

Ordinance # \_\_\_\_\_

**ADOPTION OF MARINE RECOVERY AREAS  
FOR ON SITE SEWAGE DISPOSAL SYSTEMS**

**Whereas** the Skagit County Board of Health has the authority to enact local rules and regulations necessary to preserve, promote and improve the public health pursuant to RCW 70.05.060, and

**Whereas** Washington State Board of Health adopted Chapter 246-272A WAC, *On-site Sewage Systems*, July 13, 2005, becoming fully effective July 1, 2007; and

**Whereas** WAC 246-272A-0015 requires that all 12 Puget Sound Counties, including Skagit County, develop a management plan regarding development and management activities for all on-site sewage systems (OSS) within the jurisdiction; and

**Whereas** RCW 70.118A.030, *Marine Recovery Areas* goes on to require that all Puget Sound Counties, including Skagit, propose Marine Recovery Areas; and

**Whereas** Chapter 12.05 Skagit County Code (SCC) governing on-site sewage systems (OSS) was revised in 2007 to adopt the above changes in WAC 246-272A and RCW 70.118A; and

**Whereas** on January 22, 2007, by Resolution #R20070034, the Skagit County Board of Health appointed a Citizens' Advisory Committee to assist the Skagit County Health Department staff in revising SCC 12.05 and developing the On site Sewage Management Plan, which included proposed Marine Recovery and Sensitive Areas; and

**Whereas** the Skagit County Board of Health considered the public testimony and adopted the On Site Sewage Management Plan, on October 9, 2007; and

**Whereas**, the Skagit County Public Health Department held eight public meetings and open houses at multiple locations from January through July 2008 regarding establishing the boundaries and requirements of Marine Recovery Areas and Sensitive Areas as outlined in the Skagit County On Site Sewage Management Plan, and

**Whereas** the boundaries of the Bay View area were extended beyond the rural village noted in the On Site Sewage Management Plan to include Bay View Hill and the Joe Leary Slough watershed as a result of comments received by the Health Department (Attachment D); and

**Whereas** notification of the public hearing was published in the Skagit Valley Herald on July 24 and July 31, 2008; and

**Whereas** the Board of Health extended the comment period to August 22, 2008; and

**Whereas** the Skagit County Board of Health has considered additional public testimony regarding Marine Recovery Areas and Sensitive Areas, and

**Whereas**, based upon additional public testimony, the Board of Health believes it is warranted to change Colony Creek and the Lower Samish River Watershed from Sensitive Areas to Marine Recovery Areas.

**NOW, THEREFORE, BE IT ORDAINED:**

The Board of Health adopts Marine Recovery Areas as identified in the Skagit County On Site Sewage Management Plan and as amended from citizen comments as follows:

- Samish Island and Samish Bay (Attachment A)
- Yokeko, Dewey Beach and Quiet Cove (Attachment B)
- Similk Bay and Similk Beach Community (Attachment C)
- Padilla Bay and Bay View Rural Village (Attachment D)
- Guemes Island (Attachment E)
- Colony Creek (Attachment F)
- Lower Samish River Basin (Attachment G)

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that the Board of Health adopts sensitive areas impacting Marine Recovery Areas due to water quality impairments and large numbers of unknown on site sewage systems as follows:

- Upper Samish River Basin (Attachment H)
- Thomas Creek Basin (Attachment I)
- Nookachamps Creek Basin (Attachment J)

**WITNESS** our hands and the official seal of our office this 16 day of September, 2008.

BOARD OF HEALTH  
SKAGIT COUNTY, WASHINGTON

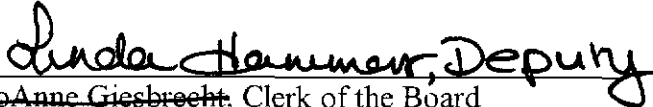


Don Munks  
Don Munks, Chair

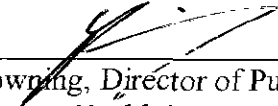
Sharon D. Dillon  
Sharon D. Dillon, Commissioner

