

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Bob Imhof		7/5/ 95		7/18/95	Introduced, County Council
Division Head:					
Dept. Head:					
Prosecutor:	DG	7/21/95			
Purchasing/Budget:					
Executive:					

SUBJECT:

Ordinance Creating a Special Shellfish Protection District and a Response Plan, as Required by RCW 90.72

ATTACHMENTS:

SUMMARY STATEMENT:

Please complete sections of box as appropriate & explain the item below.

Related County contract #:	Should Clerk schedule a hearing? NO / / YES / / Requested date:
Amount budgeted for this item/project:	Is it (or will it be) within budget? YES / / NO / / (Please explain below)
Budget line item number(s):	

ORIGINATOR'S RECOMMENDED ACTION:

COUNCIL ACTION TAKEN:

7/5/95: Introduced

7/18/95: Substitute amended and adopted 6-0

Related File Numbers:

Ordinance or Resolution Number (this item only):

SPONSORED BY: HARRIS/IMHOF
PROPOSED BY: HARRIS/IMHOF
INTRODUCTION DATE: 7/5/95

ORDINANCE NO. 95-036

ESTABLISHING A SHELLFISH PROTECTION DISTRICT
IN THE DRAYTON HARBOR WATERSHED

WHEREAS, on January 11, 1995 the State Department of Health downgraded the status of portions of Drayton Harbor as either prohibited or restricted for the production and consumption of shellfish as a result of elevated levels of fecal bacteria; and


WHEREAS, as a result of the downgrade RCW 90.72.045 requires Whatcom County to form a Shellfish Protection District to address non-point sources of pollution that have lead to the downgraded status; and

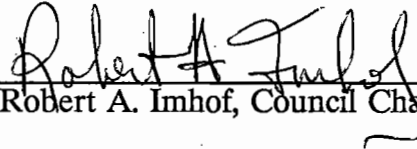
NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that a Drayton Harbor Watershed Shellfish Protection District as shown in Attachment A is hereby adopted.

ADOPTED this 18th day of July, 1995.

ATTEST:

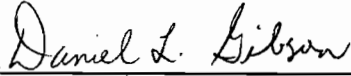
WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Dana Brown-Davis, Council Clerk


Robert A. Imhof, Council Chair

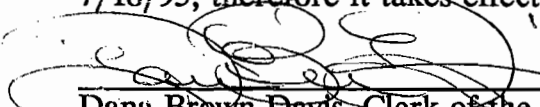
APPROVED AS TO FORM:

() Approved () Denied


Civil Deputy Prosecutor

Shirley Van Zanten, Executive
Date: 7-28-95

***Clerk's Note: The Executive declined to sign this ordinance on 7/25/95. She states, in an informal, handwritten note (signed by Shirley Van Zanten), "I am declining to sign Ord. 95-036 because I am uneasy about the adequacy of the process followed in its adoption". Whatcom County Home Rule Charter Section 2.30 states, in part: "If the Executive does not either sign or veto an ordinance within ten (10) days, Saturdays, Sundays, and holidays excepted, after presentation of the ordinance by the Council, it shall become law without the Executive's signature." this ordinance was adopted 7/18/95; therefore it takes effect 7/28/95.



Dana Brown-Davis, Clerk of the Council
Dated 7/31/95

I am declining to
sign Ord. 95-036 because
I am uneasy about the
adequacy of the process
followed in its adoption.

Shirley Van Zanten

Chapter 16.20 (NEW)

Drayton Harbor Shellfish Protection District

Sections

- 16.20.010 Establishment and authority of district.
- 16.20.015 Purpose.
- 16.20.020 District boundaries.
- 16.20.040 Revenue authority.
- 16.20.050 Sunset date and dissolution of district.
- 16.20.060 Relationship with other entities.
- 16.20.065 Advisory groups.
- 16.20.090 Severability.

16.20.010 Establishment and authority of district. There is hereby established the Drayton Harbor Shellfish Protection District under the authority of RCW 90.72 Shellfish Protection District.

16.20.015 Purpose. The purpose of the district is to provide services to citizens experiencing non-point pollution of surface water drainages, and coastal waters and to implement those portions of the Closure Response Strategy necessary to allow removal of the Drayton Harbor downgrade:

Section 16.20.020 District boundaries. The district shall be the approximate area included in the Drayton Harbor Watershed and contained within the boundaries that are declared as follows:

Commencing on the forty-ninth parallel at the point dividing the American and Canadian territory in the Gulf of Georgia; thence easterly along said international boundary line to the intersection of Markworth Road; thence southerly along the centerline of Markworth Road to the intersection of Badger Road; thence easterly along the centerline of Badger Road to the intersection of Glendale Road; thence southerly along the centerline of Glendale Road to the intersection of Loomis Trail Road; thence westerly along the centerline of Loomis Trail Road to the intersection of Bob Hall road; thence southerly along the centerline of Bob Hall Road to the intersection of Birch Bay-Lynden Road; thence westerly along the centerline of Birch Bay-Lynden Road to the intersection of Woodland Road; thence southerly along the centerline of Woodland Road to the intersection of Harksell Road; thence easterly along the centerline of Harksell Road to the intersection of Enterprise Road; thence southerly along the centerline of Enterprise Road to the intersection of Aldergrove Road; thence westerly along the centerline of Aldergrove road to the intersection of Olson Road; thence northerly along the centerline of Olson Road to the intersection of Grandview Road; thence westerly along the centerline of Grandview Road to the intersection of Valley View road; thence northerly along the centerline of Valley View Road to the intersection of Bay Road; thence westerly along the centerline of Bay Road

1 to the intersection of Kickerville Road; thence northerly along the centerline of
2 Kickerville Road to the intersection of Birch Bay-Lynden Road; thence westerly
3 along the centerline of Birch Bay-Lynden Road to the intersection of Blaine
4 Road; thence northerly along the centerline of Blaine Road to the intersection of
5 Lincoln Road; then westerly along the centerline of Lincoln Road to where it
6 becomes Semiahmoo Parkway; thence following the centerline of Semiahmoo
7 Parkway to the intersection of Drayton Harbor Road; thence following a line
8 running off-shore to the point of origin in the Gulf of Georgia, plotted in such a
9 manner as to follow existing boundaries of land parcels.

10 **Section 16.20.040 Revenue authority.** The revenue authorities granted under RCW
11 90.72 shall be exercised at the discretion of the Board of Supervisors, which shall be the
12 County Council for the operation of this district.

13 **16.20.050 Sunset date and dissolution of district.** This district shall be dissolved and
14 this Chapter repealed, on December 31, 1998 unless specifically extended by ordinance
15 of the county legislative authority, or upon the removal of the downgrade. The district
16 may also be dissolved by the county legislative authority by ordinance.

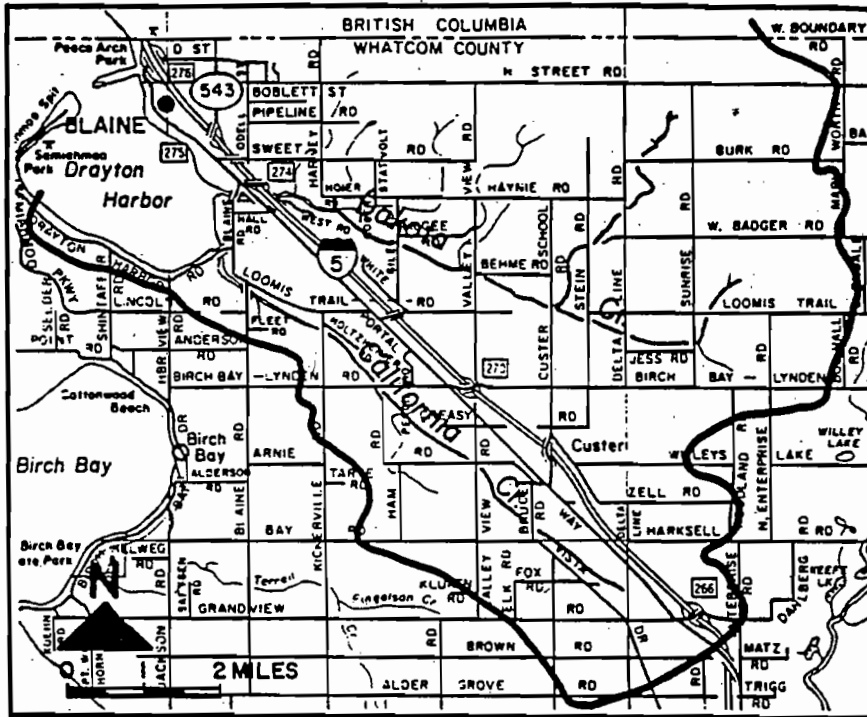
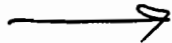
17 **16.20.060 Relationship with other entities.** No program or activity proposed by the
18 district shall replace or consolidate existing activities performed by cities or other non-
19 county provided water-related special purpose districts without their consent. In
20 formulating new programs consultation and coordination shall occur with cities and other
21 water related special districts.

22 **16.20.065 Advisory groups.** The board of supervisors shall appoint an advisory
23 committee of not more than nine members to advise on the overall operations of the
24 district. In establishing district advisory committees, all members shall have a direct
25 interest in the district.

26 **16.20.090 Severability.** If any provision of this chapter is found to be invalid, all
27 remaining provisions shall continue in effect.

Drayton Harbor Watershed

FROM 1988
WATERSHED
RANKING REPORT



FOR LEGAL
DESCRIPTION →

