

RESOLUTION NO. 765

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

WHEREAS, the District adopted a Comprehensive Sewer System Plan for wastewater collection, conveyance, treatment and discharge by Resolution 685 on June 11, 2009; and

WHEREAS, a new Comprehensive Sewer System Plan, dated June 2019 and revised April 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 Sewer System Plan has been prepared in conformance with the requirements of the Washington Administrative Code (WAC) 172-240-050; and

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

WHEREAS, on July 11, 2019, the District held a public hearing regarding proposed adoption of the new Comprehensive Sewer 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 Sewer System Plan was submitted for comment to various agencies including Whatcom County, Washington State Department of Ecology (Ecology), and City of Blaine; and

WHEREAS, comments were received from Whatcom County, with no additional comments from Ecology or City of Blaine; and

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

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

WHEREAS, the Board of Commissioners hereby find that adoption of said new Comprehensive Sewer 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 Sewer System Plan be adopted as the official Comprehensive Sewer System Plan of the Birch Bay Water and Sewer District, Birch Bay, Washington, subject to final approval by Whatcom County and the State Department of Ecology.

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<sup>th</sup> day of July, 2020.

Don Montfort  
COMMISSIONER

Jeff Berner  
COMMISSIONER

Fred Reid  
COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 765 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.

Yvonne Hamill  
SECRETARY