WHATCOM COUNTY COUNCIL AGENDA BILL

CLEARANCES

<table>
<thead>
<tr>
<th>Originator: Cliff Strong</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Division Head: Mark Personius</td>
<td>Initial</td>
<td>2/23/2016</td>
<td>2/23/2016</td>
<td>Natural Resources Committee</td>
<td></td>
</tr>
<tr>
<td>Prosecutor: Royce Buckingham</td>
<td>Initial</td>
<td>2/23/2016</td>
<td>4/19/2016</td>
<td>SCOTW</td>
<td></td>
</tr>
<tr>
<td>Executive: Jack Louws</td>
<td>Initial</td>
<td>2/23/2016</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TITLE OF DOCUMENT:
4/5/2016 (additional dates for preliminary direction on this item will be scheduled): Discussion and preliminary Council direction on Comprehensive Plan Chapter 11, Environment, and Appendix G, Water Resources Program and Salmon Recovery Program

ATTACHMENT:
1. Cover memo
   Related paperwork can be found at:
   www.co.whatcom.wa.us/2346/Comprehensive-Plan-Update-Process

SEPA review required? (X) Yes ( ) NO
SEPA review completed? (X) Yes ( ) NO

Should Clerk schedule a hearing? ( ) Yes ( ) NO

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Under the Growth Management Act, Whatcom County and the seven cities within the County must complete the periodic update of their comprehensive plans and review urban growth areas by June 30, 2016 (RCW 36.70A.130). The Planning and Development Services Department would like to present an overview and discuss Comprehensive Plan Chapter 11 (Environment) and Appendix G (Water Resources Program and Salmon Recovery Program) with the Natural Resources Committee.

COMMITTEE ACTION:
2/23/2016: Briefed and discussed
4/5/2016: Discussed and provided preliminary direction
4/19/2016: Comments received
4/19/2016: Discussed and proved preliminary direction

COUNCIL ACTION:

Related County Contract #: Related File Numbers: AB2016-047 Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
Memorandum

TO: The Honorable Jack Louws, Whatcom County Executive
   The Honorable Whatcom County Council

FROM: Cliff Strong, Senior Planner

THROUGH: Mark Personius, Assistant Director

DATE: February 23, 2016

SUBJECT: Comp Plan Update/UGA Review – Chapter 11 (Environment)

The Washington State Growth Management Act (GMA) requires Whatcom County to periodically review and revise its comprehensive plan under RCW 36.70A.130(1). The GMA also requires review of urban growth areas (UGAs) under RCW 36.70A.130(3). Therefore, Whatcom County has initiated a multi-year project to update its Comprehensive Plan.

The County Council will review the Comprehensive Plan, including UGA proposals, over a six month period between January and June 2016. This review will include staff briefings, review of Planning Commission recommendations, city presentations, public hearings, and consideration of public input. It is anticipated that the Council will adopt an ordinance relating to the Comprehensive Plan update and UGA review by the June 30, 2016 state deadline.

Today, staff will present an overview of Chapter 11, Environment, and Appendix G.

Chapter 11, Environment

Chapter 11 addresses a number of issues relating to the environment, including:

- Environmental Management
  - Community and Environmental Protection
  - Administration and Regulation
  - The Environment and Property Rights
  - Climate Change
- Natural Hazards
- Water Resources
  - Water Resource Programs
  - Groundwater Protection & Management
  - Flood Hazard Management
  - Stormwater Management
  - Marine Resources Management
  - Shoreline Management
- Natural Systems
  - Native Fish and Wildlife Populations and Habitat
Salmon Recovery
- Wetlands
- Marine Habitat

General policy themes include:
- Protect the environment while protecting property rights and promoting economic growth
- Protect public health and safety
- Meet state and federal requirements
- Rely on public education and engagement in mutually solving issues
- Support multi-jurisdiction approaches and cooperation
- Use incentives and education as well as regulations

Staff-recommended changes to Chapter 11 are summarized as follows:
- Simplified text, updated tenses and references, and fixed grammar
- Revised background text regarding programs
- Action Plan:
  - Removed items that have been accomplished or addressed elsewhere
  - Converted unaccomplished items into policies
- Maps updated to current format
- Updated policies to ensure that they meet current state and federal mandates
- Added section on climate change
- Updated geohazard descriptions based on more current understanding
- Substantially updated Water Resources text and policies to reflect current programs and status
- Updated marine waters, shellfish protection, and salmon recovery text and policies to reflect current programs and status
- Add policies on best available science and landscape-based eco-system management

In their review, the Planning Commission made several amendments to the draft Plan. In particular:

Pg 11-9

Goal 11B: Simplify and harmonize regulations Ease the burden of excessive and confusing regulations, in instances when they are clearly identified, relating to the identification, delineation, and protection of environmental features.

Reason for Change: The language of “easing the burden” was felt to be a holdover from the past, when there was more confusion about a lot of new regulations caused by the implementation of the GMA back in the 1990. It was felt that most of that outcry is past, but that rules should still be as simple as possible.

