

RESOLUTION NO. 763

A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF BIRCH BAY WATER & SEWER DISTRICT, WHATCOM COUNTY,  
WASHINGTON, ADOPTING THE 2020 COMPREHENSIVE WATER SYSTEM PLAN

WHEREAS, the District adopted a Comprehensive Water System Plan for water supply and distribution by Resolution 681 on April 9, 2009; and

WHEREAS, the District amended Resolution 681 by Resolution 696; and

WHEREAS, a new Comprehensive Water System Plan, dated June 2019 and revised June 2020, has been prepared by CHS Engineers, LLC and stamped by Rodney Langer, a professional engineer, copies of which are on file in the District Office; and

WHEREAS, the new Comprehensive Water System Plan includes an updated Water Use Efficiency (WUE) Program; and

WHEREAS, a Declaration of Non-Significance under the State Environmental Policy Act (“SEPA”) was issued for the new draft Comprehensive Water System Plan on June 26, 2019; and

WHEREAS, on July 11, 2019, the District held a public hearing regarding proposed adoption of the new draft Comprehensive Water System Plan – two members of the public were present but no member of the public submitted verbal or written comments; and

WHEREAS, the new draft Comprehensive Water System Plan was submitted for comment to various agencies including Whatcom County, Washington State Department of Health (DOH), Washington State Department of Ecology (Ecology), City of Blaine, and Whatcom County PUD No. 1; along with Bell Bay Jackson and Grandview Beach Water Associations; and

WHEREAS, comments were received from Whatcom County, DOH, and Ecology; and

WHEREAS, responses to comments were prepared by CHS Engineers and reviewed by the District, and revisions incorporated into the new Comprehensive Water System Plan as applicable; and

WHEREAS, the Board of Commissioners has fully reviewed and considered the new Comprehensive Water System Plan, dated June 2019 and revised June 2020; and

WHEREAS, the Board of Commissioners hereby find that adoption of said new Comprehensive Water System Plan in its present form is in the best interest of the District; and

WHEREAS, the foregoing recitals and findings are a material part of this Resolution;

NOW, THEREFORE, be it resolved by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington as follows:

Section 1: That the aforesaid Comprehensive Water System Plan, including the updated WUE Program, be adopted as the official Comprehensive Water System Plan of the Birch Bay Water and Sewer District, Birch Bay, Washington, subject to final approval by Whatcom County, the State Department of Health and the City of Blaine.

Section 2: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of Commissioners hereby declare that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this Resolution should be declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

Section 3: This Resolution shall be effective immediately.

ADOPTED by the Board of Commissioners of Birch Bay Water & Sewer District, Whatcom County, Washington, at a regular meeting held the 9 day of July, 2020.

Jeff Benner  
COMMISSIONER

Don Montfort  
COMMISSIONER

Fred Reid  
COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 763 of Birch Bay Water & Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on July 9, 2020. These were approved electronically per Resolution 760.

Gandi Manna  
SECRETARY