county shall establish development regulations that include a variety of strategies for protecting groundwater.

**Objective NE 3.D Designate and protect frequently flooded areas pursuant to the Growth Management Act.**

- NE Policies 3.D.1 To protect public health, safety and welfare, the county shall preserve natural floodplain and watershed processes to:
  - (a) Maintain natural flood storage capacity;
  - (b) Preserve natural drainage and conveyance systems;
  - (c) Avoid increases in flood elevations; and
  - (d) Prevent downstream flooding.
- 3.D.2 The county shall allow only those developments and land uses in floodplains that are compatible with floodplain processes.
- 3.D.3 The county should meet the requirements of the National Flood Insurance Program.
- 3.D.4 The county should participate in the National Flood Insurance Program Community Rating System (CRS).
- 3.D.5 The county should incorporate new science and analysis of flood hazards into its regulations and mapping as they become available, including accounting for increases in future flood flows, sea level rise and tsunami risk.
- 3.D.6 Flood regulations should allow for volume of on-site or in-floodplain excavation to offset volume of fill.
- 3.D.7 The county should promote the Cooperative Bank Stabilization Program and other similar programs that assist private landowners with projects that reduce damage from bank erosion and flooding on their properties.

**Objective NE 3.E Designate and protect geologic hazard areas pursuant to the Growth Management Act.**

- NE Policies 3.E.1 The county should avoid development in landslide hazard areas and minimize development in erosion hazard areas commensurate with the level of risk.

- 3.E.2 The county shall develop regulations that are consistent with geologic constraints and the All Hazards Vulnerability Assessment and the Snohomish County Natural Hazards Mitigation Plan.
- 3.E.3 The county shall require that development proposals include where appropriate a geotechnical assessment of the site's susceptibility to known geologic hazards.
- 3.E.4 The county shall require that development standards incorporate practices and techniques to reduce potential damage from seismic, tsunami, mine, erosion, landside and volcanic hazards.
- 3.E.5 The county should only allow development in the channel migration zone that has a low risk to public health, safety and property.

**Objective NE 3.F Protect ecological functions of shoreline natural resources through the Snohomish County Shoreline Management Program.**

- NE Policies**
- 3.F.1 The county's Shoreline Management Program shall address no net loss of ecological functions of shoreline resources, provide opportunities for public access to shoreline areas and promote water dependent uses and development which cannot be located anywhere else.
  - 3.F.2 The county shall develop shoreline environment designations that are based on existing use patterns, and the biological and physical character of the shoreline.
  - 3.F.3 Critical areas in those areas subject to the jurisdiction of the Shoreline Management Act shall be regulated consistent with critical areas outside of shorelines.

**Objective NE 3.G Adopt regulations and development standards as required by the Forest Practices Act (chapter 76.09 RCW).**

- NE Policies**
- 3.G.1 The county shall develop regulations for Class IV General forest practices and for conversion option harvest plans.
  - 3.G.2 The county shall develop a process and criteria for lifting forest practices moratoria, which shall include public notification and procedures for appeals and public hearings.
  - 3.G.3 County forest practice regulations shall be consistent with critical areas and shoreline regulations to the maximum extent possible.

**Objective NE 3.H Comply with the county's Phase I Municipal Stormwater Permit issued by the Washington State**

**Department of Ecology pursuant to the Clean Water Act and the National Pollutant Discharge Elimination System (NPDES).**

- NE Policies**
- 3.H.1 The county shall protect properties and water from adverse impacts by eliminating illicit discharges and sediment transport, and regulating stormwater and land disturbing activity to reduce the discharges of pollutants and impacts to receiving waters.
  - 3.H.2 The county shall develop inspection and enforcement procedures to prevent water quality degradation.
  - 3.H.3 The county shall adopt programs, development regulations and standards regulating drainage and land disturbing activity that allow or require the use of low impact development techniques and are consistent with the Phase I Municipal Stormwater Permit.
  - 3.H.4 The county shall improve stormwater management permitting procedures to ensure timely review of projects that incorporate low impact development techniques.
  - 3.H.5 The county shall adopt comprehensive site planning requirements that minimize land disturbing activity and promote on-site stormwater management on new development and redevelopment project sites.
  - 3.H.6 The county shall adopt water pollution control requirements intended to ensure that receiving waters, groundwater, and stormwater in Snohomish County meet or exceed state water quality standards.

