

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

NOTICE OF ENACTMENT

NOTICE IS HEREBY GIVEN, that on March 22, 2023, the Snohomish County Council approved Ordinance 23-014, which shall be effective on April 6, 2023.

ORDINANCE NO. 23-014

APPROVING AND AUTHORIZING THE SNOHOMISH COUNTY COUNCIL TO RATIFY AND CONFIRM TERMINATION OF ABC AGREEMENTS WITH THE UNITED STATES ARMY CORPS OF ENGINEERS

WHEREAS, Snohomish County (the "County") entered a Resolution to Assume Obligations of Local Participation (ABC agreements) with the Army Corps of Engineers for levees known as Fern Bluff Levee, Crabbs Levee, Robe Hill Levee, Marshland, and Schlamp Levee; and

WHEREAS, the levees were built before current environmental regulations were enacted including the Federal Clean Water Act, the Endangered Species Act, the State Water Pollution Control Act, the Washington Shoreline Management Act, making levee maintenance permitting more challenging; and

WHEREAS, the levees were built to protect private property and do not serve a direct public purpose; and

WHEREAS, the levees have been abandoned with no record of maintenance in over 30 years, except for repairs of the Schlamp levee in 1995; and

WHEREAS, the County Council held a public hearing on March 22, 2023, to ratify and confirm termination of these ABC agreements attached as Exhibit A and shown on a map attached as Exhibit B to this ordinance on the County's behalf;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The County Council hereby adopts the foregoing recitals as findings of fact and conclusions as if set forth in full herein.

Section 2. The County Council ratifies and affirms that the ABC Agreements have been abandoned and otherwise terminated due to the lack of any primary public benefit or purpose served by the Agreements and requests that the US Army Corps of Engineers accepts and confirms termination of the ABC of the *ABC Agreements* for Fern Bluff Levee, Crabbs Levee, Robe Hill Levee, Marshland, and Schlamp Levee.

Copies of the Ordinance: Copies of the ordinance and related documents are available upon request, call 425-388-3494, 1-800-562-4367 x3494, TDD 1-800-877-8339; or e-mail Contact.Council@snoco.org. The ordinance is also available on the Council's website at <https://snohomish.legistar.com/Default.aspx> (File #2023-0130).

Dated this 28th day of March, 2023.



Deputy Clerk of the Council

Publish: April 5, 2023

SUBMIT AFFIDAVIT TO: Council
SUBMIT INVOICE TO: Conservation and Natural Resources - 107027

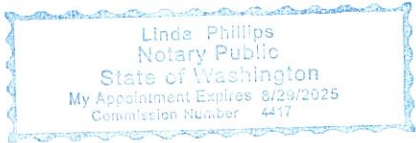
Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Michael Gates being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH974463 ORDINANCE NO. 23-01 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 04/05/2023 and ending on 04/05/2023 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$75.40. *[Signature]*



Subscribed and sworn before me on this 6th day of April, 2023.

[Signature]

Notary Public in and for the State of Washington.

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Dated this 28th day of March, 2023.

/s/ Elena Lao, CMC
Deputy Clerk of the Council
107027

Published: April 5, 2023.

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