

**WHATCOM COUNTY COUNCIL AGENDA BILL**

NO. 2007-113A

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: K. Christensen	KNC	2/14/07	RECEIVED  FEB 20 2007  WHATCOM COUNTY COUNCIL	2/27/07	Introduction
Division Head: K. Christensen	KNC	2/14/07		3/13/07	Public Hearing Held Open
Dept. Head:	FMA	2/15/07		3/27/07	Council
Prosecutor: D. Gibson	DG	02/14/07			
Purchasing/Budget: B. Bennett					
Executive: P. Kremen	PK	2-20-07			

**TITLE OF DOCUMENT:**

**Ordinance establishing the Birch Bay Watershed and Aquatic Resources Management District**

**ATTACHMENTS:**

- 1) Memorandum
- 2) Ordinance

SEPA review required? ( ) Yes ( X ) NO  
 SEPA review completed? ( ) Yes ( ) NO

Should Clerk schedule a hearing? ( X ) Yes ( ) NO  
 Requested Date: March 13, 2007

**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.)

Attached is an ordinance authorizing the establishment of the Birch Bay Watershed and Aquatic Resources Management District as authorized by the county-wide flood control zone district (RCW 86.15.025). A public hearing on this is requested for March 13, 2007.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

2/27/2007: Introduced  
 3/13/2007: Public Hearing held open -  
 introduced new version of ordinance  
 3/27/2007: Council Adopted 6-1, Brenner  
 opposed Ord. 2007-019

Related County Contract #:

Related File Numbers:

Agenda Bill No. 2007-113

Ordinance or Resolution Number:

Ord. 2007-019

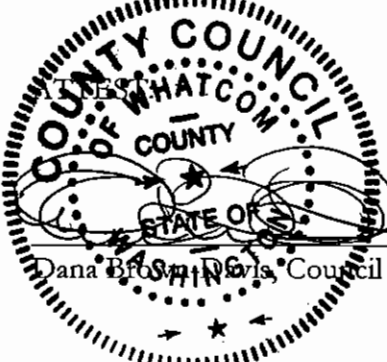
Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).



42 Birch Bay Watershed and Aquatic Resources Management District at the regular Whatcom County  
43 Council meeting.

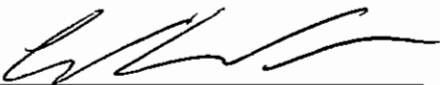
44  
45 NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Flood Control Zone  
46 District Board of Supervisors that the Birch Bay Watershed and Aquatic Resources Management  
47 District is hereby established, as enabled by RCW 86.15.025, with its boundaries set as described in  
48 Exhibit A, attached hereto and incorporated herein by reference.

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50 ADOPTED this 27 day of March, 2007.




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58 Dana Brown, Council Clerk

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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Carl Weimer, Council Chair

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Assistant Chief Deputy Prosecutor

  
\_\_\_\_\_  
Pete Kremen, Executive

Date: 3-29-07

## **EXHIBIT “A”**

### **Birch Bay Watershed and Aquatic Resources Management District as formed under RCW 86.15.025**

#### **Boundary Legal Description**

The Birch Bay Stormwater Management Plan Sub Flood Zone comprises all or portions of Sections 10, 11, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, and 36, Township 40 North, Range 1 West, Sections 1, 2, 3, 10, 11, 12, 13, 14, and 24, Township 39 North, Range 1 West, Sections 2 through 18, 21, 22, 23, 24, and 28, Township 39 North, Range 1 East, and Sections 19, 20, 29, 30, 31, 32, 33, Township 40 North, Range 1 East, of Willamette Meridian; said Sub Flood Zone boundary more particularly described as follows: (For the purposes of this description Section, Township, and Range may be abbreviated as Section #, T # N., R # E. or W. and abbreviations NE for Northeast, NW for Northwest, SW for Southwest, and SE for Southeast may be used.)