**Objective NE 3.I Develop and implement an enforcement program to protect, and prevent and remediate damage to, the natural environment.**

- NE Policies**
- 3.I.1 The county should establish inspection and enforcement priorities based on health, safety and welfare; the environmental significance of the violations; the impact to ecological functions and values; and the impacts on public resources.
  - 3.I.2 The county should establish an enforcement system that imposes penalties and fines commensurate with the severity of the violation. For minor violations that do not significantly harm the environment or endanger public health and safety, enforcement should focus on educating landowners on regulatory requirements rather than monetary penalties. The amount of penalties and fines should increase with the severity of the violation.

- 3.I.3 The county should impose punitive consequences on flagrant or repetitive violators.
- 3.I.4 The county shall require that remediation in code enforcement actions be focused on restoration of ecological functions and values compromised by the violation.
- 3.I.5 The county should coordinate its environmental enforcement efforts with other regulatory agencies to ensure that enforcement actions are effective in quickly remediating damage to the natural environment.

**GOAL NE 4      Balance the goals of protecting elements of the natural environment while promoting the long-term viability of commercial agriculture.**

**Objective NE 4.A      Provide flexibility in regulations to provide protection of the natural environment while recognizing the need to promote viability in the commercial agricultural industry.**

- NE Policies**
- 4.A.1 The county shall allow innovative strategies that protect surface and groundwater quality, minimize impacts to wetlands and fish and wildlife habitat conservation areas on land used for commercial agriculture such as encouraging the use of farm conservation plans or best management practices equivalent to those set forth in the NRCS Field Office Technical Guide (FOTOG Manual, most recent edition).
  - 4.A.2 The county shall require that the implementation of strategies described in policy NE 4.A.1 occurs within a reasonable period of time.
  - 4.A.3 The county should develop and pursue funding resources and provide technical assistance to implement strategies described in policy NE 4.A.1.
  - 4.A.4 The county should consider establishing a permit assistance center to assist farmers in complying with natural environment regulations.
  - 4.A.5 The county shall protect agricultural lands of long-term commercial significance from the impacts of upland development.
  - 4.A.6 The county shall develop and implement actions to conserve agricultural resource lands and restore ecological functions and values, seeking to increase both ecological and agricultural resource viability and productivity.

**Objective NE 4.B**

**Use incentives to encourage protection of the natural environment and the continued operation of working farms.**

- NE Policies 4.B.1 Wetland and habitat mitigation banks should not be allowed on land that meets the criteria for agricultural lands of long-term commercial significance.
- 4.B.2 The county should provide technical assistance to manage, maintain or enhance critical areas on or in proximity to lands used for commercial agriculture.
- 4.B.3 The county should consider incentives for farming practices that protect elements of the natural environment.

**GOAL NE 5**

**Improve and protect ecological functions and values of the natural environment through non-regulatory programs.**

**Objective NE 5.A**

**Implement environmental restoration, enhancement and acquisition plans.**

- NE Policies 5.A.1 The county should eliminate human-made barriers to fish passage, such as blocking culverts and broken tide-gates; prevent the creation of new barriers; and provide for natural rates of the transport of water, sediment and organic matter.
- 5.A.2 The county shall support efforts to maintain and restore natural stream bank conditions and achieve improved stream bank functions in each sub-basin while protecting critical facilities and infrastructure.
- 5.A.3 The county shall, where appropriate, restore and enhance ecological functions on lands owned and managed by the county. Properties acquired for habitat conservation should be managed to preserve and enhance ecological functions and values while providing recreational opportunities.
- 5.A.4 The county should develop acquisition and conservation easements programs directed at lands that have unique ecological values or can not be protected by any other methods.
- 5.A.5 The county shall aggressively seek funding from state, federal, private and other sources to implement restoration, enhancement, and acquisition projects.
- 5.A.6 The county shall leverage opportunities for restoration, enhancement, and acquisition to maximize the benefits realized from funding attained, through the following:

- (a) prioritizing funding of those projects that provide maximum benefit to the environment;
- (b) working with other jurisdictions to maximize opportunities to restore across jurisdictional boundaries; and
- (c) targeting enhancement and restoration to achieve the goal of no net loss of ecological functions and values, consistent with state law requirements.

5.A.7 The county should consider the recommendations contained in the watershed management plans and salmon recovery plans as the basis for prioritizing restoration and enhancement projects.

**Objective NE 5.B Provide incentives for voluntary environmental restoration, enhancement and protection.**

**NE Policies** 5.B.1 The county should create a separate and expedited review process that would facilitate and reduce the costs of environmental restoration or enhancement projects that are independent of mitigation for development activity.