Kenneth A. Dahlstedt  
Kenneth A. Dahlstedt, Commissioner

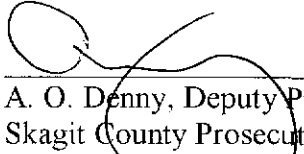
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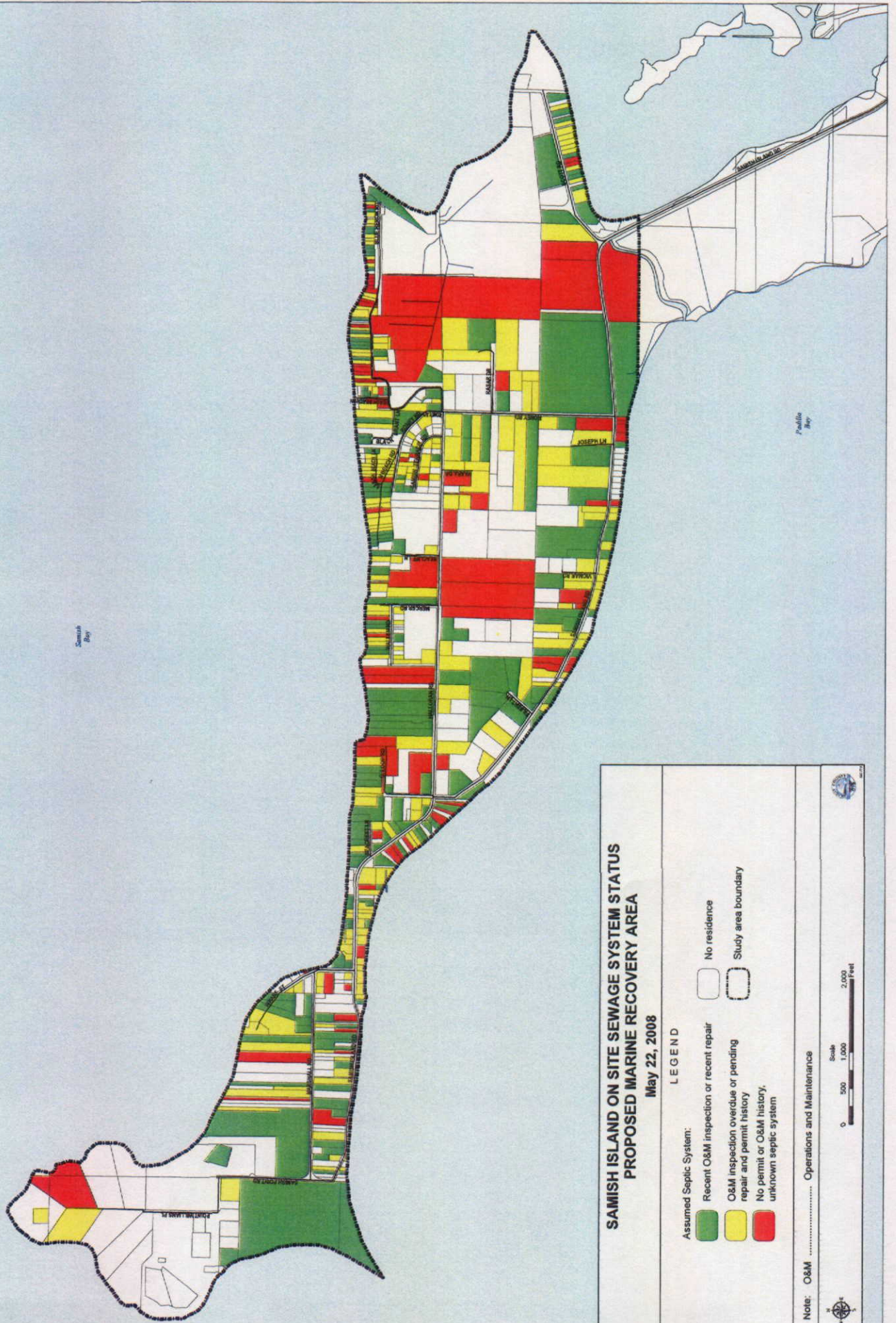
  