Pg 11-10

Policy 11C-3: Emphasize an approach to environmental protection by encouraging the use of conservation easements, open space taxation, land acquisition, purchase/transfer of
development rights, and other mechanisms that assist affected property owners. Consider mechanisms to compensate affected property owners in the event that the regulations implementing these Environmental Goals and Policies prohibit or significantly restrict the use of property as otherwise permitted by law. Avoid extreme standards and procedures that are likely to require compensation to property owners or invalidation of such rules.

Reason for change: The P/C thought it best to avoid regulations that lead to compensation for takings, rather than build compensation into the regulation framework.

**Natural Hazards**

**Issues, Goals, and Policies**

**Page 11/17**

**Volcanos** – A volcanic eruption or mudflow at Mount Baker could potentially severely affect river flow on the Nooksack River or Baker River and cause severe property damage near the volcanoes or along lahar routes. A lahar is an extremely rare and unpredictable occurrence. Evacuation routes should be planned and made public. Development should be regulated according to the Critical Areas Ordinance.

Note: The P/C added this text, modified from language submitted by the BIAWC. The BIAWC had proposed language that would prevent the County from adopting regulations, such as the Critical Areas Ordinance (CAO), that limits development in Lahar Inundation Zones given that their rate of occurrence is every 14,000 years. However, staff pointed out that we have a duty, as well as a GMA requirement, to adopt rules protecting current and future property owners from geologic hazards. What those rules will be are currently being reviewed through the COA update.

**Page 11-19**

Policy 11F-9: To address the causes of flooding and avoid expensive and maintenance-intensive bank protection measures, the County should prioritize its floodplain property acquisition program, and emphasize restoring river connectivity to historic side channels and floodplain areas.

Note: The struck out language was proposed by the Marine Resources Committee. However, the P/C thought that emphasizing restoring river connectivity might negatively impact agricultural uses.

**Page 11-28**

Policy 11I-12: Develop and implement comprehensive stormwater management programs and strategies designed to address runoff from all private and public developments and facilities within regulated and sensitive watersheds.

3. Amend subdivision, zoning, and other land use regulations and design standards to require encourage that land use activities minimize the amount of impervious surface.

**Page 11-31**

Policy 11-K-4: Work cooperatively with the City and Lake Whatcom Water and Sewer District, and applicable associations to identify, review,
and, as appropriate, recommend changes to existing monitoring programs that will address the needs of the various jurisdictions. Place a particular focus on the information needed to evaluate the impacts of additional development and stormwater management measures in the watershed. Include an analysis of the diversion from the Middle Fork of the Nooksack. Coordinate effort with the Lake Whatcom Management Committee process.

Reason for Change: “Applicable associations” added by P/C in response to the Sudden Valley Community Association’s request.

Appendix G

Appendix G is new, and comprised of the background text on Whatcom County Water Resource Programs and the Salmon Recovery Program. The Planning Commission had staff remove this text from Chapter 11 and put it into an appendix as they thought it made the chapter too long. It contains no policies.

The only substantive change the Commission made was to include a description of the Planning Unit under the WRIA 1 Watershed Management Project.

Thank you for your consideration of this matter. We look forward to discussing it with you.
Appendix G

Whatcom County Water Resource and Salmon Recovery Programs

Note: This is a new appendix describing the County’s various water resource and salmon recovery programs and efforts. Originally proposed to be included in Chapter 11 (Environment), the P/C felt it made the chapter too long, and that given that the programs are evolving, it would best be located in an appendix.

Contents

Whatcom County Water Resource Programs ................................................... 1
WRIA 1 Watershed Management Project ....................................................... 1
  WRIA 1 Joint Board ................................................................................. 2
  WRIA 1 Joint Policy Boards ................................................................. 2
  Local Integrating Organization (LIO) ..................................................... 2
  WRIA 1 Planning Unit ........................................................................... 3
  WRIA 1 Watershed Management Plan ............................................... 3
Lake Whatcom Watershed Management .................................................... 4
  Lake Whatcom Watershed Management Program .............................. 7
  Sudden Valley ......................................................................................... 8
Groundwater Protection & Management .................................................. 9
Flood Hazard Management ..................................................................... 10
  Organization ......................................................................................... 11
  Pertinent Documents .......................................................................... 11
Stormwater Management ....................................................................... 11
  County Stormwater Management Programs ....................................... 12
Salmon Recovery Program ...................................................................... 14
  WRIA 1 Salmon Recovery Strategy .................................................... 14

Whatcom County Water Resource Programs

Reason for Change: The following text describing County water programs has been added to describe the current environment and activities.

WRIA 1 Watershed Management Project

The WRIA 1 Watershed Management Project is the result of the 1998 Washington State Watershed Management Act, which required all participating local governments to address water quantity, with the option of addressing water quality, instream flows, and fish habitat. The WRIA 1 Watershed Management Project has brought together citizens, local governments, tribes, and state and federal agencies to address these issues.

The framework for watershed management in the state is based on geographic areas known as Water Resource Inventory Areas (WRIAs). WRIA 1 includes the
Nooksack River basin and several adjoining smaller watersheds, such as the coastal
drainages of Dakota and California Creeks, as well as Lake Whatcom.

