

City of Everett

Initiative 24-03

City of Everett Initiative No. 24-03 recognizing legally enforceable rights for the Snohomish River Watershed.

This ordinance would grant the Snohomish River Watershed legal rights that could be enforced by any resident of the City of Everett. Anyone who negatively impacts the Watershed's ability to exist, regenerate or flourish would violate this right and could be liable for damages, which would be paid to the City to use exclusively to restore the Watershed and repair any damages. Violations would not need to be proven to a scientific certainty.

Should this ordinance be enacted into law?

- Yes, for the Ordinance
- No, against the Ordinance

Explanatory Statement

This ordinance would grant the Snohomish River Watershed the legal right to exist, regenerate and flourish, which includes the right to naturally flow and recharge, the right to maintain the water quality necessary for native plants and wildlife, and the right to provide clean water. It also includes the right to be free from activities or projects that interfere with those other rights.

It would be unlawful for anyone to interfere with the Watershed's enumerated rights. Anyone with standing in the City of Everett could bring a court action to enforce and protect these rights. A person found by a court to have violated the rights of the Watershed could be ordered to pay damages in the amount necessary to fully restore the Watershed to its natural state before the violation and attorney fees. A person bringing the suit would not have to prove the cause of the damage to a scientific certainty.

Any damages award in a lawsuit brought to protect the rights of the Watershed would be paid to the City of Everett. The City would be required to use those funds exclusively for the full and complete restoration of the Watershed as affected by the violation.

Arguments For and Against this measure are on next page →

Arguments are the opinion of the committee and are not checked for factual or grammatical accuracy by the Auditor's office.

Argument For

This initiative isn't just about protecting the Snohomish River and the network of streams that make up the watershed; it's about ensuring our community's health, economic vitality, and future. A healthy watershed performs crucial functions by filtering and cleaning water, managing flow and flooding, supporting wildlife and biodiversity, and is foundational to the local economy. It's not just about nature; it's about ensuring the watershed can carry out these essential functions that benefit everyone—citizens, government, and the broader community.

The legal power this initiative grants provides the river and its watershed with legal standing, allowing the community to represent this vital resource in court. It's like having a legal guardian for our watershed, preventing it from being exploited. The people of Everett will have the authority to enforce these rights and become active stewards of the watershed.

Accountability is key; if someone harms the river, they will be held responsible. It's about fairness—ensuring that those who profit from the land and river respect it. Lawsuits require credible evidence of harm to prevent unnecessary litigation, while addressing genuine concerns, and fostering collaboration between the community, businesses, and government. Scientific certainty isn't required because proactive measures based on the best available evidence can still protect ecological health effectively, even if all details aren't fully understood.

Vote Yes to give the Snohomish River the protection it deserves. It's time we treat our river and its watershed not just as a resource, but as a partner in our prosperity.

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Argument Against

No statement submitted

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