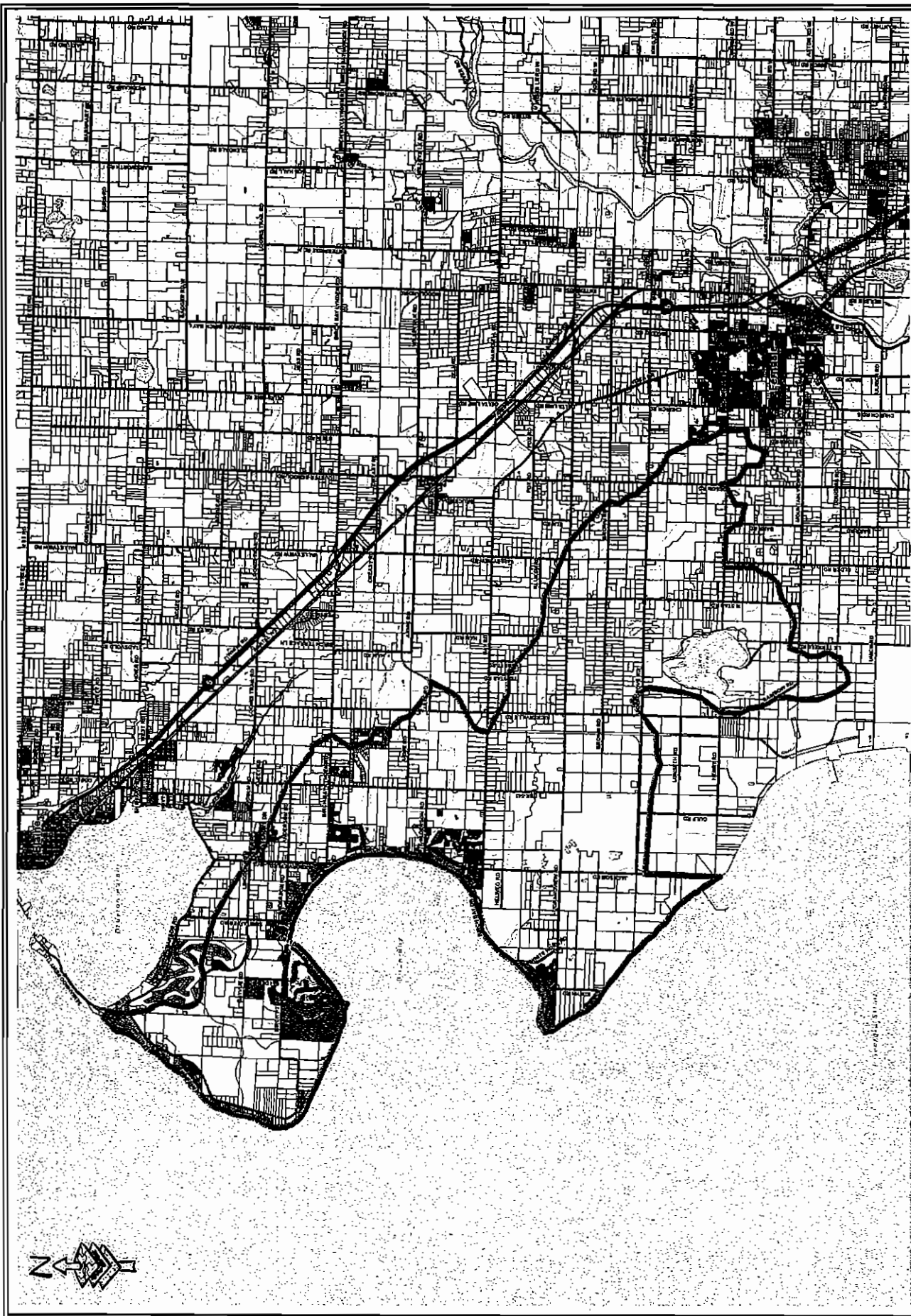
Commencing at the point of intersection of the Line of Ordinary High Tide of Semiahmoo Bay with the Southwesterly line of Tract A, Plat of Boundary Ridge in Section 10, T. 40 N., R. 1 W., said point being the True Point of Beginning; Thence Southeasterly along said Southwesterly line of Tract A, and the Southeasterly extension thereof, 646 feet, more or less, to the centerline of Semiahmoo Parkway; Thence generally Southerly along the centerline of Semiahmoo Parkway 1.5 miles, more or less, to the North-South Center Section Line of Section 14, T. 40 N., R. 1 W.; Thence Northeasterly 750 feet, more or less, to a point 350 feet due South of the most Westerly corner of Lot 65, Saint Andrew's Green Division IV – Phase A; Thence Southeasterly 2000 feet, more or less, to the  $\frac{1}{4}$  Section Corner common to Sections 13 and 14, T. 40 N., R. 1 W.; Thence Southeasterly 1360 feet, more or less, to the SE corner of the North 10 acres of the West  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of said Section 13; Thence Southeasterly 2214 feet, more or less, to the SE corner of the West 20 acres of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 13; Thence Southeasterly 2380 feet, more or less, to the NE Corner of Section 19, T. 40 N., R. 1 E.; Thence Southeasterly 1000 feet, more or less, to the intersection of the centerlines of Seafair Drive and Oakridge Drive, Plat of Harborview Estates; Thence Southeasterly 450 feet, more or less, to the SE corner of Lot 17, said Plat of Harborview Estates; Thence Southeasterly 500 feet, more or less, to the intersection of the centerlines of Glendale Drive and Bayshore Drive, Plats of said Harborview Estates and Lincoln Green, Division No. 1; Thence Easterly 1015.73 feet along the centerline of said Bayshore Drive to the center of the cul-de-sac at the Easterly end of said Bayshore Drive; Thence Southeasterly 200 feet, more or less, to the NW corner of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 19; Thence Southeasterly 2820 feet, more or less, to the NW corner of the South 330 feet of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 20, T. 40 N., R. 1 E.; Thence Southeasterly 2750 feet, more or less, to the NE corner of Croft's Short Plat; Thence Easterly 440 feet, more or less, to the NE corner of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 20; Thence Southeasterly 1554 feet, more or less, to a point on the Section Line common to said Sections 20 and 29, T. 40 N., R. 1