Watershed planning in WRIA 1 started in 1998 with the signing of a Memorandum
of Agreement (MOA) between the Initiating Governments. In the WRIA 1 the
Initiating Governments are Whatcom County, City of Bellingham, Public Utility
District No. 1, Lummi Nation, and Nooksack Tribe (the latter joining slightly later
through a Letter of Agreement). The role of the Initiating Governments was to
review a recommended Watershed Plan and take it to their governments’ councils
for adoption.

**WRIA 1 Joint Board**

In 1999, an Interlocal Agreement further formalized the government-to-
government relationship essential to the tribes’ participation in the process by
creating a Joint Board. The Joint Board is comprised of the Initiating Governments,
including the mayor of the City of Bellingham, executive for Whatcom County,
manager of Public Utility District No. 1, and designated policy representatives of
Lummi Nation and Nooksack Tribe. The Board manages the project’s administrative
functions such as contracts and budgets. Members of the Joint Board also sit on the
Joint Policy Boards.

**WRIA 1 Joint Policy Boards**

The WRIA 1 Joint Policy Boards are comprised of members of the WRIA 1 Joint
Board and Salmon Recovery Board. This organizational level interacts with federal,
state, and regional organizations at a policy-level and provides policy related
direction to staff for purposes of incorporating regional issues into work plans,
programs, etc. Additionally, the Joint Policy Boards:

- Endorse programs/actions to forward to Legislative Bodies, as applicable
- Provide WRIA 1 programs policy direction
- Meet and discuss watershed and salmon program topics as joint policy
  boards with decision-making of each policy board retained.

**Local Integrating Organization (LIO)**

The Whatcom Local Integrating Organization (LIO) is a function of the WRIA 1
Watershed Joint Board and WRIA 1 Salmon Recovery Board (Joint Policy Boards).
Local integrating organizations are designated by the Puget Sound Partnership. The
two WRIA 1 Boards accepted the function of the Whatcom LIO in October 2010
under the integrated program structure, and was officially recognized by the Puget
Sound Partnership’s Leadership Council in November 2010. The purpose of the
Whatcom LIO is to coordinate implementation of Puget Sound Action Agenda
priorities that are consistent with or complement local priorities. One of its functions
is to provide a local update to the Action Agenda for Puget Sound. Local updates
are intended to identify local priorities in the form of near-term actions (NTAs),
which are priority actions with measurable outcomes that can be implemented in
the next two years and that align with strategies in the Action Agenda for Puget
Sound.
WRHA 1 Planning Unit

The Initiating Governments established the Planning Unit to ensure representation of a broad range of water resource interests. The Planning Unit’s role is to recommend actions for a Watershed Plan and to contribute knowledge, interests, technical expertise, and other resources to its development. The Planning Unit is made up of representatives from the Initiating Governments, other governments, and various caucuses. There are 16 total caucuses on the WRHA 1 Planning Unit.

Reason for Change: The P/C felt that the PU deserved mentioning.

Note: Staff does not support the addition of this language. The PU is a subcommittee of the Joint Boards, as are the Watershed Management Team, the Watershed Staff Team, and the Salmon Staff Team. Staff purposefully left all but the highest levels of the organization out. Furthermore, the organization of the WRHA 1 is currently undergoing potential change, and the status of the PU is unknown.

WRHA 1 Watershed Management Plan

The WRHA 1 Watershed Management Plan was completed in 2005 through the cooperation of local stakeholders and governments. It provides a roadmap for addressing water quantity, water quality, instream flow, and fish habitat challenges. The goals of the WRHA 1 Watershed Management Project are to have water of sufficient quantity and quality to meet the needs of current and future human generations, including the restoration of salmon, steelhead, and trout populations to healthy harvestable levels, and the improvement of habitats on which fish and shellfish rely. These goals are addressed more specifically below:

- **Water Quantity** – To assess water supply and use, and develop strategies to meet current and future needs. The strategies should retain or provide adequate amounts of water to protect and restore fish habitat, provide water for future out-of-stream-uses, and ensure that adequate water supplies are available for agriculture, energy production, and population and economic growth under the requirements of the state’s Growth Management Act.

- **Water Quality** – To ensure that the quality of our water is sufficient for current and future uses, including restoring and protecting water quality to meet the needs of salmon and shellfish, contact recreational uses, cultural uses, protection of wildlife, providing affordable, safe domestic water supplies, and other beneficial uses. The initial objectives of the water quality management strategy will be to meet the water quality standards.

- **Instream Flow** – To supply water in sufficient quantities to restore salmon, steelhead, and trout populations to healthy and harvestable levels and improve habitats on which fish rely.

- **Fish Habitat** – To protect or enhance fish habitat in the management area and to restore salmon, steelhead, and trout populations to healthy and harvestable levels and improve habitats on which fish rely.
In 2010, the WRIA 1 Joint Board adopted a work plan, budget and financing strategy, called the Lower Nooksack Strategy, to advance a negotiated settlement of Tribal and state in-stream flow water rights on the mainstem of the Nooksack River, while maximizing the economic and environmental benefits of out-of-stream water use in the Lower Nooksack sub-basin. The Joint Board adopted the Lower Nooksack Strategy consistent with WRIA 1 Watershed Management Plan priorities.