~~JoAnne Giesbrecht~~, Clerk of the Board

**APPROVED AS TO CONTENT:**

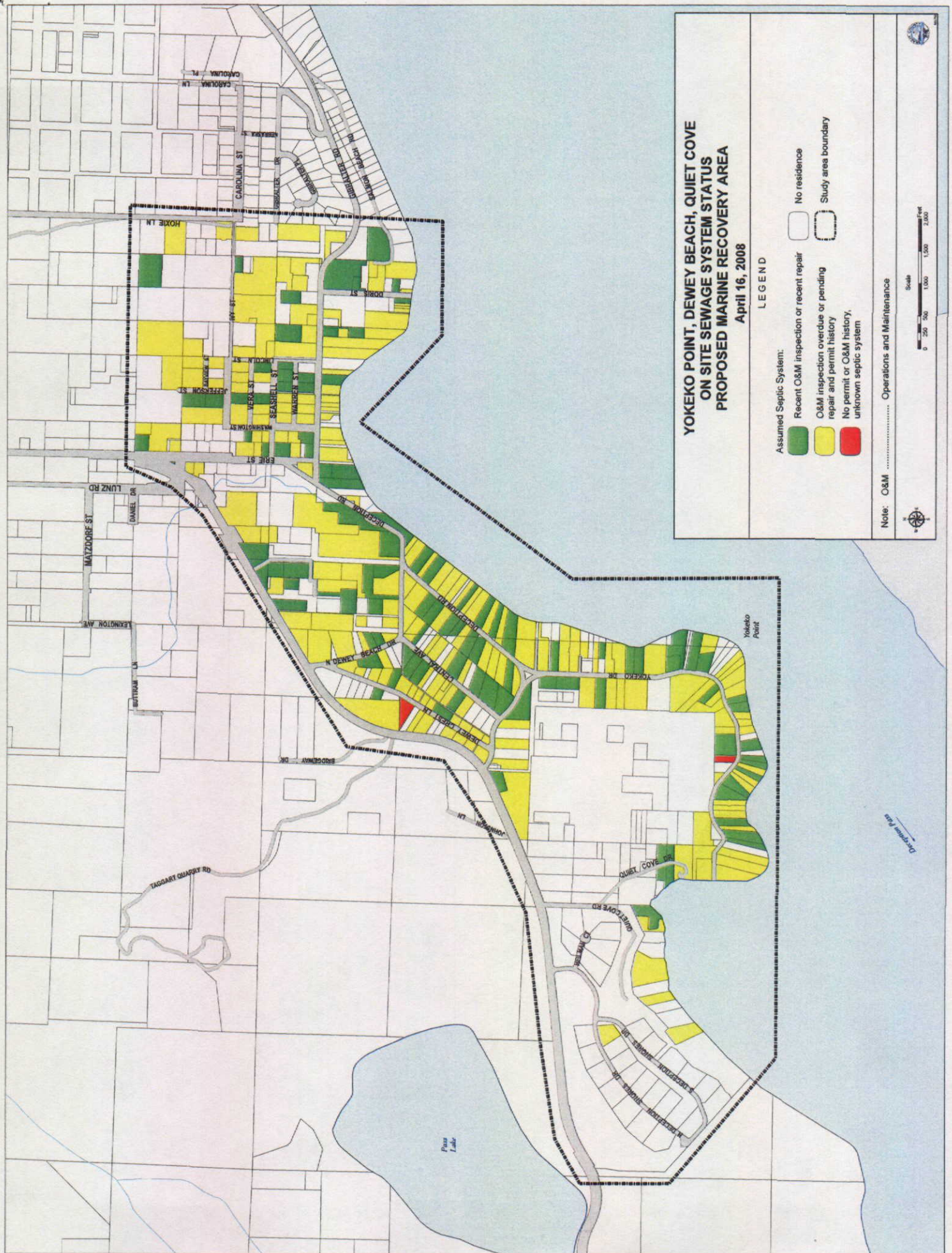
  
Peter Browning, Director of Public Health  
Skagit County Health Department

