

1 Adopted: November 7, 2018  
2 Effective: November 30, 2018

3  
4 SNOHOMISH COUNTY COUNCIL  
5 Snohomish County, Washington  
6

7 AMENDED ORDINANCE NO. 18-069  
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 ONE-YEAR PERIOD BEGINNING IN 2019  
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, pursuant to RCW 89.08.405(1), the county legislative authority may  
23 in its discretion consider a proposal by a conservation district for a system of rates and  
24 charges as an alternative to, but not in addition to, a special assessment provided by  
25 RCW 89.08.400; and  
26

27 WHEREAS, RCW 89.08.405(3)(a) states that the proposed system of rates and  
28 charges may include an annual per acre amount, an annual per parcel amount, or an  
29 annual per parcel amount plus an annual per acre amount and the maximum annual per  
30 acre amount not exceeding ten cents per acre; and  
31

32 WHEREAS, pursuant to RCW 89.08.405(4), the consideration, development,  
33 adoption, and implementation of a system of rates and charges shall follow the same  
34 public notice and hearing process and be subject to the same procedure and authority  
35 under RCW 89.08.400(2); and  
36

37 WHEREAS, pursuant to RCW 89.08.400(2), special assessments to finance the  
38 activities of a conservation district may be proposed by the district and imposed by the  
39 county legislative authority in which the district is located for a period or periods each  
40 not to exceed ten years; and  
41

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

1  
2 WHEREAS, on June 4, 2018, after holding public hearings in May 2018, the  
3 District filed with the Snohomish county council a system of rates and charges proposal  
4 to be imposed by council for five years beginning in 2019, which included a proposed  
5 incremental budget approach for the next four years to ensure service continuation; and  
6

7 WHEREAS, on October 31, 2018 and November 7, 2018, the council held public  
8 hearings on the District's proposed system of rates and charges pursuant to RCW  
9 89.08.405; and

10  
11 WHEREAS, council by way of amended Ordinance No. 09-082 previously  
12 imposed special assessments for natural resource conservation purposes on all non-  
13 exempt real property located within the District and county for a five year period  
14 beginning in 2010 at the rate of \$5.00 per parcel plus \$0.05 per acre and continued the  
15 imposition of the special assessments at the same rate by way of Ordinance No. 14-084  
16 for a five year period beginning in 2015; and  
17

18 WHEREAS, council by way of amended Ordinance No. 17-069 approved the  
19 District's transition from a system of assessments to a system of rates and charges to  
20 be imposed for natural resource conservation purposes on all non-exempt real property  
21 located within the District and county for a five year period beginning in 2018 at the rate  
22 of \$6.00 per parcel plus \$0.06 per acre; and  
23

24 WHEREAS, the council intends by this ordinance to modify and accept the  
25 system of rates and charges as proposed by the District on June 4, 2018 for natural  
26 resource conservation purposes on all non-exempt real property located within the  
27 District and county for a one year period beginning in 2019, as provided herein;  
28

29 NOW, THEREFORE, BE IT ORDAINED:

30  
31 Section 1. The Snohomish county council makes the following findings and  
32 conclusions:  
33

34 A. The foregoing recitals are incorporated as if fully set forth herein.  
35

36 B. The District is a governmental subdivision of the State of Washington  
37 authorized by chapter 89.08 RCW to conserve natural resources.  
38

39 C. As acknowledged by the legislature in RCW 89.08.010(4), there is a pressing  
40 need for the conservation of natural resources in all areas of the state, whether urban,  
41 suburban, or rural, and the benefits of resource practices, programs, and projects  
42 carried out by the state conservation commission and local conservation districts should  
43 be available to all such areas; and  
44

45 D. District activities and programs to be funded by the proposed system of rates  
46 and charges include promotion of sustainable agriculture and farmland preservation,

1 including supporting efforts to reduce the conversion of farmland to other uses and  
2 educating urban, suburban, and rural residents (including youth) on the importance of  
3 local agriculture and the value of farmland preservation; farm planning and water quality  
4 improvements, including providing farm planning and technical assistance in best  
5 management practice (BMP) implementation and enhancing financial support; natural  
6 resource management, including providing permit and other assistance to enhance  
7 critical resource management areas and participating in salmon recovery and other  
8 natural resource conservation planning efforts; county-wide information and education,  
9 including providing youth education programs, assisting the county and governmental  
10 entities, educating landowners regarding wildland fire prevention and risk through the  
11 "Firewise" program, and promoting stewardship, backyard conservation, and  
12 sustainable living; urban conservation, including providing technical services and  
13 financial assistance to urban and suburban landowners and supporting city natural  
14 resource conservation efforts; and