5.B.2 The county shall promote innovative land use techniques, where appropriate, such as transfer and purchase of development rights and other incentives for voluntary practices to protect the natural environment.

5.B.3 The county shall, where possible, provide incentives for protection of critical areas such as, designating lands permanent open space, conservation easements, donations to land trusts or similar organizations, and open space tax incentives.

5.B.4 The county shall develop incentives to voluntarily protect or enhance:

- (a) aquatic ecosystems and aquifers;
- (b) existing or degraded habitat areas;
- (c) native top soils;
- (d) water quality through use of low impact development techniques;
- (e) a healthy diversity of native plants and plant communities; and
- (f) rare plant species listed by the state department of natural resources' natural heritage program.

5.B.5 The county should encourage and create incentives for connection of areas of native vegetation within and between land parcels



through the adoption of development regulations such as the rural cluster subdivision ordinance and through voluntary programs.

- 5.B.6 The county should encourage citizens to be water resource stewards through participation in decision-making, volunteer activities, and technical assistance programs.

**GOAL NE 6 Educate citizens regarding the natural environment and encourage voluntary environmental protection and stewardship.**

**Objective NE 6.A Provide programs for education about the natural environment.**

- NE Policies 6.A.1 The county shall develop public education programs to increase understanding of, and best management practices for, stream habitat, wetlands, stormwater management, water quality, lake stewardship, marine shoreline processes and habitats, and other aspects of the natural environment.
- 6.A.2 The county shall develop an education program aimed at informing landowners about regulatory applicability and required provisions for protecting critical areas.
- 6.A.3 The county shall provide ongoing education and information to floodplain residents on flood preparedness and recovery in order to help them avoid preventable losses.
- 6.A.4 The county shall develop public and agency awareness of geologic hazards and development practices that increase the risk of damage to life, natural resources, and property from seismic, volcanic, landslide, tsunami, and erosion hazards.
- 6.A.5 The county should assemble and distribute information concerning emergency management procedures relating to volcanic, tsunami and seismic hazards.
- 6.A.6 The county should provide citizens with information concerning species and habitats and voluntary methods for protecting and restoring habitat areas.

**Objective NE 6.B Provide programs and opportunities for voluntary environmental protection and stewardship.**

- NE Policies 6.B.1 The county shall encourage voluntary protection and restoration of natural areas and assist in establishing stewardship programs to allow citizens to participate in the protection and preservation of ecologic systems important in their own communities. This effort may include participation in environmental planning and

programs, volunteer activities, monitoring projects, and technical assistance and education programs.

6.B.2 The county should encourage voluntary programs for businesses and residents to decrease use of hazardous products that contribute to nonpoint contamination of groundwater and surface water, especially those products applied to yards and gardens.

6.B.3 The county should promote the use and salvage of native plant species for use in landscaping, buffers, and revegetation projects.

**GOAL NE 7 Monitor elements of the natural environment and use adaptive management strategies to protect the natural environment.**

**Objective NE 7.A Develop and implement a monitoring program to assess the effectiveness of the county's approach to protection of the natural environment.**

**NE Policies 7.A.1** The county shall develop a monitoring program which establishes a baseline from which to evaluate ecological functions and values, identifies measurable variables indicative of changes in ecological functions, and establishes performance measurement standards.

7.A.2 The monitoring program should focus on elements of the natural environment that are most at risk of net loss of ecological functions and values or have less certainty that ecological functions and values will be maintained over time.

7.A.3 The county shall regularly monitor shoreline conditions and habitat improvements to provide information which can be used to evaluate the cumulative impacts of shoreline and upland development.

7.A.4 The county should consider the recommendations contained in watershed management plans, salmon recovery plans, NPDES requirements, NRCS standards or other relevant science-based plans as guidelines for developing the monitoring program. Data from approved land use applications should also be considered.

7.A.5 The county should pursue funding sources for the monitoring program.

**Objective NE 7.B Develop and implement an adaptive management strategy to adjust county programs as necessary.**

**NE Policies 7.B.1** If monitoring results indicate that the goal of no net loss has not been achieved, the county shall consider strengthening elements of the multi-faceted approach.

- 7.B.2 The county shall periodically evaluate and update natural environment protection programs to ensure consistency with best available science.

