



Legislation Text

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Clerk 06/16/2005

AN ORDINANCE authorizing the King County executive to enter into an interlocal agreement with the King Conservation District for support services to landowners relating to the implementation of and compliance with the King County Critical Areas Ordinance package.

STATEMENT OF FACTS:

1. In 1993, through the adoption of Ordinance 10870, King County established comprehensive requirements designed to protect environmentally sensitive areas in the county, including wetlands, streams, floodplains and steep slopes.
2. In October 2004, King County, in response to Growth Management mandates, adopted Ordinance 15051, which revised Ordinance 10870 and which is designed to provide further protection to environmentally sensitive areas, designated "critical areas" in that ordinance.
3. King County adopted two companion ordinances to Ordinance 15051, a stormwater ordinance (Ordinance 15052) to address additional controls of surface water runoff, and a clearing and grading ordinance (Ordinance 15053) to address prevention of sedimentation of streams and other aquatic areas. (Ordinances 15051, 15052 and 15053, referred to collectively as "the Critical Areas Ordinance package" or "CAO").
4. King County, in seeking to protect critical areas, also recognizes the importance of maintaining and promoting agricultural activities in the county. King County has designated agricultural lands of long-term commercial significance, and has adopted Comprehensive Plan

policies to conserve agricultural lands and ensure the continued viability of agricultural businesses.

5. King County also recognizes that agricultural activities have impacts on the landscape and natural environment, including critical areas, and require careful integration with measures to protect such critical areas.

6. The agricultural provisions in the CAO were developed in close coordination with the King County agriculture commission and provide for continued agricultural uses within buffers and expansions of agricultural uses into previously cleared areas through the use of a farm management plan, as defined in the CAO and King County Public Rule PUT 8-21 (PR) ("Farm Plan Public Rule"), effective February 24, 2005.

7. The CAO allows agricultural landowners to conduct specific activities regarding alterations to critical areas or their buffers, clearing and grading permits, and drainage review for new impervious surface development, if the landowners have in place and implement a farm management plan that has been approved by the King Conservation District and King County.

8. King Conservation District (hereinafter "KCD") is an independent non-regulatory municipal corporation of the State of Washington formed under chapter 89.08 RCW with the power and authority to engage in activities and programs relating to the conservation of renewable natural resources within its jurisdictional boundaries, including programs for the protection of soil and water, with particular emphasis on farming and animal-keeping practices.

9. KCD has a longstanding history of assisting farmers and agricultural landowners in preparing and implementing comprehensive farm management plans by utilizing the conservation planning process of the Natural Resource Conservation Service, which process produces plans that outline a long-term series of actions designed to meet farmers' goals while protecting natural resources.

10. In providing technical assistance and support to those seeking its services, without charge,

KCD has developed and created productive and positive relationships with the agricultural community at large, which has greatly benefited from KCD's services.

11. The CAO and Farm Plan Public Rule directs landowners to work with KCD to develop and gain King County approval of farm management plans used for purposes of meeting CAO objectives, and further directs landowners to work with KCD over time to implement approved farm management plans according to their terms and provisions.

12. KCD has determined that it will require a staffing increase of 3.4 full-time equivalents to carry out its role of assisting landowners with the development and implementation of farm management plans to be used for purposes of complying with the CAO.

13. King County desires that KCD receive sufficient funding to carry out its role in supporting implementation of the terms of the CAO and has agreed to provide such funding to support the increased demands on KCD's workload created by KCD's role in working with landowners on the development and implementation of farm management plans to comply with the CAO.

14. The 2005 King County budget requires that an interlocal agreement be executed between the county and the KCD in order for funding to be authorized and disbursed to KCD in connection with the services to be provided under this Agreement.

15. KCD's agricultural experience and expertise and longstanding relationship with the farming community will provide a great benefit to landowners seeking to comply with King County's new CAO.

16. The county and KCD are authorized to enter into an interlocal agreement in accordance with chapter 39.34 RCW, the Interlocal Cooperation Act.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County executive is hereby authorized to enter into and execute an interlocal agreement with the King Conservation District in substantially the form as attached to this ordinance, to

provide support to King Conservation District for its assistance in Critical Areas Ordinance package implementation.