

NO. 11-1190

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF ADOPTING A RESOLUTION)
ELECTING TO PARTICIPATE IN THE)
VOLUNTARY STEWARDSHIP PROGRAM AS)
PROVIDED FOR BY ESHB 1886)

RESOLUTION

WHEREAS, pursuant to the provisions of RCW 36.32.210(6) the Board of County Commissioners of Spokane County, Washington (the "Board") has the care of county property and the management of county funds and business; and

WHEREAS, pursuant to the provisions of chapter 36.7A RCW, the Board is required to adopt a Critical Areas Ordinance for the unincorporated areas of Spokane County and may amend the same; and

WHEREAS, pursuant to the provisions of chapter 36.70A RCW, the Board adopted a Critical Areas Ordinance for Spokane County on March 26, 1996 under Resolution No. 96-0302 and amended said Critical Areas Ordinance on August 19, 2003 under Resolution No. 03-0754) and on June 8, 2008 under Resolution No. 08-0609; and

WHEREAS, the Washington State Legislature, through ESHB 1886, created a Voluntary Stewardship Program ("VSP") for protection of critical areas in areas used for agricultural activities; and

WHEREAS, ESHB 1886 states that "As an alternative to protecting critical areas in areas used for agricultural activities through development regulations adopted under RCW 36.70A.060, the legislative authority of a county may elect to protect such critical areas through the program"; and

WHEREAS, prior to electing to participate in the VSP, a county is required to a) confer with tribes, and environmental and agricultural interests; and b) provide notice following the public participation and notice provisions of RCW 36.70A.035 to property owners and other affected and interested individuals, tribes, government agencies, businesses, school districts, and organizations"; and

WHEREAS, consistent with the immediately preceding recital, Spokane County posted to its web page a copy of ESHB 1886, a four page informational brochure prepared by the Ruckleshaus Center dated May 2011, and a copy of Resolution No. 11-1088 was a resolution published in The Spokesman Review Newspaper 15 days before a public hearing on 5:30 p.m. on December 13, 2011 or as soon as possible thereafter wherein the Board would consider public testimony on whether or not Spokane County should participate in the VSP. An e-mail notice of Resolution No. 11-1088 was also sent to an extensive list of public agencies, state agencies, neighborhood associations, incorporated cities and towns, tribes, school districts, service purveyors, and other interested parties; and

WHEREAS, consistent with Resolution No. 11-1088, the Board of County Commissioners held a public hearing on December 13, 2011, to hear testimony and take public comment regarding whether or not Spokane County participates in the VSP. Two individuals appeared and testified in support of Spokane County participating in the VSP; and

WHEREAS, on December 20, 2011, the Board of County Commissioners deliberated on electing to participate in the VSP; and

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WHEREAS, subsequent to December 13, 2011, and consistent with ESHB 1886 Section 4(2)(b), the Board via e-mail invited agricultural and environmental groups and local tribes to confer about County participation in the VSP; and

WHEREAS, upon election to participate in the VSP, Spokane County, upon receipt of funding from the State of Washington to implement ESHB 1886, shall direct staff to develop and recommend proposed revisions to the Critical Areas Ordinance, consistent with ESHB 1886, along with any regulations deemed necessary to serve the public health, safety, and welfare in Spokane County; and

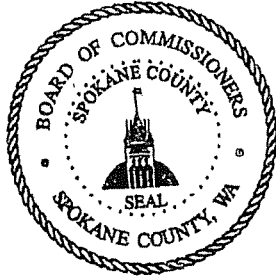
NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Spokane County, Washington, pursuant to ESHB 1886 that the Board does hereby:

- (1) elect to have Spokane County participate in the VSP, and
- (2) nominates the entirety of unincorporated Spokane County to participate in the VSP to include all its watersheds.

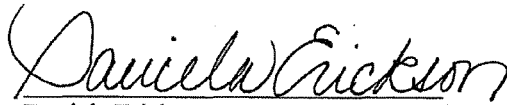
In taking the above action, the Board of County Commissioners does adopt each and every recital in support thereof and does find that it has satisfied the provisions set forth in ESHB 1886 Section 4(2).

BE IT FURTHER RESOLVED, by the Board of County Commissioners of Spokane County, Washington, that the Clerk of the Board is directed to provide a copy of this resolution to the State Conservation Commission as defined in RCW 90.58.065.

PASSED AND ADOPTED this 23rd day of December 2011.



ATTEST:


Daniela Erickson
Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON


AL FRENCH, Chair


TODD MIELKE, Vice-Chair


MARK RICHARD, Commissioner