Lower Nooksack Strategy Objectives:

- Develop and implement a process for negotiating settlement of water rights on the Mainstem Nooksack River.
- Update and verify the Lower Nooksack River sub-basin water budget and develop a groundwater model.
- Determine out-of-stream water user needs:
  - Public water system needs determined by updated the Whatcom County Coordinated Water System Plan (CWSP).
  - Other out-of-stream user needs (e.g., agriculture, private domestic wells, industrial, etc.) determined through a regional water supply planning process.
- Continue and, if appropriate, enhance targeted streamflow and water quality sampling.
- Advance work on tools that foster water resource allocations consistent with long-term economic and environmental land-use goals for implementation in five years.

Lake Whatcom Watershed Management

Reason for Change: The below text regarding Lake Whatcom was moved from Chapter 2 to this chapter.

Lake Whatcom is large multi-purpose reservoir that is the source of drinking water for the City of Bellingham, Lake Whatcom Water and Sewer District, several other smaller water districts/associations, and about 250 homes that draw water directly from the lake. All told, the lake provides water to about half the population of Whatcom County.

Lake Whatcom is a multiple use lake and watershed. In addition to providing water for drinking, commercial and industrial uses, the lake is used for boating, swimming, and fishing. The majority of the watershed is forested, mainly surrounding the large southernmost portion of the lake. Other land uses include residential development (approximately 5,030 homes are located within the watershed), limited agriculture and commercial development, parks, and other public facilities. The on-going management challenge is trying to determine the extent to which these practices can occur while maintaining safe, clean drinking water. The challenge is further complicated by possible requirements related to the
Endangered Species Act, tribal water rights, and the potential impact these issues may have on how the City’s diversion from the Nooksack River is operated.

The watershed contains four developed areas: the City of Bellingham, which straddles the upper portion of the northern-most basin of the lake; Geneva, which is immediately south and east of Bellingham’s city limits and is part of the city’s urban growth area; Hillsdale, which is immediately north and east of Bellingham’s city limits and is also part of the city’s urban growth areas; and the Sudden Valley Rural Community. In addition, it includes a variety of other zones, including resource, rural, and residential rural zones. Over Outside the Bellingham City limits, approximately 70%-75% of the watershed is in Forestry zoning and more than 75%-73% of the current land use is forestry.

In 2003, there were approximately 2,730 existing dwelling units in the Lake Whatcom watershed located outside of the Bellingham UGA. Under the zoning adopted in January 2004, the gross potential build-out in this area is about 6,507 total dwelling units. Therefore, even under the more restrictive zoning adopted in January of 2004, there could be a significant amount of new development in the watershed. Water and sewer service are provided by the Lake Whatcom Water and Sewer District Water District 10. Capacity problems in the district’s sewer line, which serves Geneva and Sudden Valley, have caused overflows into the lake in the past. An aggressive program to preclude stormwater infiltration has eliminated the overflow problems to a large extent. In addition, the district has a contractually limited flow capacity to Bellingham. The Lake Louise Road sewage interceptor was constructed in January 2003 to carry waste water from Sudden Valley and Geneva and serves as a complement to the Lake Whatcom Boulevard trunk line. The interceptor was designed to service full build-out of Sudden Valley and Geneva.

The City of Bellingham and Lake Whatcom Water and Sewer District are responsible for ensuring drinking water standards are met for their customers. To date water supplies have consistently met standards. The ability to continue to economically meet drinking water standards requires maintaining source water that requires minimal treatment. For this reason the City of Bellingham maintains an on-going source water-monitoring program. Other agencies including Western Washington University, Department of Natural Resources, Department of Fish and Wildlife, Department of Ecology, Lake Whatcom Water and Sewer District, and Whatcom County, have also conducted monitoring, studies, and/or evaluations of the lake and watershed.

Lake Whatcom is the drinking water source for approximately half of Whatcom County. Recent studies on Lake Whatcom conducted over a number of years indicate water quality in the lake has declined. Oxygen levels in Lake Whatcom are declining to lower levels, and are declining faster than in the past. In 19971998, the Washington State Department of Ecology listed Lake Whatcom as an impaired water body and placed Lake Whatcom on the Federal Clean Water Act 303(d) list because of low oxygen levels in the Lake and high bacteria levels in streams that flow into the Lake. The 303(d) listing requires the establishment of a Total Maximum Daily Loads (TMDLs), that designates loading capacity of the lake such
that there will be no measurable change in oxygen levels from natural lake conditions. The TMDL goals will require a variety of planning, pollution prevention, pollution reduction and technical approaches. Meeting the TMDL goals will be required in order to stabilize water quality in Lake Whatcom. The Department of Ecology issued the “Lake Whatcom Watershed Total Phosphorus and Bacteria Total Maximum Daily Loads: Volume 1, Water Quality Study Findings” in 2008. This study documented that Lake Whatcom is impaired for dissolved oxygen due to phosphorus loading and that streams flowing into Lake Whatcom do not meet fecal coliform bacteria standards. Loading capacities for total phosphorus and bacteria reduction targets were set forth in this document. In 2013 The Department of Ecology issued a draft “Lake Whatcom Watershed Total Phosphorus and Bacteria Total Maximum Daily Loads: Volume 2, Water Quality Improvement Report and Implementation Strategy.” in 2013. This report identifies how much phosphorus can be discharged to the Lake and identifies how the bacteria load should be allocated between the County and City of Bellingham, in order to meet water quality standards.