**APPROVED AS TO FORM:**

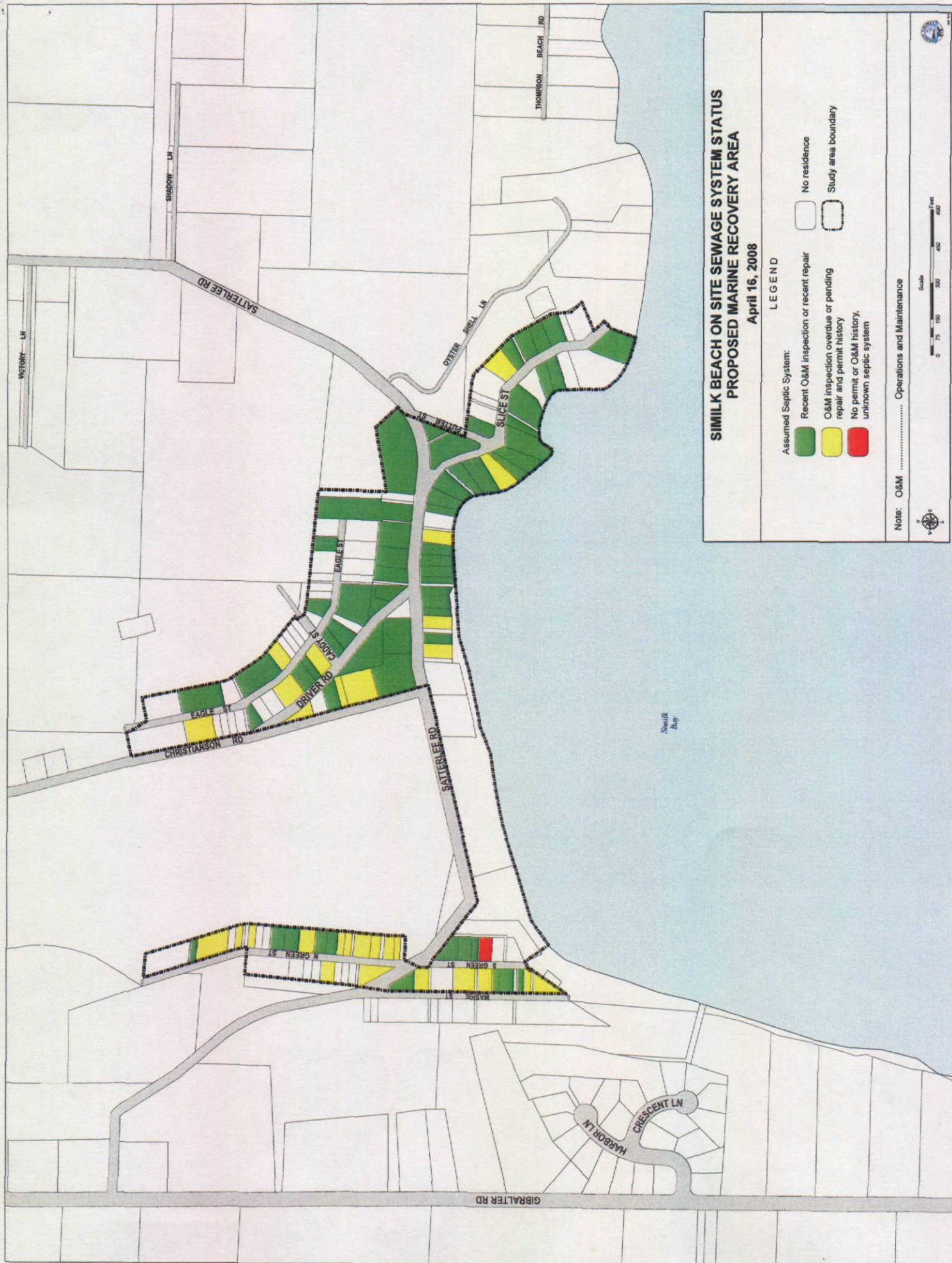
  
A. O. Denny, Deputy Prosecuting Attorney  
Skagit County Prosecutor's Office



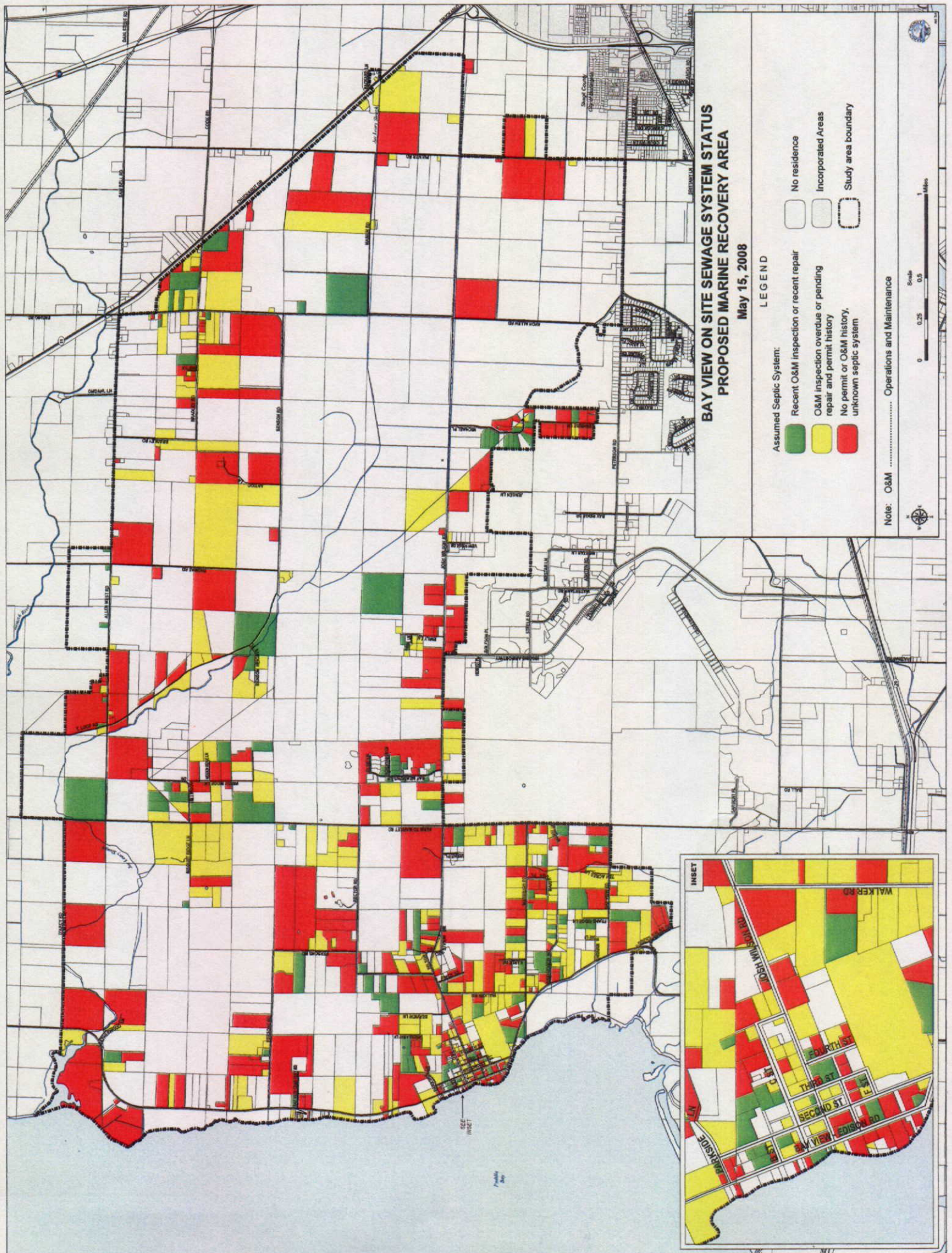

















June 28, 2008

June 28, 2008