E., 500 feet Westerly of the NE corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 29; Thence Southwesterly 1554 feet, more or less, to the SW corner of said NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 29; Thence Southeasterly  $\frac{1}{4}$  mile, more or less to the SE corner of Lot 92, plat of Double RR Ranch; Thence Southeasterly 875 feet, more or less, to the NE corner of Lot 46, said Plat of Double RR Ranch; Thence Southerly 700 feet, more or less, to the NE corner of Lot 39, said Plat of Double RR Ranch; Thence Southwesterly 540 feet, more or less, to the SW corner of Lot 26, said plat of Double RR Ranch; Thence Easterly 460 feet, more or less, to the SE corner of Lot 37, said plat of Double RR Ranch; Thence Southeasterly 962 feet, more or less, to the center of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 29; Thence Southeasterly 710 feet, more or less, to a point on the North line of Section 32, T. 40 N., R. 1 E. 397 feet Westerly of the NE Corner of said Section 32; Thence Southeasterly 2166 feet, more or less, to the center of the NW  $\frac{1}{4}$  of Section 33, T. 40 N., R. 1 E.; Thence Easterly along the East-West centerline of said NW  $\frac{1}{4}$  660 feet, more or less to the Northwesternly right-of-way line of the GNRR (BNSF) Spur; Thence Southwesterly one mile, more or less, along said Northwesternly right-of-way line to the Section Line common to said Section 32 and Section 5, T. 39 N., R 1 E.; Thence Southeasterly 1458 feet, more or less to the NW corner of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 4, T. 39 N., R 1 E.; Thence Southeasterly 1476 feet, more or less, to the NW corner of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 4; Thence Easterly 1320 feet, more or less, to the NE corner of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Thence Southeasterly 3300 feet, more or less, to the NE corner of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 4; Thence Southeasterly 1361 feet, more or less, to the SE corner of Lot 3, Grandview Highlands Short Plat in Section 3, T. 39 N., R 1 E.; Thence East 1320 feet, more or less, to the North-South Center Section Line of said Section 3; Thence Southeasterly 4290 feet, more or less, to the SE corner of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 2, T. 39 N., R 1 E.; Thence Southeasterly 2800 feet, more or less, to the most Easterly corner of Lot A, Grandview Hill Estates Cluster Short Plat #2; Thence Southeasterly 1050 feet, more or less, to a point on the East-West Center Section Line of Section 11, T. 39 N., R 1 E., 1 rod Westerly of the NE corner of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 11; Thence Southwesterly 677 feet, more or less, to the midpoint of the South line of the North  $\frac{1}{2}$  of the East  $\frac{1}{2}$  of the East  $\frac{1}{2}$  of said NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; Thence Southeasterly 841 feet, more or less, to a point on the South line of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 11, 355.71 feet Easterly of the SW corner of said NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; Thence Southeasterly 689 feet, more or less, to a point 105 feet West of the center of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 11; Thence East 105 feet to said center of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; Thence Southeasterly 933 feet, more or less, to the NE Corner of said Section 13, T. 39 N., R 1 E.; Thence Easterly 240 feet along the North line of said Section 13; Thence Southeasterly 935 feet, more or less, to the NW corner of Lot 2, Unruh Heights Short Plat; Thence Southeasterly 1462 feet, more or less, to a point on the South line of the West  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 13, 1rod Westerly of the SE corner of said West  $\frac{1}{2}$ ; Thence Southeasterly 1483 feet, more or less, to the Center of said Section 13; Thence Southeasterly to the SE corner of Lot 126, Plat of Pacific Highlands Division No. 4; Thence generally Southerly following along the Easterly boundary line of said Plat to the SE corner of Lot 153 of said Plat; Thence Southeasterly to the NW corner of Lot 8, Block 4, Plat of Pacific Heights Phase I, Thence Southerly along the West line of said Plat 38.51 feet; Thence Southerly 275 feet, more or less, to a point on the South line of said Section 13, 285.5 feet West of the

