

1
2
3 **ORDINANCE NO. 157 -14**
4

5 **AN ORDINANCE ADOPTING A MORATORIUM ON THE BREACHING OF DIKES**
6 **WITHIN THE COUNTY OF WAHKIAKUM**

7 **WHEREAS**, Wahkiakum County is a riparian county the southern border of which is the
8 Columbia River; and

9 **WHEREAS**, over the historic years of settlement of Wahkiakum County, much of its land area
10 was reclaimed from the Columbia River by the use of dikes, revetments, and other works to channel
11 and impound water; and

12 **WHEREAS**, these reclamation projects were often unplanned and/or piecemeal, and over the
13 years have grown into a system the complexities of which are unknown and a matter of debate,
14 meaning that the effect of building or destroying such projects would be unpredictable and possibly
15 dangerous or economically injurious to Wahkiakum County landholders; and

16 **WHEREAS**, the removal of any dikes or other existing methods of water impoundment may
17 cause irreparable harm to public or private property other than the property upon which such dike or
18 method of water impoundment is located; and

19 **WHEREAS**, RCW 36.70.795 permits the county to adopt moratoria subject to later public
20 hearing and with findings of fact adopted; and

21 **WHEREAS**, the Board intends for these recitals to constitute such findings of fact;

22 **NOW THEREFORE BE IT ORDAINED AND ESTABLISHED BY THE BOARD OF**
23 **COMMISSIONERS OF WAHKIAKUM COUNTY AS FOLLOWS:**

24 1. No dike may be breached within the County of Wahkiakum during the period of this
25 moratorium, nor may any dike, levee, revetment, bulkhead, or similar work designed for flood control
or water impoundment within the county be modified in such a way as to reduce its capacity for such
flood control or water impoundment during the period of this moratorium.

2. A public hearing is scheduled for April 1 2014, which is within sixty
days of the adoption of this Ordinance, at which public comment will be heard and information taken
which will be used in the determination of a final course of action with regard to dike breaches in
Wahkiakum County.

3. Pursuant to the terms of RCW 36.70.795, this Ordinance will cease to have any force or effect
on September 18 2014, which is six months after the adoption of this Ordinance.

Ordinance No. 157 -14

Page 1

Daniel H. Bigelow
Prosecuting Attorney
P.O. Box 397
Cathlamet, Washington 98612
(360) 795-3652

1 **PROVIDED, HOWEVER**, that if the Board, at some later session during the effective period of this
2 Ordinance, adopts a work plan for related studies providing for a longer period, then this Ordinance
3 will cease either as provided in the said work plan, or on March 18 2015, which is one
4 year after the adoption of this Ordinance, whichever is sooner.

4. This Ordinance will take effect immediately upon passage.

5 **DULY PASSED AND ADOPTED** this 18 day of ~~February~~ March, 2014.

6 **BOARD OF COUNTY COMMISSIONERS**
7 **OF WAHKIAKUM COUNTY, WASHINGTON**

8 **ATTEST:**

9
10 Marsha LaFarge
11 Marsha LaFarge
12 Clerk of the Board

Daniel L. Cothren
Daniel L. Cothren, Chairman

13 **APPROVED AS TO FORM** this
14 21 day of February, 2014.

Mike Backman
Mike Backman, Commissioner

15
16 Daniel H. Bigelow
Daniel H. Bigelow
17 Prosecuting Attorney

Blair H. Brady
Blair H. Brady, Commissioner