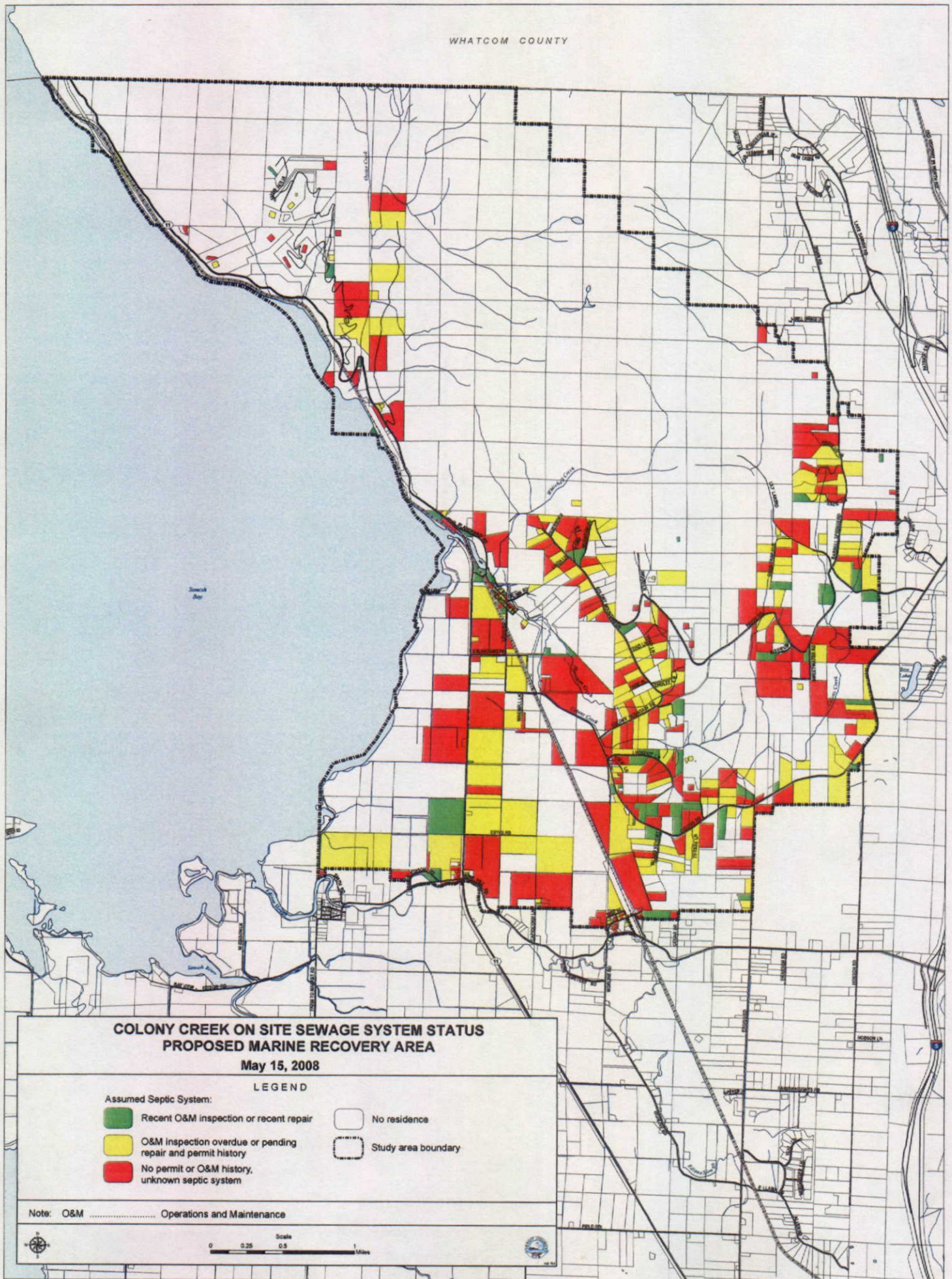
Assumed Septic System:

-  Study area boundary  
 Incorporated Areas  
 No residence

Note: O&M ..... Operations and Maintenance







**COLONY CREEK ON SITE SEWAGE SYSTEM STATUS  
PROPOSED MARINE RECOVERY AREA  
May 15, 2008**

**LEGEND**

**Assumed Septic System:**

- Recent O&M inspection or recent repair
- O&M inspection overdue or pending repair and permit history
- No permit or O&M history, unknown septic system