SE corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 13; Thence Southeasterly 1325 feet, more or less, to a point on the South line of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 24, T. 39 N., R 1 E., 165 feet Westerly of the SE corner of said NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; Thence Westerly 495 feet, more or less, along the South line of said NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  to the SW corner of the SE  $\frac{1}{4}$  of said NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; Thence Southwesterly to a point on the North-South Center Section Line of said Section 24, 300 feet Southerly of the NE corner of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 24; Thence Southwesterly 1063 feet, more or less, to a point on the South line of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , 300 feet Westerly of the SE corner of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Thence Northwesterly 1072 feet, more or less, to a point on the West line of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , 330 feet Northerly of the SW corner of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Thence Northerly 990 feet, more or less, along the West line of said SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  to the center of the NW  $\frac{1}{4}$  of said Section 24; Thence Northwesterly 738 feet, more or less, to the center of the South  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 24; Thence Northwesterly 467 feet, more or less, to a point on the South line of the North  $\frac{1}{2}$  of said NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , 330 feet Easterly of the SW corner of said North  $\frac{1}{2}$ ; Thence Northwesterly to a point on the North line of said Section 24, 150 feet Easterly of the NW Corner of said Section 24; Thence Northwesterly 427 feet, more or less, to a point on the West line of Section 13, T. 39 N., R. 1 E., 400 feet Northerly of the SW corner of said Section 13; Thence West 200 feet; Thence Southerly 400 feet, more or less, to a point on the South line of Section 14, T. 39 N., R. 1 E., 200 feet Westerly of the SE corner of said Section 14; Thence Southwesterly 1300 feet, more or less, to the Northeast corner of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 23, T. 39 N. R. 1 E.; Thence Southerly 660 feet, more or less, to the center of the NE  $\frac{1}{4}$  of said Section 23; Thence Northwesterly 1361 feet, more or less, to the Northwest corner of the South 330 feet of the West  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 23; Thence Northerly 330 feet, more or less, to the Northwest corner of the SW  $\frac{1}{4}$  of said NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; Thence Northwesterly 933 feet, more or less, to the Northwest corner of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 23; Thence Westerly 2280 feet, more or less, along Section Line common to said Sections 14 and 23, and Sections 15 and 22, T. 39 N., R 1 E. to a point 300 feet Westerly of the Northeast Corner of said Section 22; Thence Southerly 1980 feet, more or less, parallel with the East line of said Section 22, to the North line of the South  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 22; Thence Southwesterly 752 feet, more or less, to the midpoint of the North line of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 22; Thence Southerly 330 feet, more or less, to the South line of the North 330 feet of said NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; Thence Southwesterly 955 feet, more or less, to a point on the West line of said NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and 300 feet Northerly of the SW corner of said NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; Thence Southwesterly 1063 feet, more or less to a point on the North line of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  300 feet Easterly of the NW corner of said SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; Thence Southwesterly 424 feet, more or less, to a point on the West line of said SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  300 feet Southerly of the NW corner of said SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; Thence Southwesterly 752 feet, more or less, to the NE corner of Lake Terrell Short Plat; Thence Southwesterly 738 feet, more or less, to the SW corner of Lot A, Lake Terrell Short Plat; Thence Northwesterly 1361 feet, more or less, to the NW corner of the South  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 22; Thence West 400 feet; Thence Southwesterly 690 feet, more or less, to a point on the South line of Section 21, T. 39 N., R. 1 E. and 600 feet Westerly of the SE corner of said Section 21; Thence Southwesterly 725 feet, more or

