

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2006 - 58

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	Council	1/17/2006		1/17/2006	Introduction
Division Head:				1/31/2006	Public Hearing
Dept. Head:	<i>AB</i>	<i>1-17-06</i>			
Prosecutor:					
Purchasing/Budget:					
Executive:					

TITLE OF DOCUMENT:

Interim Ordinance Shoreline Management Program Aquaculture Regs. 23.100.20.57

ATTACHMENTS:

Interim ordinance

SEPA review required? () Yes () NO Should Clerk schedule a hearing? () Yes () NO
 SEPA review completed? () Yes () NO Requested Date: 1/31/2006

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Interim ordinance amending the Shoreline Management Program, 23.100.20.57 Aquaculture Regulations

COMMITTEE ACTION:

COUNCIL ACTION:

1/17/2006: Introduced
 1/31/06: Council adopted the ordinance.
 5-1-0 with Crawford opposed and Nelson absent. Ord 2006-003

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number: Ord 2006-003

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

**PROPOSED BY: Brenner, McShane,
And Caskey-Schreiber
SPONSORED BY: Consent
INTRODUCED: January 17, 2006**

ORDINANCE NO. 2006-003

**INTERIM ORDINANCE AMENDING THE WHATCOM COUNTY SHORELINE
MANAGEMENT PROGRAM, SECTION 23.100.20.57, AQUACULTURE
REGULATIONS**

WHEREAS, on August 13, 2002, the Whatcom County Council approved Resolution 2002-036 supporting a moratorium on commercial marine salmon net pens; and

WHEREAS, residents of Whatcom County have made significant sacrifices and forgone harvest opportunity and restrictions on land and water use; and

WHEREAS, residents have volunteered considerable time, money, and resources to the restoration of native salmon runs; and

WHEREAS, various economic sectors in Whatcom County such as recreational and tourism businesses, the fishing industry, and fisheries depend on healthy wild fish populations; and

WHEREAS, scientific evidence indicates marine net pens degrade the marine environment through impacts to water quality, sediment quality, and the health of benthic and pelagic organisms; and

WHEREAS, the goals of federal, state, and local salmon recovery efforts are jeopardized by the negative impacts of commercial marine salmon net pens; and

WHEREAS, currently there are no commercial marine salmon net pens operating in Whatcom County and precautionary approaches to marine habitat protection are in the county's best interest; and

WHEREAS, the Whatcom County Council finds the following facts in support of this ordinance:

FINDINGS-

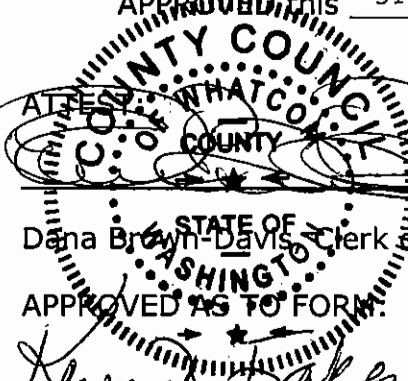
1. The Washington State Pollution Control Hearings Board has determined that escapement of introduced Atlantic salmon are a serious biological pollutant under the Federal Clean Water Act and the State's Water Pollution Control Act, Chapter 90.48, RCW.
2. Farmed salmon pose a threat to wild salmon stocks through the use of antibiotics to treat net pens, causing an increase of antibiotic resistant bacteria in a marine environment.

3. Scientific studies have shown that Atlantic salmon are capable of competing with native fish species for increasingly scarce quality habitat.
4. The Washington State Department of Fish and Wildlife reports that over 500,000 Atlantic salmon have escaped from net pens into Washington State's waters in the last decade and even larger numbers of Atlantic salmon have escaped into British Columbia's waters.
5. Recent scientific evidence documents the presence of Atlantic salmon in 78 rivers and streams in British Columbia, and spawning populations have been documented in three Vancouver Island rivers.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the Whatcom County Shoreline Management Program, Section 23.100.20.57 is temporarily amended as indicated in Exhibit A to this ordinance.

BE IT FURTHER ORDAINED by the Whatcom County Council, pursuant to RCW 36.70.795, that this ordinance shall be effective for not longer than six months following its effective date, but may be renewed for one or more six-month periods if subsequent public hearings are held and findings of fact are made prior to each renewal.

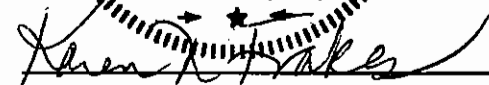
APPROVED this 31 day of January, 2006.



 ATTEST:

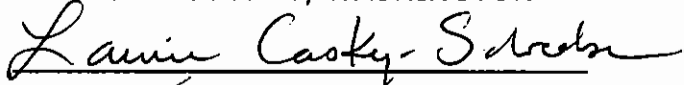
 Dana Brown-Davis, Clerk of the Council

 APPROVED AS TO FORM:



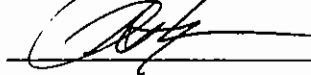
Civil Deputy Prosecutor

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Laurie Caskey-Schreiber, Council Chair

APPROVED DENIED



Pete Kremen, County Executive

Date: 1-3-06

EXHIBIT A

(SHORELINE REGS.)

23.100.20.57

Commercial salmon net-pen facilities shall not be located ~~closer than twelve statute miles by transit on the surface of the water from the mouth of any river containing significant anadromous fish runs.~~ in Whatcom County waters.