

1 Adopted: October 28, 2020  
2 Effective: November 8, 2020

3  
4 SNOHOMISH COUNTY COUNCIL  
5 Snohomish County, Washington

6  
7 ORDINANCE NO. 20-049

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 TWO-YEAR PERIOD BEGINNING IN 2021  
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 July 14, 2020, after holding a public hearing on June 16, 2020,  
3 the District filed with the Snohomish county council a system of rates and charges to be  
4 imposed by council beginning in 2021, which included a proposal of the same rates and  
5 charges for the next two years to ensure service continuation; and  
6

7 WHEREAS, on October 28, 2020, the council held a public hearing on the  
8 District's proposed system of rates and charges pursuant to RCW 89.08.405; and  
9

10 WHEREAS, council by way of amended Ordinance No. 19-042 approved the  
11 District's proposed system of rates and charges to be imposed for natural resource  
12 conservation purposes on all non-exempt real property located within the District and  
13 county for a one-year period beginning in 2020 at the rate of \$8.00 per parcel plus \$0.08  
14 per acre; and  
15

16 WHEREAS, the council intends by this ordinance to accept the system of rates  
17 and charges as proposed by the District on July 14, 2020 for natural resource  
18 conservation purposes on all non-exempt real property located within the District and  
19 county for a two-year period beginning in 2021, as provided herein;  
20

21 NOW, THEREFORE, BE IT ORDAINED:  
22

23 Section 1. The Snohomish county council makes the following findings and  
24 conclusions:  
25

26 A. The foregoing recitals are incorporated as if fully set forth herein.  
27

28 B. The District is a governmental subdivision of the State of Washington  
29 authorized by chapter 89.08 RCW to conserve natural resources.  
30

31 C. As acknowledged by the legislature in RCW 89.08.010(4), there is a pressing  
32 need for the conservation of natural resources in all areas of the state, whether urban,  
33 suburban, or rural, and the benefits of resource practices, programs, and projects  
34 carried out by the state conservation commission and local conservation districts should  
35 be available to all such areas; and  
36

37 D. District activities and programs to be funded by the proposed system of rates  
38 and charges include promotion of sustainable agriculture and farmland preservation,  
39 including supporting efforts to reduce the conversion of farmland to other uses and  
40 educating urban, suburban, and rural residents (including youth) on the importance of  
41 local agriculture and the value of farmland preservation; farm planning and water quality  
42 improvements, including providing farm planning and technical assistance in best  
43 management practice (BMP) implementation and enhancing financial support; natural  
44 resource management, including providing permit and other assistance to enhance  
45 critical resource management areas and participating in salmon recovery and other  
46 natural resource conservation planning efforts; county-wide information and education,

1 including providing youth education programs, assisting the county and governmental  
2 entities, educating landowners regarding wildland fire prevention and risk through the  
3 “Firewise” program, and promoting stewardship, backyard conservation, and  
4 sustainable living; urban conservation, including providing technical services and  
5 financial assistance to urban and suburban landowners and supporting city natural  
6 resource conservation efforts; and  
7

8 E. All lands within the District subject to the proposed system receive a special  
9 benefit from the activities and programs of the District that are financed by the rates and  
10 charges; and  
11

12 F. The public interest will be served by the imposition of rates and charges as  
13 proposed by the District and imposed by this ordinance; and  
14

15 G. The system of rates and charges imposed on any land by this ordinance will  
16 not exceed the special benefits that the land receives or will receive from the activities  
17 and programs of the District; and  
18

19 H. The system of rates and charges imposed by this ordinance will not apply to  
20 areas within the District that are not located within the county, including Camano Island  
21 for which special assessments may be imposed by the legislative authority of Island  
22 County pursuant to WAC 135-100-040; and  
23

24 I. RCW 89.08.405(6) authorizes the county treasurer to deduct an amount from  
25 the collected rates and charges to cover costs incurred by the county assessor and  
26 county treasurer in spreading and collecting the rates and charges, as established by  
27 the Snohomish county council, but not to exceed the actual costs of such work.  
28

29 Section 2. Pursuant to RCW 89.08.405, subject to the limits for certain forest  
30 lands provided therein and the exemptions for non-assessed property and duration  
31 stated below, the county council hereby accepts the system of rates and charges  
32 proposed by the District and imposes annual rates and charges on all land within  
33 Snohomish County located within the boundaries of the District for the purpose of  
34 financing the programs and activities of the District. The system of rates and charges  
35 are imposed annually in the following manner: year 1 at \$8.00 per parcel plus \$0.08 per  
36 acre; and year 2 at \$8.00 per parcel plus \$0.08 per acre.  
37

38 Section 3. The following are classified as non-assessed property and are  
39 exempt from the system of rates and charges imposed by this ordinance:  
40

41 A. Parcels not taxed by the county, including publicly-owned and Native  
42 American lands;  
43

44 B. Parcels zoned Forestry (F) under chapter 30.21 SCC;  
45

46 C. Parcels located within the county but outside the boundaries of the District; and

1  
2 D. Personal property.  
3

4 Section 4. The system of rates and charges imposed by this ordinance shall be  
5 collected in 2021 and each year thereafter for a total of two years.  
6

7 Section 5. Pursuant to RCW 89.08.405(6) the system of rates and charges  
8 imposed by this ordinance shall constitute liens against the parcels assessed and shall  
9 be subject to the same conditions as tax liens, collected by the treasurer in the same  
10 manner as delinquent real property taxes, and subject to the same interest rate and  
11 penalty as for delinquent property taxes.  
12

13 Section 6. Pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW, the  
14 county and the District may enter into agreements providing for county review and  
15 approval of District work plans and budgets to coordinate programs for managing and  
16 conserving natural resources funded by the system of rates and charges imposed by  
17 this ordinance.  
18

19  
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21

1 PASSED this 28<sup>th</sup> day of October, 2020.  
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4 SNOHOMISH COUNTY COUNCIL  
5 Snohomish County, Washington  
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8 \_\_\_\_\_  
9 Council Chair

10 ATTEST:

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12   
13 \_\_\_\_\_  
14 Asst. Clerk of the Council  
15

16  
17 ( X ) APPROVED  
18 ( ) EMERGENCY  
19 ( ) VETOED  
20

21 DATE: 10/29/2020  
22 \_\_\_\_\_  
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24 \_\_\_\_\_  
25 County Executive  
26

27 ATTEST:

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31 \_\_\_\_\_  
32

33 Approved as to form only:  
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35

36 Rebecca Guadamud 08-13-2020  
37 Deputy Prosecuting Attorney