

**BOARD OF COUNTY COMMISSIONERS
STEVENS COUNTY, WASHINGTON**

ORDINANCE NO. 2011-__05

**AN ORDINANCE ELECTING TO PARTICIPATE IN
THE VOLUNTARY STEWARDSHIP PROGRAM (RCW 36.70A.705)**

- WHEREAS:** the Washington State Legislature, through ESHB 1886, now codified as RCW 36.70A.700, created a Voluntary Stewardship Program ("VSP") for protection of critical areas in areas of agricultural activities; and
- WHEREAS:** ESHB 1886, as codified in RCW 36.70A.710, 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:** in order to participate in the VSP, the legislative authority of a county must elect to participate by January 22, 2012 before statewide guidelines or implementing authorities have been proposed or adopted; 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:** Stevens County Land Services developed a public participation schedule that included 3 workshops held throughout the County and an open record hearing before the Board of County Commissioners. A memo inviting public participation in the decision making process was mailed to 55 agencies, tribes and interested parties. Legal notice was published in the *Chewelah Independent*. Additionally, paid advertising was purchased in the *Chewelah Independent* and the *Statesman-Examiner*. Notice of the workshop schedule and public hearing and other materials were also posted on the Land Services website; and
- WHEREAS:** prior to electing to participate in the VSP, a county is required to consider the role of farming within the County, including the number and acreage of farms, the economic value of cops and livestock and the risk of conversion of farmland; and
- WHEREAS:** according to the 2007 USDA Census of Agriculture, Stevens County has 1,258 farms which encompass 531,082 acres. The market value of the crops and livestock is \$25 million. The major commodities for the County are cattle, hay, and nursery/greenhouse products. Agricultural activities are conducted in all seven watersheds. Economic sustainability is probably the leading cause of conversion of farmland to other uses.
- WHEREAS:** after due notice, the Stevens County Board of County Commissioners held a public hearing on December 13, 2011, to hear testimony and take public comment regarding Stevens County electing to participate in the VSP; and
- WHEREAS:** the Stevens County Board of County Commissioners determined that written comment would be accepted until 4:30 p.m., December 20, 2011, and continued the public hearing until December 27, 2011; and
- WHEREAS:** on December 27, 2011, the Stevens County Board of County Commissioners deliberated on this ordinance.

NOW, THEREFORE BE IT ORDAINED That the Stevens County Board of County Commissioners hereby:

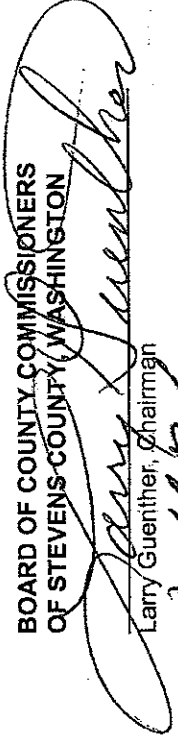
1. Elects to have Stevens County participate in the *Voluntary Stewardship Program*.
2. Identifies all watersheds within Stevens County: 1) WRIA 54, Lower Spokane, 2) WRIA 55, Little Spokane, 3) WRIA 58, Middle Lake Roosevelt, 4) WRIA 59, Colville, 5) WRIA 60, Kettle, 6) WRIA 61, Upper Lake Roosevelt and 7) WRIA 62, Pend Oreille, to participate in the *Voluntary Stewardship Program*.
3. Nominates WRIA 59, the Colville Watershed, for consideration by the State Conservation Commission as a state priority watershed.
4. Elects to have Stevens County proceed as required by RCW 36.70A.715, to implement the requirements of the *Voluntary Stewardship Program* once the Washington State Legislature provides adequate funding for such activity.
5. Stevens County accepts the current terms and provisions of the Voluntary Stewardship Program as offered in ESHB 1886. In the event Stevens County finds there has been or will be action by Washington State to make unilateral change(s) to the terms and provisions of the Voluntary Stewardship Program, Stevens County reserves the right to withdraw its acceptance and withdraw from participation in the program.

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause or phrase of this resolution, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this resolution be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Adopted by the Board of Stevens County Commissioners meeting in regular session at Colville, Washington, by the following vote, then signed by its membership and attested to by its Clerk in authorization of such passage the 27th day of December, 2011.

3 YEA; 0 NAY; 0 ABSTAIN; and 0 ABSENT


**BOARD OF COUNTY COMMISSIONERS
OF STEVENS COUNTY, WASHINGTON**


Larry Guenther, Chairman


Malcolm Friedman, Commissioner


Don Dashiell, Commissioner

ATTEST:


Polly Coleman
Clerk of the Board