15  
16 E. All lands within the District subject to the proposed system receive a special  
17 benefit from the activities and programs of the District that are financed by the rates and  
18 charges; and

19  
20 F. The public interest will be served by the imposition of rates and charges as  
21 proposed by the District and imposed by this ordinance; and

22  
23 G. The system of rates and charges imposed on any land by this ordinance will  
24 not exceed the special benefits that the land receives or will receive from the activities  
25 and programs of the District; and

26  
27 H. The system of rates and charges imposed by this ordinance will not apply to  
28 areas within the District that are not located within the county, including Camano Island  
29 for which special assessments may be imposed by the legislative authority of Island  
30 County pursuant to WAC 135-100-040; and

31  
32 I. RCW 89.08.405(6) authorizes the county treasurer to deduct an amount from  
33 the collected rates and charges to cover costs incurred by the county assessor and  
34 county treasurer in spreading and collecting the rates and charges, as established by  
35 the Snohomish county council, but not to exceed the actual costs of such work.

36  
37 Section 2. Pursuant to RCW 89.08.405, subject to the limits for certain forest  
38 lands provided therein and the exemptions for non-assessed property and duration  
39 stated below, the county council hereby accepts the system of rates and charges  
40 proposed by the District and imposes annual rates and charges on all land within  
41 Snohomish County located within the boundaries of the District for the purpose of  
42 financing the programs and activities of the District. The system of rates and charges  
43 are imposed for a period of one year at \$7.00 per parcel plus \$0.07 per acre.

44  
45 Section 3. The following are classified as non-assessed property and are  
46 exempt from the system of rates and charges imposed by this ordinance:

- 1  
2 A. Parcels not taxed by the county, including publicly-owned and Native  
3 American lands;  
4  
5 B. Parcels zoned Forestry (F) under chapter 30.21 SCC;  
6  
7 C. Parcels located within the county but outside the boundaries of the District; and  
8  
9 D. Personal property.

10  
11 Section 4. The system of rates and charges imposed by this ordinance shall be  
12 collected in 2019 for a total period of one year.

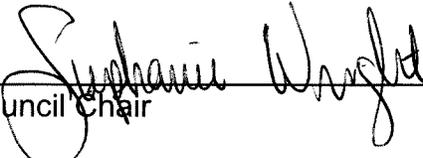
13  
14 Section 5. Pursuant to RCW 89.08.405(6) the system of rates and charges  
15 imposed by this ordinance shall constitute liens against the parcels assessed and shall  
16 be subject to the same conditions as tax liens, collected by the treasurer in the same  
17 manner as delinquent real property taxes, and subject to the same interest rate and  
18 penalty as for delinquent property taxes.

19  
20 Section 6. Pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW, the  
21 county and the District may enter into agreements providing for county review and  
22 approval of District work plans and budgets to coordinate programs for managing and  
23 conserving natural resources funded by the system of rates and charges imposed by  
24 this ordinance.

25  
26  
27 *[The remainder of this page is intentionally left blank.]*  
28

1 PASSED this 7<sup>th</sup> day of NOVEMBER, 2018.  
2  
3

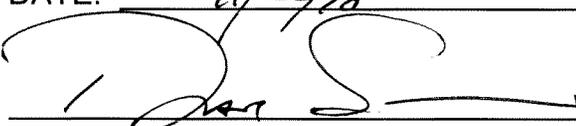
4 SNOHOMISH COUNTY COUNCIL  
5 Snohomish County, Washington  
6

7  
8   
9 \_\_\_\_\_  
10 Council Chair

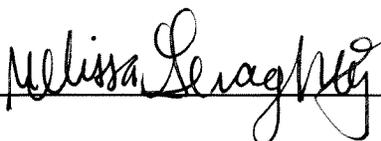
11 ATTEST:

12   
13 \_\_\_\_\_  
14 Clerk of the Council, ASST.  
15

- 16  
17  APPROVED  
18  EMERGENCY  
19  VETOED  
20

21  
22 DATE: 11/29/18  
23   
24 \_\_\_\_\_  
25 County Executive  
26

27 ATTEST:

28  
29   
30 \_\_\_\_\_  
31

32  
33 Approved as to form only:

34  
35   
36 \_\_\_\_\_ 08-27-18  
37 Deputy Prosecuting Attorney

D-2