- No residence
- Study area boundary

Note: O&M ..... Operations and Maintenance

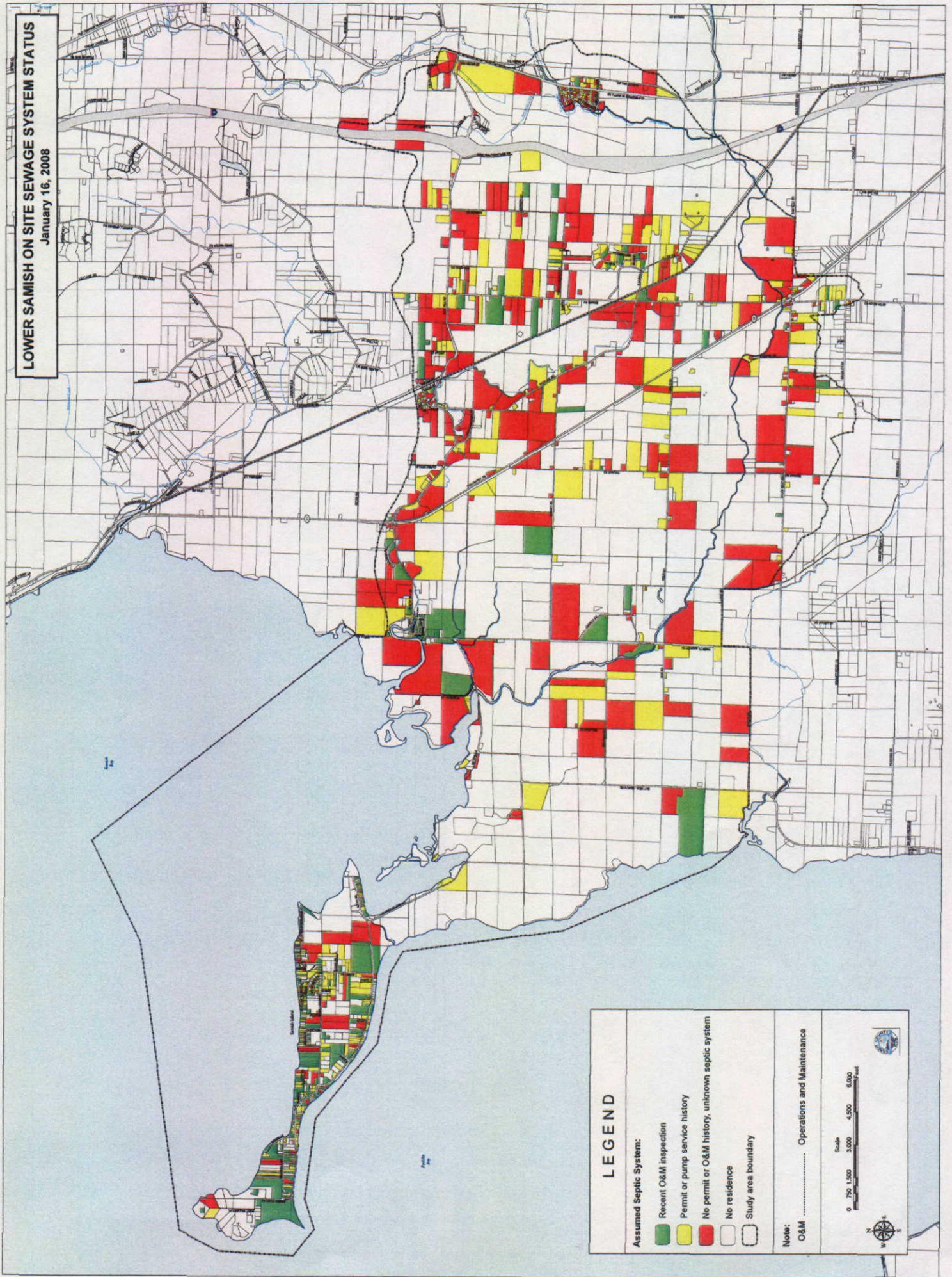


Scale  
0 0.25 0.5 1 Miles





**LOWER SAMISH ON SITE SEWAGE SYSTEM STATUS**  
January 16, 2008



**LEGEND**

**Assumed Septic System:**

- Recent O&M inspection
- Permit or pump service history
- No permit or O&M history, unknown septic system
- No residence
- Study area boundary

