

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

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12
13

1 PASSED this 9th day of November 2022.

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4 SNOHOMISH COUNTY COUNCIL
5 Snohomish County, Washington

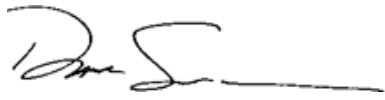
6
7 
8 _____
9 Council Chair

10 ATTEST:

11
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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29
30 
31 _____

32
33 Approved as to form only:

34
35 
36 _____ 09-06-2022
37 Deputy Prosecuting Attorney