**GOAL NE 8 Protect public health and safety by minimizing the potential for physical injury and property damage.**

**Objective NE 8.A Reduce the potential for physical injury and property damage from natural hazards.**

- NE Policies** 8.A.1 The county should develop and maintain a regional flood information and warning program.
- 8.A.2 The county shall periodically analyze county-owned flood control structures for public benefit, consistency with adopted flood hazard management plans, and the potential for those structures to cause damage downstream, and modify, maintain or abandon the structures based on such analysis.
- 8.A.3 The county shall reduce the number of existing flood damage prone structures through acquisition, relocation, incentives, and regulation.
- 8.A.4 The county should develop a prioritized set of actions that, when implemented, will provide increased public safety and reduced national flood protection insurance rate for county residents.

**Objective NE 8.B Promote and enhance regional air quality by reducing air pollution emissions associated with land uses and transportation in accordance with national, state, regional, and local policies and standards.**

- NE Policies** 8.B.1 The county shall operate a burn permit program consistent with Puget Sound Clean Air Agency regulations and compatible with county goals and objectives, which will manage burn ban areas consistent with the adopted urban growth areas of the county.
- 8.B.2 The county shall adopt development regulations that minimize or eliminate nuisance odors through the use of best available control technologies, provided that odors occurring as a result of accepted agricultural or forest practices on natural resource lands shall be presumed reasonable and not a nuisance.
- 8.B.3 The county shall require development activities to minimize dust, provided that dust occurring as a result of accepted agricultural or forest practices on natural resource lands shall be presumed reasonable and not a nuisance.

- 8.B.4 The county shall provide solid and yard waste disposal opportunities at a reasonable cost to discourage the burning of yard debris outside of no burn zones and illegal burning of garbage in all zones.
- 8.B.5 The county shall, where possible, require construction projects to provide for on-site wood waste recycling to preclude the need to burn debris outside of no burn zones.
- 8.B.6 The county should offer incentives to help reduce the use of single occupancy vehicles to reduce air emissions.
- 8.B.7 The county should coordinate with regional bodies such as the Puget Sound Clean Air Agency, the Puget Sound Regional Council, and tribes to attain national, state, and regional air quality goals and to leverage federal and state programs and funding that promote clean air protection and enhancement.

**Objective NE 8.C Minimize the exposure of citizens to the dangers of excessive noise.**

- NE Policies**
- 8.C.1 The county shall administer rules and regulations established regarding acceptable noise levels based on state and federal standards.
  - 8.C.2 County regulations may require, where appropriate, buffering or other noise mitigation measures to be incorporated into development proposals.
  - 8.C.3 The county shall take appropriate steps to mitigate noise impacts at airports consistent with recommendations of the Federal Aviation Administration in the FAR Part 150 Noise Study.

**GOAL NE 9 Promote energy conservation and recycling to reduce detrimental effects on the natural environmental and human health and safety.**

**Objective NE 9.A Recycle and reuse water.**

- NE Policies**
- 9.A.1 The county shall develop plans and programs for the reuse, recycling, and treatment of water.
  - 9.A.2 County facilities shall be designed, operated and maintained to ensure recycling of water occurs to the maximum extent possible.
  - 9.A.3 The county should promote the use of low impact development designs to encourage the reuse of water.

**Objective NE 9.B      Conserve nonrenewable energy resources while promoting the development and utilization of new and renewable energy resources.**

- NE Policies**
- 9.B.1      The county should adopt plans and regulations that require site planning and building design to promote energy conservation and reduce demand.
  - 9.B.2      The county shall encourage transportation alternatives such as, the expansion of transit service, carpools and vanpools to reduce consumption of fossil fuels.
  - 9.B.3      The county shall adopt and enforce the Washington State Energy Code for new construction.

**Objective NE 9.C      Provide safe, efficient and cost effective disposal of solid waste while encouraging waste prevention, reduction, and recycling.**

- NE Policies**
- 9.C.1      The county shall develop plans and programs for the management of solid waste generated within Snohomish County.
  - 9.C.2      The county shall be responsible for the disposal of solid waste generated within Snohomish County.
  - 9.C.3      County facilities shall be designed, operated and maintained to ensure recycling is available and occurs when technically and economically feasible.
  - 9.C.4      County offices and facilities shall set an example in waste prevention, reduction and recycling.
  - 9.C.5      The county shall encourage waste prevention, reduction, and recycling of solid waste when technically and economically feasible.
  - 9.C.6      The county shall design, maintain or retrofit solid waste facilities to prevent contaminated storm water run-off from the facility for the purpose of preventing water pollution.
  - 9.C.7      The county shall site new solid waste handling facilities in a manner which will minimize impacts on the natural environment while providing essential solid waste disposal services.