

RESOLUTION NO. _____

**REGARDING THE ESTABLISHMENT OF SKAGIT COUNTY CLEAN WATER
(SHELLFISH PROTECTION) PROGRAM BUDGET AND FINANCE CHARGES**

WHEREAS, on August 19, 1994 a portion of the commercial shellfish beds in Samish Bay were downgraded by the Washington State Health Department; from either approved to restricted or from approved to prohibited (closed) due to bacterial contamination and in response on March 27, 1995 the Skagit County Board of Commissioners adopted Ordinance #15708 which created the Skagit County Clean Water (Shellfish Protection) District pursuant to State Law Chapter 90.72 RCW; and

WHEREAS, when downgrades or closures of commercial shellfish growing areas occur, RCW 90.72 requires that the local legislative authority establish a program to address the causes of pollution. The County's initial response was to develop a program to assist the communities of Edison and Blanchard in repairing failing on site sewage systems via a community sewer system and repairs to individual onsite sewage systems respectively; and

WHEREAS, portions of the downgraded areas were upgraded from restricted or prohibited to either conditionally approved or approved in May 1998, and July 2002; and

WHEREAS, despite the successful repairs to the sewage systems of Edison and Blanchard, there continues to be pervasive, nonpoint pollution occurring throughout the County which is contaminating the marine and fresh waters of Skagit County as evidenced by the fact that:

- Samish Bay has been on the "threatened" commercial shellfish bed list maintained by the Washington State Department of Health for six of the nine years that such a list has been maintained;
- There was a norovirus illness outbreak associated with the consumption of raw oysters from Samish Bay in November, 2003, and
- Similk Bay was closed to commercial shellfish harvesting in July 2000 largely due to failing onsite sewage disposal systems in the Similk Beach community; and

WHEREAS, on December 20, 2005 the Skagit County Board of Commissioners adopted Ordinance No. ~~02005004~~, creating a Clean Water Program (CWP) in unincorporated Skagit County, with program elements deemed appropriate to deal with non-point sources of pollution threatening water quality including, but not limited to, the elimination or decrease of contaminants in storm water runoff, ensure that onsite sewage systems are maintained and working properly, assuring that animal grazing and manure management systems are consistent with best management practices, and establishing an educational and public involvement program; and

WHEREAS, RCW 90.72 authorizes the County to finance its CWP with reasonable charges and rates to cover program element costs; and

WHEREAS, the Board of County Commissioners did authorize by Resolution No. R20050386 on November 7, 2005 a notice of public hearing to be issued requesting public comment and setting a date for a public hearing to receive testimony from the general public regarding setting the Clean Water Program budget and finance charges; and

WHEREAS, the Board of County Commissioners held a public hearing on November 21, 2005 and did receive public testimony and comment and continued the public hearing to November 28, 2005 at which time the public hearing was closed, the Board did then deliberate on the public comment and staff recommendations.

NOW, THEREFORE, BE IT RESOLVED that the following Clean Water Program budget and annual rates and charges are hereby established:

(1) Budget:

DEPARTMENT/AGENCY	ACTIVITY/PROGRAM	ANNUAL COST **
Department of Public Works	<ul style="list-style-type: none"> • SCC 14.24.120 (Ongoing Agriculture-Critical Areas Ordinance Compliance <ul style="list-style-type: none"> ◦ Water quality monitoring (\$32,500) ◦ Habitat monitoring (\$75,000) ◦ Adaptive management (\$25,000) • Habitat restoration projects and acquisitions (\$250,000) • Lake resource protection administration (\$30,000) • Marine Resource Committee (MRC) support (\$25,000) 	\$438,000
Department of Health	<ul style="list-style-type: none"> • Onsite sewage program (\$45,000) • Operations & maintenance program (\$217,500) • Complaint Investigation SCC 14.24.120 Ongoing Agriculture/Critical Areas Ordinance (\$11,250) 	\$274,000
Department of GIS/Mapping	<ul style="list-style-type: none"> • Mapping support services 	\$52,000
Department of Planning and Development Services	<ul style="list-style-type: none"> • Future regulation updates and compliance activities 	\$0 (only a placeholder at this time)
Skagit Conservation District	<ul style="list-style-type: none"> • Agricultural practice support programs 	\$163,000
Skagit Fisheries Enhancement Group	<ul style="list-style-type: none"> • Habitat protection and restoration support 	\$30,000
Skagit Watershed Council	<ul style="list-style-type: none"> • Lead entity and habitat protection and restoration project coordination 	\$30,000
Skagit Conservation Education Alliance	<ul style="list-style-type: none"> • Educational outreach and watershed nonpoint action plan(s) implementation 	\$12,000
TOTAL ANNUAL COSTS		\$999,000
** costs rounded up to nearest \$1000		

- (2) Assessment: The finance rates for single family residences shall be set on an average of 3,692 square feet of impervious surface area and multi-family residences be set based on an average of 4,550 square feet of impervious surface area, consequently the annual rates are hereby established as follows:

CLASS OF PROPERTY	RATE PER PARCEL
(a) Parcels containing single-family residences (including accessory dwelling unit)	\$21.55 per parcel
(b) Parcels containing duplex, triplex, or fourplex residential units (multi-family)	\$26.56 per parcel
(c) Parcels containing apartments of more than four residential units, commercial, industrial, or institutional establishments	\$0.007 per impervious surface square foot
(d) County roads	\$0.007 per impervious surface square foot
(e) State roads	\$0.007 per impervious surface square footage

BE IT FURTHER RESOLVED that:

- (1) The monies collected to support the CWP budget shall be deposited by the Skagit County Treasurer into a revenue fund (or revenue funds) dedicated for this purpose.
- (2) Monies allocated to specific activities and programs as set forth within this Resolution are estimates which may be amended by the Department/Agency receiving such funding provided any change to the identified activities and programs and/or the overall Department/Agency annual cost must be approved by the Skagit County Board of Commissioners through a revised/amended budget resolution.
- (3) For the purpose of carrying out the intent of this Resolution, Skagit County shall enter into contracts with agencies and entities identified as receiving support from the CWP. Scope of work and compensation shall be consistent with this budget resolution and the CWP.

BE IT FURTHER RESOLVED that the proposed budget, rates and charges identified in this resolution shall become effective on January 1, 2007 and shall remain effective for three years (until December 31, 2009).

BE IT FURTHER RESOLVED that the Director of the Department of Public Works is hereby directed to incorporate the CMP elements into a comprehensive and coordinated countywide program for flood damage reduction, storm water control, drainage, and water quality protection in partnership with the cities, towns, drainage districts, and diking districts within Skagit County, and other interested agencies and citizens and report back to the Board of County Commissioners by December 31, 2008.

WITNESS OUR HAND AND THE OFFICIAL SEAL OF OUR OFFICE this ~~28th~~ day of
~~November~~, 2005.

December

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

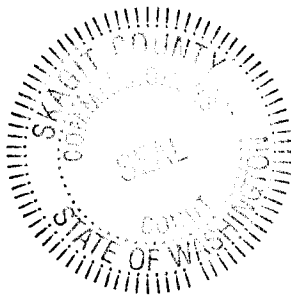
Don Munks

DON MUNKS, Chairman

Kenneth A. Dahlstedt

KENNETH A. DAHLSTEDT, Commissioner

TED W. ANDERSON, Commissioner



ATTEST:

Joanne Giesbrecht

Joanne Giesbrecht, Clerk of the Board
Skagit County Board of Commissioners

SKAGIT COUNTY
Resolution # R20050487