

1 Adopted: November 29, 2017  
2 Effective: December 10, 2017

3  
4 SNOHOMISH COUNTY COUNCIL  
5 Snohomish County, Washington

6  
7 AMENDED ORDINANCE NO. 17-069  
8

9 APPROVING A SYSTEM OF RATES AND CHARGES PROPOSED BY THE  
10 SNOHOMISH CONSERVATION DISTRICT PURSUANT TO RCW 89.08.405 FOR  
11 NATURAL RESOURCE CONSERVATION PURPOSES ON ALL NON-EXEMPT REAL  
12 PROPERTY LOCATED WITHIN SNOHOMISH CONSERVATION DISTRICT AND  
13 SNOHOMISH COUNTY FOR A FIVE-YEAR PERIOD BEGINNING IN 2018  
14

15 WHEREAS, the Snohomish Conservation District (hereinafter "District") was  
16 formed in 1941 to undertake a variety of activities relating to the management and  
17 conservation of natural resources; and

18  
19 WHEREAS, the boundaries of the District include most of Snohomish County  
20 (hereinafter "County") and Camano Island, which is part of Island County; and

21  
22 WHEREAS, the Washington State legislature passed Substitute Senate Bill  
23 (SSB) 5322 in 2015, amending RCW 89.08.405 that proclaims when proposing a  
24 system of rates and charges, a conservation district may consider any other matters  
25 that present reasonable differences justifying a distinction, including the natural  
26 resource needs within the district and the capacity of the district to provide services,  
27 improvements, or both; and

28  
29 WHEREAS, pursuant to RCW 89.08.405(1), the county legislative authority may  
30 in its discretion consider a proposal by a conservation district for a system of rates and  
31 charges as an alternative to, but not in addition to, a special assessment provided by  
32 RCW 89.08.400; and

33  
34 WHEREAS, RCW 89.08.405(3)(a) states that the proposed system of rates and  
35 charges may include an annual per acre amount, an annual per parcel amount, or an  
36 annual per parcel amount plus an annual per acre amount and the maximum annual per  
37 acre amount not exceeding ten cents per acre; and

38  
39 WHEREAS, SSB 5322 amended RCW 89.08.405(3)(a) establishing an  
40 intermediate tier of rates and charges, which indicates that for counties with a  
41 population of over four hundred eighty thousand persons, the maximum annual per  
42 parcel rate shall not exceed ten dollars; and

43  
44 WHEREAS, pursuant to RCW 89.08.405(4), the consideration, development,  
45 adoption, and implementation of a system of rates and charges shall follow the same

1 public notice and hearing process and be subject to the same procedure and authority  
2 under RCW 89.08.400(2); and  
3

4 WHEREAS, pursuant to RCW 89.08.400(2), special assessments to finance the  
5 activities of a conservation district may be proposed by the district and imposed by the  
6 county legislative authority in which the district is located for a period or periods each  
7 not to exceed ten years; and  
8

9 WHEREAS, RCW 89.08.400(2) directs the supervisors of a conservation district  
10 proposing a special assessment to hold a public hearing on the proposed system of  
11 assessments prior to the first day of August in the year prior to the year in which the  
12 initial assessment would be collected and file the proposed system of assessments and  
13 a proposed budget for the succeeding year with the county legislative authority; and  
14

15 WHEREAS, on June 1, 2017, after holding public hearings back in April 2017,  
16 the District filed with the Snohomish county council a proposal transitioning from an  
17 assessment to a new rate structure to be imposed by the council for five years  
18 beginning in 2018, which the proposal included a proposed system of rates and charges  
19 and a proposed budget for 2018; and  
20

21 WHEREAS, on October 18, November 22, and 29, 2017, the council held a  
22 public hearing on the District's proposed system of rates and charges pursuant to RCW  
23 89.08.405; and  
24

25 WHEREAS, council by way of amended Ordinance No. 09-082 previously  
26 imposed special assessments for natural resource conservation purposes on all non-  
27 exempt real property located within the District and county for a five year period  
28 beginning in 2010 at the rate of \$5.00 per parcel plus \$0.05 per acre and continued the  
29 imposition of the special assessments at the same rate by way of Ordinance No. 14-084  
30 for a five year period beginning in 2015; and  
31

32 WHEREAS, the council intends by this ordinance to accept the system of rates  
33 and charges as proposed by the District on June 1, 2017 for natural resource  
34 conservation purposes on all non-exempt real property located within the District and  
35 county for a five-year period beginning in 2018, as provided herein;  
36

37 NOW, THEREFORE, BE IT ORDAINED:  
38

39 Section 1. The Snohomish county council makes the following findings and  
40 conclusions:  
41

42 A. The foregoing recitals are incorporated as if fully set forth herein.  
43

44 B. The District is a governmental subdivision of the State of Washington  
45 authorized by chapter 89.08 RCW to conserve natural resources.  
46

1 C. As acknowledged by the legislature in RCW 89.08.010(4), there is a pressing  
2 need for the conservation of natural resources in all areas of the state, whether urban,  
3 suburban, or rural, and the benefits of resource practices, programs, and projects  
4 carried out by the state conservation commission and local conservation districts should  
5 be available to all such areas; and  
6

