

1 APPROVED: 11/09/22  
2 EFFECTIVE: 11/25/22

3 SNOHOMISH COUNTY COUNCIL  
4 Snohomish County, Washington

5  
6 ORDINANCE NO. 22-039

7  
8 APPROVING A SYSTEM OF RATES AND CHARGES PROPOSED BY THE  
9 SNOHOMISH CONSERVATION DISTRICT PURSUANT TO RCW 89.08.405 FOR  
10 NATURAL RESOURCE CONSERVATION PURPOSES ON ALL NON-EXEMPT REAL  
11 PROPERTY LOCATED WITHIN SNOHOMISH CONSERVATION DISTRICT AND  
12 SNOHOMISH COUNTY FOR A TEN-YEAR PERIOD BEGINNING IN 2023  
13

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

17  
18 WHEREAS, the boundaries of the District include most of Snohomish County  
19 (hereinafter "County") and Camano Island, which is part of Island County; and  
20

21 WHEREAS, pursuant to RCW 89.08.405(1), the county legislative authority may  
22 in its discretion consider a proposal by a conservation district for a system of rates and  
23 charges as an alternative to, but not in addition to, a special assessment provided by  
24 RCW 89.08.400; and  
25

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

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

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

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

1 WHEREAS, on July 7, 2022, after holding a public hearing on July 6, 2022, the  
2 District filed with the Snohomish county council a system of rates and charges to be  
3 imposed by council beginning in 2023, which included a proposal of the same rates and  
4 charges for the next ten years to ensure service continuation; and  
5

6 WHEREAS, on November 9, 2022, the council held a public hearing on the  
7 District's proposed system of rates and charges pursuant to RCW 89.08.405; and  
8

9 WHEREAS, the council intends by this ordinance to accept the system of rates  
10 and charges as proposed by the District on July 7, 2022, for natural resource  
11 conservation purposes on all non-exempt real property located within the District and  
12 county for a ten-year period beginning in 2023, as provided herein;  
13

14 NOW, THEREFORE, BE IT ORDAINED:  
15

16 Section 1. The Snohomish county council makes the following findings and  
17 conclusions:  
18

19 A. The foregoing recitals are incorporated as if fully set forth herein.  
20

21 B. The District is a governmental subdivision of the State of Washington  
22 authorized by chapter 89.08 RCW to conserve natural resources.  
23

24 C. As acknowledged by the legislature in RCW 89.08.010(4), there is a pressing  
25 need for the conservation of natural resources in all areas of the state, whether urban,  
26 suburban, or rural, and the benefits of resource practices, programs, and projects  
27 carried out by the state conservation commission and local conservation districts should  
28 be available to all such areas; and  
29

30 D. District activities and programs to be funded by the proposed system of rates  
31 and charges include promotion of sustainable agriculture and farmland preservation,  
32 including supporting efforts to reduce the conversion of farmland to other uses and  
33 educating urban, suburban, and rural residents (including youth) on the importance of  
34 local agriculture and the value of farmland preservation; farm planning and water quality  
35 improvements, including providing farm planning and technical assistance in best  
36 management practice (BMP) implementation and enhancing financial support; natural  
37 resource management, including providing permit and other assistance to enhance  
38 critical resource management areas and participating in salmon recovery and other  
39 natural resource conservation planning efforts; county-wide information and education,  
40 including providing youth education programs, assisting the county and governmental  
41 entities, educating landowners regarding wildland fire prevention and risk through the  
42 "Firewise" program, and promoting stewardship, backyard conservation, and  
43 sustainable living; urban conservation, including providing technical services and  
44 financial assistance to urban and suburban landowners and supporting city natural  
45 resource conservation efforts; and  
46

1 E. All lands within the District subject to the proposed system receive a special  
2 benefit from the activities and programs of the District that are financed by the rates and  
3 charges; and  
4

5 F. The public interest will be served by the imposition of rates and charges as  
6 proposed by the District and imposed by this ordinance; and  
7

8 G. The system of rates and charges imposed on any land by this ordinance will  
9 not exceed the special benefits that the land receives or will receive from the activities  
10 and programs of the District; and  
11

12 H. The system of rates and charges imposed by this ordinance will not apply to  
13 areas within the District that are not located within the county, including Camano Island  
14 for which special assessments may be imposed by the legislative authority of Island  
15 County pursuant to WAC 135-100-040; and  
16

17 I. RCW 89.08.405(6) authorizes the county treasurer to deduct an amount from  
18 the collected rates and charges to cover costs incurred by the county assessor and  
19 county treasurer in spreading and collecting the rates and charges, as established by  
20 the Snohomish county council, but not to exceed the actual costs of such work.  
21

22 Section 2. Pursuant to RCW 89.08.405, subject to the limits for certain forest  
23 lands provided therein and the exemptions for non-assessed property and duration  
24 stated below, the county council hereby accepts the system of rates and charges  
25 proposed by the District and imposes annual rates and charges on all land within  
26 Snohomish County located within the boundaries of the District for the purpose of  
27 financing the programs and activities of the District. The system of rates and charges  
28 are imposed annually in the following manner: \$10.00 per parcel plus \$0.10 per acre.  
29

30 Section 3. The following are classified as non-assessed property and are  
31 exempt from the system of rates and charges imposed by this ordinance:  
32

33 A. Parcels not taxed by the county, including publicly-owned and Native  
34 American lands;  
35

36 B. Parcels zoned Forestry (F) under chapter 30.21 SCC;  
37

38 C. Parcels located within the county but outside the boundaries of the District; and  
39

40 D. Personal property.  
41

42 Section 4. The system of rates and charges imposed by this ordinance shall be  
43 collected in 2023 and each year thereafter for a total of ten years.  
44

45 Section 5. Pursuant to RCW 89.08.405(6) the system of rates and charges  
46 imposed by this ordinance shall constitute liens against the parcels assessed and shall


1 be subject to the same conditions as tax liens, collected by the treasurer in the same  
2 manner as delinquent real property taxes, and subject to the same interest rate and  
3 penalty as for delinquent property taxes.  
4

5 Section 6. Pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW, the  
6 county and the District may enter into agreements providing for county review and  
7 approval of District work plans and budgets to coordinate programs for managing and  
8 conserving natural resources funded by the system of rates and charges imposed by  
9 this ordinance.  
10

11 *[The remainder of this page is intentionally left blank.]*  
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13

1 PASSED this 9th day of November 2022.

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4 SNOHOMISH COUNTY COUNCIL  
5 Snohomish County, Washington

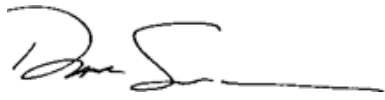
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8 \_\_\_\_\_  
9 Council Chair

10 ATTEST:

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12   
13 \_\_\_\_\_  
14 Clerk of the Council

- 15  
16  
17 (X) APPROVED  
18 ( ) EMERGENCY  
19 ( ) VETOED  
20

21  
22 DATE: November 15, 2022

23  
24   
25 \_\_\_\_\_  
26 County Executive

27 ATTEST:

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31 \_\_\_\_\_

32  
33 Approved as to form only:

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36 \_\_\_\_\_ 09-06-2022  
37 Deputy Prosecuting Attorney