A significant cause of declining oxygen levels has been from residential development in the watershed. Past development permitted by the City of Bellingham and Whatcom County has led to increased phosphorus loading into the lake, which stimulates algae growth. Bacteria that consume the dying algae deplete the dissolved oxygen, leading to in turn has led to lower oxygen levels in the lake. Past poorly managed forest practices may have led to significant increases in phosphorus loading to the lake.

There are several pending subdivisions in the area which are being proposed at less than full density but which will increase the overall development level outside of urban areas to a significant degree. Whatcom County has taken a number of actions to reduce phosphorus and otherwise address Lake Whatcom water quality. These include rezoning land to allow less development in the watershed, adoption of the Lake Whatcom Comprehensive Stormwater Management Plan, revising stormwater management standards for private development to significantly reduce potential phosphorus runoff, construction of stormwater capital improvement projects and adoption of regulations that restrict the application of commercial fertilizers.

In 2014, approximately 8,800 acres of forest lands around Lake Whatcom were transferred to Whatcom County from the Washington Department of Natural Resources through reconveyance. These lands will provide passive recreation opportunities with hiking and biking trails connecting various communities, neighborhoods and parks throughout the watershed. Under County ownership, the forests will be allowed to mature to an older growth environment benefiting the watershed and helping to stabilize steep slopes that surround the lake. In 2006 the Whatcom County Council approved funding to study reconveyance of DNR managed County Forest Board Lands.

There are still state forest lands in the Lake Whatcom watershed. In 2004, the Department of Natural Resources (DNR) Board on Natural Resources adopted the Lake Whatcom Landscape Plan. This plan provides additional protections on

Whatcom County Comprehensive Plan
remaining state managed lands within the Lake Whatcom watershed. The plan provides additional protections on streams and potentially unstable slopes not normally included in forest practices in Washington State. If the DNR exchanges land from the watershed the protections provided by the plan would not be applicable to the new owner.

Lake Whatcom Watershed Management Program

A variety of agencies, organizations, and individuals play a role in managing and protecting Lake Whatcom. In an effort to coordinate efforts of these various players, in 1990, the City of Bellingham, Whatcom County, and Water District 10 (now known as the Lake Whatcom Water and Sewer District) began meeting to develop a joint management strategy for the Lake Whatcom watershed.

In November/December 1992, a joint resolution was passed by the Bellingham City Council, Whatcom County Council, and the Lake Whatcom Water and Sewer District (formerly Water District 10) Commissioners, which reaffirmed this position with six general goal statements and a set of specific goal statements in various categories. The specific goal statements for urbanization were the following:

- Prevent water quality degradation associated with development within the watershed.
- Review and recommend changes in zoning and development potential that are compatible with a drinking-water reservoir environment.
- In addition to zoning identify and promote other actions to minimize potential for increased development in the watershed (i.e. land trust, development rights, cost incentives, etc.).
- Develop specific standards which reduce the impacts of urbanization, such as minimal lot clearing; clustered development to reduce infrastructure; collection and treatment of stormwater before entering the lake.
- Develop appropriate interlocal agreements with governing agencies to prohibit the potential for additional development once an agreed upon level is set.

The joint resolution included goals for watershed management that extended beyond urbanization. Goals were included for stormwater management, on-site waste systems, conservation, forest management, spill response, hazardous materials transport and handling, data/information management, education/public involvement, and other topics. A joint strategy was agreed to for developing specific plans to meet the adopted goals. Eight high priority goals were selected first and plans have been completed and jointly adopted for each of the goals.

In 1998, the City, County, and District 10 formalized their joint commitment to protect and manage the lake through the joint adoption of an interlocal agreement and allocation of funding toward protection and management efforts in the watershed. A five-year program plan was developed for ten program areas. Specific priority was placed on activities related to watershed ownership, stormwater management, and urbanization/land development.
The resulting Lake Whatcom Management Program guides actions to protect Lake Whatcom as a long-term supply of drinking water for the City of Bellingham and portions of Whatcom County. The program emphasizes protection over treatment in managing Lake Whatcom and its watershed. The structure of the Lake Whatcom Management Program includes legislative bodies, a management team, an interjurisdictional coordinating team, agency staff, and advisory committees.

The Lake Whatcom Watershed Management Program website (http://www.lakewhatcom.whatcomcounty.org/resources) contains the management plans, reports, and work programs, as well as the jurisdictions’ pertinent regulations and brochures on the different programs aimed at the various efforts to improve water quality.

**Sudden Valley Recreational Subdivision**

Reason for Change: The following text was moved from Chapter 2, and edited for brevity.