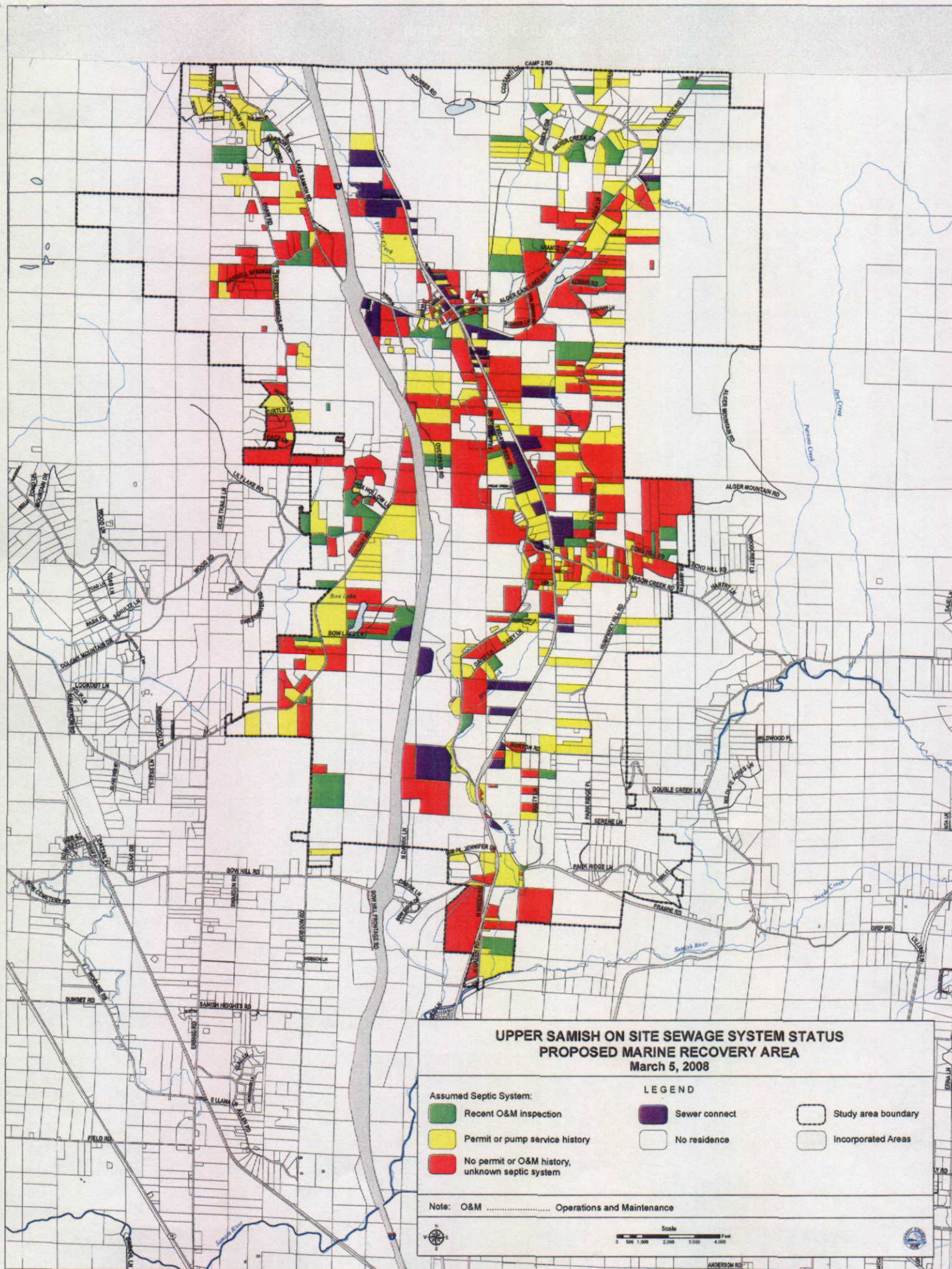
**Note:**

O&M ..... Operations and Maintenance

Scale  
0 750 1,500 3,000 4,500 6,000 Feet













# **NOOKACHAMPS ON SITE SEWAGE SYSTEM STATUS PROPOSED MARINE RECOVERY AREA**

February 8, 2008

## **LEGEND**

### **Assumed Septic System:**

- Recent O&M inspection
- Permit or pump service history
- No permit or O&M history, unknown septic system

- No residence
- Study area boundary
- Incorporated Areas

### **Note:**

O&M ..... Operations and Maintenance



Scale  
0 250 500 1,000 1,500 2,000  
Feet