less, to a point on the North line of the South  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 28, T. 39 N., R. 1 E. and 900 feet Westerly of the East line of said Section 28; Thence Southerly, parallel with the East line of said Section 28, 660 feet, more or less, to the North line of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 28; Thence Southeasterly 725 feet, more or less, to a point on the North line of the South  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 28 and 600 feet Westerly of the East line of said Section 28; Thence Southwesterly 772 feet, more or less, to a point on the South line of said NE  $\frac{1}{4}$  and 1000 feet Westerly of the East line of said Section 28; Thence Southerly, parallel with the East line of said Section 28, 200 feet; Thence Westerly, parallel with the East-West Center Section Line of said Section 28, 500 feet; Thence Southwesterly 665 feet, more or less, to the midpoint of the East line of the West  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 28; Thence Southwesterly 675 feet, more or less, to a point on the North-South Center Section Line of said Section 28 and 800 feet South of the Center of said Section 28; Thence Northwesterly 1037 feet, more or less, to the Northwest corner of the East  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 28; Thence Northwesterly 1476 feet, more or less, to the center of the NW  $\frac{1}{4}$  of said Section 28; Thence Northeasterly 1322 feet, more or less, to a point on the North Line of said Section 28 and 1245 feet Westerly of the North  $\frac{1}{4}$  Corner of said Section 28; Thence Northeasterly  $\frac{1}{4}$  mile, more or less, to the point of intersection of the centerline of Rainbow Road with the East-West centerline of the SW  $\frac{1}{4}$  of Section 21, T. 39 N., R. 1 E.; Thence Northwesterly 0.4 miles, more or less, along said centerline of Rainbow Road to the South line of the North  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 21; Thence Northwesterly 752 feet, more or less, to the midpoint of the North line of the West  $\frac{1}{2}$  of said SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Thence Northerly 1320 feet, more or less, parallel with the West line of said Section 21, to North Line of said Section 21; Thence Northeasterly 1650 feet, more or less, to the center of the SW  $\frac{1}{4}$  of Section 16, T. 39 N., R. 1 E.; Thence Northeasterly 1361 feet, more or less, to a point on the East-West Center Section Line of said Section 16 and 990 feet Westerly of the Center of said Section 16; Thence Northeasterly 0.4 miles, more or less, to the Southeast corner of Lot 2, Lake Terrell Mobile Ranch Short Plat; Thence Northwesterly 483 feet, more or less, to a point on the South Line of Section 9, T. 39 N., R. 1 E. and 208 feet Westerly of the SE corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 9; Thence Northwesterly 1023 feet, more or less, to the midpoint of the North line of the South  $\frac{3}{4}$  of the North  $\frac{3}{4}$  of the East  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 9; Thence Southwesterly 1190 feet, more or less, to the Southwest Corner of said Section 9; Thence Southwesterly 1650 feet, more or less, to the SW corner of the North  $\frac{3}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 17, T. 39 N., R. 1 E.; Thence Southwesterly 1325 feet, more or less, to a point on the North-South Center Section Line of said Section 17 and 1100 Southerly of the North  $\frac{1}{4}$  Corner of said Section 17; Thence Southwesterly 696 feet, more or less, to the midpoint of the South line of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 17; Thence Northwesterly 696 feet, more or less, to a point on the West line of said NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and 1100 feet Southerly of the NW corner of said NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Thence Northwesterly 1354 feet, more or less, to a point on the West Line of said Section 17 and 800 feet Southerly of the NW Corner of said Section 17; Thence Northwesterly 5284 feet, more or less, to a point on the East Line of Section 13, T. 39 N., R. 1 W. and 600 feet Southerly of the NE Corner of said Section 13; Thence Southerly 5000 feet, more or less, along said East Line of Section 13 and the East Line of Section 24, T. 39 N., R. 1 W. to the Line of Ordinary High Tide of the Strait

of Georgia; Thence generally Northerly, following along the Line of Ordinary High Tide of the Strait of Georgia, Birch Bay, and Semiahmoo Bay, 15 miles, more or less, to the True Point of Beginning.



Washington State Department of Ecology  
 This map is a preliminary map of the subzone boundary. It is not intended to be used for any particular purpose, either expressed or implied. No representation or warranty is made concerning the accuracy or completeness of the information shown on this map. The user of this map is responsible for its use. The user of this map is responsible for its use. The user of this map is responsible for its use. The user of this map is responsible for its use.



# Birch Bay Subzone District

- Legend**
- BirchBay\_Subzone
  - Roads
  - DNR Hydro
  - Lakes
  - Parcels 2006
  - Oceans