Sudden Valley is a community within the Lake Whatcom Watershed. It was established in the early 1970s as a recreation/resort area located in the Lake Whatcom Watershed. But over the last thirty years it has developed into an urban significant residential area. Sudden Valley has private paved roads, all underground utilities (electricity, gas, cable and telephone), and a public water and sewer system provided by Lake Whatcom Water and Sewer District. Fire District #2, strategically located in Sudden Valley, provides fire and ambulance service. Sudden Valley’s 1,724 total acres originally included 4,648 platted single-family lots/condominiums, a limited commercial area, community facilities, a marina, and a golf course. Of the 1,545 acres, 835 acres of open space and 140 acres of golf course (63%) are community association owned. The remaining 749 acres (43%) are private property. 2000 US Census data indicates that approximately 26% of the existing housing in Sudden Valley is either seasonal or vacant.

Sudden Valley contributes to a high volume of vehicle trips on Lake Whatcom Boulevard and Lake Louise Road. Right-of-way and alignment studies have been proposed for the 6-year TIP to study alternatives, cost and location relative to addressing the growing volume of vehicular trips on Lake Whatcom Boulevard and Lake Louise Road. Public transportation services are provided by the Whatcom Transportation Authority (WTA).

Sudden Valley lies within the Lake Whatcom Watershed where limiting development has been identified as desirable. The Sudden Valley Community Association (SVCA) has a Board of Directors mandated lot consolidation program with a targeted density reduction of 1,400 lots, reducing the total lots for development from 4,648 to 3,248. To date approximately 75% (1,047 lots) have been placed into density reduction of which 452 are voluntary private lot consolidation. SVCA funding has been set aside to purchase additional lots for density reduction. In accordance with the 2000 Lake Whatcom Management Program, the County and Lake Whatcom Water and Sewer District have also assisted Sudden Valley with their density reduction program through several joint agreements and exchanges of property and

*Whatcom County Comprehensive Plan*
restrictive covenants. To date, the SVCA, County, and Lake Whatcom Water and
Sewer District have acquired 115 undeveloped lots in Sudden Valley at annual tax
foreclosure auctions. The Lot Consolidation Covenant to Bind process has, also,
increased voluntary private lot consolidation. The County Council has exempted
Sudden Valley from the Lake Whatcom Transfer of Development Rights (TDR)
program because Sudden Valley's density reduction plan meets the intent of the
TDR program.

Since 1985, Sudden Valley has mandated the use of appropriate stormwater best
management practices through standards for individual stormwater detention for all
new construction. Any new building permits on existing lots must be able to
demonstrate that stormwater detention is included on the plan as a precondition to
issuance of a permit. Sudden Valley is also subject to additional regulatory
protections that apply to the Lake Whatcom watershed under the Water Resource
Protection Overlay District, Stormwater Special District, and Water Resource Special
Management Area requirements. Under the provisions of these special districts,
potential impacts from impervious surfaces, stormwater runoff, and clearing
activities are required to be addressed either on-site or through a community-wide
process.

Sudden Valley has implemented a 10-year Forest and Wildlife Stewardship (FAWS)
plan with the State of Washington Department of Natural Resources (DNR). This
plan provides environmental education and guidance to the Sudden Valley
community, on a continuing basis, to assure sound environmental health and safety
for plants, animals, and residents with an emphasis on properly managing flora and
fauna indigenous to the region.

Groundwater Protection & Management

Groundwater is contained in aquifers, which are subterranean layers of porous rock
or soil. Most aquifers are replenished by rainwater, though some may contain water
trapped during glacial periods. Aquifers are often integrally linked with surface
water systems and are essential for meeting in-stream and out-of-stream water
needs such as for drinking water, agriculture, and industry. Whatcom County
residents rely heavily on groundwater for drinking water, agriculture, and
commercial and industrial needs. Groundwater also plays an important role in
maintaining stream flows.

Many studies have been conducted related to groundwater quality in Whatcom
County documenting water quality issues such as exceedances of standards for
nitrate, ethylene dibromide (EDB) and 1,2-dichloropropane (1,2-D), pesticides, iron
and other agricultural-related contaminants, particularly in the northern portion of
the County. In general, groundwater in Whatcom County is very vulnerable to
contamination because much of the County’s groundwater lies within a shallow
unconfined aquifer. Activities that occur on the surface of the ground directly affect
groundwater quality. Shallow wells that draw water from unconfined water table
aquifers are at highest risk.
Whatcom County's Critical Areas Regulations protect Critical Aquifer Recharge Areas (CARAs) during the development process, by precluding certain uses in CARAs and/or requiring certain precautions be taken in handling certain chemicals.

Flood Hazard Management

A comprehensive approach to flood hazard management planning provides for a better understanding of the river and floodplain system and ensures that flooding and channel morphology problems are not simply transferred to another location within the basin, but are addressed in a comprehensive, basinwide manner. This approach directs future flood hazard management expenditures in the most efficient and cost effective manner.