7 D. District activities and programs to be funded by the proposed system of rates  
8 and charges include promotion of sustainable agriculture and farmland preservation,  
9 including supporting efforts to reduce the conversion of farmland to other uses and  
10 educating urban, suburban, and rural residents (including youth) on the importance of  
11 local agriculture and the value of farmland preservation; farm planning and water quality  
12 improvements, including providing farm planning and technical assistance in best  
13 management practice (BMP) implementation and enhancing financial support; natural  
14 resource management, including providing permit and other assistance to enhance  
15 critical resource management areas and participating in salmon recovery and other  
16 natural resource conservation planning efforts; county-wide information and education,  
17 including providing youth education programs, assisting the county and governmental  
18 entities, educating landowners regarding wildland fire prevention and risk through the  
19 "Firewise" program, and promoting stewardship, backyard conservation, and  
20 sustainable living; urban conservation, including providing technical services and  
21 financial assistance to urban and suburban landowners and supporting city natural  
22 resource conservation efforts; and  
23

24 E. All lands within the District subject to the proposed system receive a special  
25 benefit from the activities and programs of the District that are financed by the rates and  
26 charges; and  
27

28 F. The public interest will be served by the imposition of rates and charges as  
29 proposed by the District and imposed by this ordinance; and  
30

31 G. The system of rates and charges imposed on any land by this ordinance will  
32 not exceed the special benefits that the land receives or will receive from the activities  
33 and programs of the District; and  
34

35 H. The system of rates and charges imposed by this ordinance will not apply to  
36 areas within the District that are not located within the county, including Camano Island  
37 for which special assessments may be imposed by the legislative authority of Island  
38 County pursuant to WAC 135-100-040; and  
39

40 I. RCW 89.08.405(6) authorizes the county treasurer to deduct an amount from  
41 the collected rates and charges to cover costs incurred by the county assessor and  
42 county treasurer in spreading and collecting the rates and charges, as established by  
43 the Snohomish county council, but not to exceed the actual costs of such work.  
44

45 Section 2. Pursuant to RCW 89.08.405, subject to the limits for certain forest  
46 lands provided therein and the exemptions for non-assessed property and duration

1 stated below, the county council hereby accepts the system of rates and charges  
2 proposed by the District and imposes annual rates and charges on all land within  
3 Snohomish County located within the boundaries of the District for the purpose of  
4 financing the programs and activities of the District. The system of rates and charges  
5 are imposed annually at \$6.00 per parcel plus \$0.06 per acre.  
6

7 Section 3. The following are classified as non-assessed property and are  
8 exempt from the system of rates and charges imposed by this ordinance:  
9

- 10 A. Parcels not taxed by the county, including publicly-owned and Native  
11 American lands;
- 12 B. Parcels zoned Forestry (F) under chapter 30.21 SCC;
- 13 C. Parcels located within the county but outside the boundaries of the District; and  
14
- 15 D. Personal property.  
16  
17

18  
19 Section 4. The system of rates and charges imposed by this ordinance shall be  
20 collected in 2018 and each year thereafter for a total of five years.  
21

22 Section 5. Pursuant to RCW 89.08.405(6) the system of rates and charges  
23 imposed by this ordinance shall constitute liens against the parcels assessed and shall  
24 be subject to the same conditions as tax liens, collected by the treasurer in the same  
25 manner as delinquent real property taxes, and subject to the same interest rate and  
26 penalty as for delinquent property taxes.  
27

28 Section 6. Pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW, the  
29 county and the District may enter into agreements providing for county review and  
30 approval of District work plans and budgets to coordinate programs for managing and  
31 conserving natural resources funded by the system of rates and charges imposed by  
32 this ordinance.  
33

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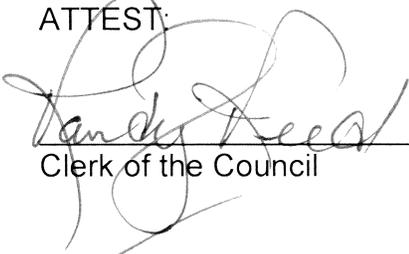
1  
2 PASSED this 29<sup>th</sup> day of November, 2017.  
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5 SNOHOMISH COUNTY COUNCIL  
6 Snohomish County, Washington

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10 \_\_\_\_\_  
11 Council Chair

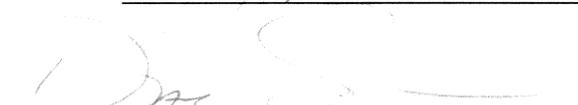
12 ATTEST:

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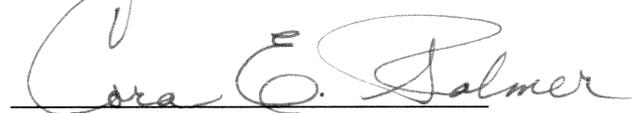
14 \_\_\_\_\_  
15 Clerk of the Council

- 16  
17  
18  APPROVED  
19  EMERGENCY  
20  VETOED  
21

22  
23 DATE: 11/30/17

24   
25 \_\_\_\_\_  
26 County Executive  
27

28 ATTEST:

29 

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31 \_\_\_\_\_  
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34 Approved as to form only:  
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37 \_\_\_\_\_  
38 Deputy Prosecuting Attorney

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