



## King Conservation District

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March 20, 2012

Hello King Conservation District Partners, Cooperators and Friends,

I am writing to you today to let you know about some significant recent events that will impact the King Conservation District's services and grant programs in 2012. The long awaited Washington State Supreme Court ruling in the Cary v. Mason County case was issued on February 16, 2012. The Court ruled 9-0 that the Mason County Ordinance imposing a special assessment of \$5.00 per parcel plus zero cents per acre was invalid because it failed to meet the statutory requirement (RCW 89.08.400(3)) which requires counties to classify lands into suitable classifications according to benefits conferred. The Court ruled that a classification with a per acre rate of zero cents is not a suitable classification for lands that benefit from a district's activities.

### **Impact of the Ruling**

Because King CD receives funding through a King County Ordinance that contains a classification of lands similar to that included in the Mason County Ordinance, our assessment will likely be declared to be invalid on similar grounds. As you may know, King CD has funded its grant programs as well as its core operations with assessment funds. As it stands right now, ***King CD does not anticipate that there will be 2012 assessment funding available for District operations or District grants.***

### **2013 and Beyond**

In order to address previous legal challenges and arguments made by other property owners relating to the imposition of special assessments, a coalition of Conservation Districts, including King CD, Pierce CD and Spokane CD worked with legislators to introduce a bill (HB2567) to the state legislature which provides for a system of rates and charges as an alternative to the special assessment system. This bill has passed through the 2012 legislature and will be signed by the Governor today. The bill will provide an alternative option for the future. However, ***it cannot be implemented until 2013*** because of the clearly defined statutory process for adopting a new rates and charges system.

### **The Near Future**

When conservation funding was more plentiful five to six years ago, the King CD Board prudently began building a reserve fund to temporarily cover its operations and core programs and thus be able to support its partners should a funding emergency occur. Unfortunately, the funding challenges that plagued conservation programs from 2006 forward prevented the District from growing its reserve to the level initially intended.

The District is currently moving forward on several fronts to ascertain what unanticipated expenses are, and will be incurred, in 2012 in order to cope with the new situation. ***Additionally, the District is working on an analysis of what cuts can be made to operations, programs and grants for 2012 and the first half of 2013 when new revenue will be available.*** King Conservation District will be consulting with King County, its jurisdictional partners, the watershed forums and partner NGOs, both directly and through its Advisory Committee, to mitigate disruption to the District's operations and grant programs until a new funding system can be developed and implemented. We ask for your understanding, support and assistance as we work together to find solutions to this challenge.

Bill Knutsen,

A handwritten signature in blue ink that reads "Bill Knutsen". The signature is written in a cursive, flowing style.

Chair, King Conservation District