Whatcom County Public Works coordinates with the Flood Control Zone District Advisory Committee (FCZDAC) to identify and characterize flooding problems and provide recommendations for achieving consistent long-term flood hazard reduction strategies. Some activities typically involved in developing a Comprehensive Flood Hazard Management Plan (CFHMP) include data collection, hydraulic modeling, alternatives analysis, floodplain mapping, and meander limit identification. In addition to the technical components in comprehensive flood planning, extensive coordination with the public and other agencies is required throughout the planning process.

Other County flood management programs include:

**Early Flood Warning** – Work with the United States Geological Survey (USGS) to maintain a network of early flood warning stations to help citizens prepare and take appropriate measures to protect lives and property from flood damages.

**Flood Hazard Reduction Program** – Implement projects to reduce future flood damages and public expenditures to repair damaged areas. Examples include construction of setback levees and overflow spillways, and designation of overflow corridors in overbank areas. Two alluvial fan studies have been completed for Jones Creek and Canyon Creek. For Jones Creek, review of potential mitigation measures and concept design of a preferred approach has also been completed.

**Comprehensive Flood Hazard Management Planning** – Identify flooding problems and provide recommendations for achieving long-term flood hazard reduction strategies. The Lower Nooksack River Comprehensive Flood Hazard Management Plan was adopted in 1999. Implementation of the plan is ongoing.

**Preparedness and Response** – Plan for and implement a coordinated response during flood events to ensure public safety and minimize flood damages.

**National Flood Insurance Program** – Participate in the Congress-initiated National Flood Insurance Program (NFIP) of 1968, to make affordable flood insurance available to citizens of communities that adopt approved flood management regulations.
**Repair and Maintenance Program** – Address problem areas with rivers, streams, and coastlines of Whatcom County, and mitigates future flood damages in a proactive and cost-effective manner.

**Technical Assistance** – Provide technical assistance regarding drainage and flood issues to private citizens and businesses located along the many water bodies within Whatcom County.

**Organization**

**Flood Control Zone District Advisory Committee (FCZDAC)**

Following the severe floods of 1989 and 1990, in 1992 Whatcom County created the countywide Flood Control Zone District (FCZD), including both incorporated and unincorporated areas of the County. The FCZD is a quasi-municipal corporation that is a separate legal entity from the Whatcom County government. Even though this legal separation exists, the Whatcom County Council and the County Executive (Board of Supervisors) and the Public Works Department (staff) perform the governance and administrative support for the district.

The primary purpose of the FCZD is flood hazard management. Revenue generated for this purpose is accomplished in two ways: (1) a county-wide uniformly applied service charge; and, (2) supplemental revenue generated within localized Diking Districts and Sub-Flood Districts where specific local project activity is planned.

While the primary purpose of the FCZD is flood hazard management, the district is allowed to address a wide variety of water resource issues. Due to this ability, revenue generated by the district is currently used to finance additional water supply and water quality related improvement projects.

**Pertinent Documents**

**Lower Nooksack River Comprehensive Flood Hazard Management Plan (CFHMP)**

In 1999, the county adopted the Lower Nooksack River Comprehensive Flood Hazard Management Plan (CFHMP). The CFHMP identifies projects, programs, and other recommendations aimed at reducing future flood damages along the Lower Nooksack River.

**Critical Areas Regulations (WCC 16.16)**

Whatcom County’s Critical Areas Regulations aim to protect people and property in Frequently Flooded Area (FFAs) by requiring that any development conforms to WCC Title 17, Flood Damage Prevention.

**Stormwater Management**

Stormwater runoff occurs when precipitation from rain or snowmelt flows over the land surface. The addition of roads, driveways, parking lots, rooftops and other surfaces that prevent water from soaking into the ground to our landscape greatly increases the runoff volume created during storms. This runoff is swiftly carried to our local streams, lakes, wetlands and rivers and can cause flooding and erosion.
Stormwater runoff also picks up and carries with it many different pollutants that are found on paved surfaces such as sediment, nitrogen, phosphorus, bacteria, oil and grease, trash, pesticides and metals.

**County Stormwater Management Programs**

**National Pollutant Discharge and Elimination System (NPDES) Phase II Permit**

Stormwater runoff picks up pollutants as it travels over our developed landscapes and is a major source of water quality problems. In 1987, the Federal Clean Water Act was amended to address stormwater pollution. As a result, the United States Environmental Protection Agency (EPA) created the National Pollutant Discharge Elimination System (NPDES) to address stormwater runoff. States are then required to administer permits to local jurisdictions to regulate runoff as part of the NPDES Program. The Permit is referred to as the "NPDES Phase II Permit" or "Phase II Municipal Stormwater Permit".

In February of 2007, the Washington State Department of Ecology issued Whatcom County’s Phase II Municipal Stormwater Permit. This permit regulates discharges from Small Municipal Separate Storm Sewers, and is part of the National Pollutant Discharge and Elimination System (NPDES) and State Waste Discharge General Permit. It sets forth requirements of municipalities to address stormwater runoff in areas determined to have population densities reaching urban standards. Whatcom County is required to implement various stormwater management strategies to comply with this State permit.

The current Permit boundary covers approximately 15,000 acres and generally includes the following areas (Figure 1):

- Bellingham Urban Growth Area
- Sudden Valley
- Portions of the Hillside and Emerald Lake area
- Portions along North Shore Drive on Lake Whatcom and Lake Whatcom Boulevard
- Ferndale Urban Growth Area
- Portions along Chuckanut Drive and Chuckanut Bay
- Birch Bay Urban Growth Area (Beginning August 1, 2013)
- The entire Lake Whatcom watershed is subject to illicit discharge detection and elimination requirements of the Permit.

Jurisdictions are allowed to discharge runoff into water bodies of the State (such as rivers, lakes, and streams) as long as they implement programs that protect water quality by reducing pollutants to the maximum extent possible through requirements of the NPDES Phase II Permit. Those requirements are reported and submitted to the Department of Ecology through the Stormwater Management Program (SWMP) and the Annual Compliance Report.

The Western Washington Phase II Municipal Stormwater Permit is required by the State of Washington Water Pollution Control Law Chapter 90.48 RCW, and the
Federal Water Pollution Control Act Title 33 United States Code (Clean Water Act). The Permit is administered by the Washington State Department of Ecology.

Figure 1. NPDES Phase II Boundaries

Pollution Identification and Correction (PIC) Program

Everyone wants clean water to support healthy drinking water, safe recreational uses, quality water for irrigation and livestock, healthy fish, and shellfish that are safe to consume. Currently, many streams in Whatcom County do not meet water quality standards for fecal coliform bacteria. Fecal coliform bacteria are found in the intestinal tract of warm-blooded animals and when found in streams are an indicator of human or animal waste in the water. The higher the bacteria level, the greater the public health risk to people drinking, wading, fishing, or consuming shellfish. The Pollution Identification and Correction (PIC) Program has been created to help implement community solutions to clean water.
Pollution – The key potential sources of bacteria that have been identified in Whatcom County coastal drainages are (1) animal waste from agricultural operations, domestic pets, waterfowl, and wildlife, and (2) human sewage from failing on-site sewage systems (OSS), leaking sewers, or cross-connections.

Identification – Whatcom County coordinates a routine water quality monitoring program at approximately 90 stations in watersheds that discharge to marine waters. Samples are collected on at least a monthly basis and analyzed for fecal coliform bacteria. Results are evaluated annually to identify focus areas with the largest bacteria problems. Within the focus areas, stream segments are monitored and potential bacteria sources are identified.

Correction – Technical and financial resources are offered to landowners to identify and implement solutions on their property. Residents can help improve the community’s water quality by inspecting and maintaining septic systems and by fencing animals out of streams, ditches and swales. By actively managing pastures, creating protected heavy use areas, and covering manure storage areas, residents can prevent manure-contaminated mud from polluting surface water. Planting shrubs and trees along stream banks and picking up after dogs also contributes to better water quality.

Salmon Recovery Program

In the Nooksack basin, abundances of several salmonid stocks have diminished substantially from historical levels. The declines in local salmonid stocks, especially Chinook salmon, have had profound economic, cultural and social impacts on the greater WRIA 1 community. Direct impacts include reduced jobs and income for commercial fisherman, severe curtailment of tribal and subsistence catch, and loss of tourism associated with recreational fishing. In addition, ESA listings impose constraints on the activities of local and tribal governments, businesses, the agricultural community, and citizens, who must seek to avoid or minimize take of listed species. Nonetheless, salmon remain an integral part of the natural and social landscape of Whatcom County and the Nooksack River watershed. Recent watershed recovery planning and restoration efforts by federal, state, local and tribal governments, non-profit organizations, businesses, and private citizens demonstrate a commitment to salmon recovery in WRIA 1.

The WRIA 1 Salmon Recovery Program is a multi-government planning effort with a WRIA-wide scope to address salmon recovery and protection of ESA and non-ESA listed salmonids.

WRIA 1 Salmon Recovery Strategy

The ultimate goal for salmon recovery in WRIA 1 is to recover self-sustaining salmonid runs to harvestable levels through the restoration of healthy rivers and natural stream, river, estuarine, and nearshore marine processes, careful use of hatcheries, and responsible harvest, and with the active participation and support of local landowners, businesses, and the larger community. The purpose of the
WRISA 1 Salmonid Recovery Plan is to identify the actions necessary to recover WRISA 1 salmonid populations, especially listed species, and to outline the framework for implementation of recommended actions that have been agreed to by local, state, tribal, and federal governments and stakeholders in WRISA 1. In the near term, the objectives are to:

1. Focus and prioritize salmon recovery efforts to maximize benefit to the two Nooksack early chinook populations;
2. Address late-timed Chinook through adaptive management, focusing in the near-term on identifying hatchery- versus naturally-produced population components;
3. Facilitate recovery of WRISA 1 bull trout and steelhead by implementing actions with mutual benefit to both early chinook, and bull trout and steelhead and by removing fish passage barriers in presumed bull trout and steelhead spawning and rearing habitats in the upper Nooksack River watershed; and
4. Address other salmonid populations by (a) protecting and restoring WRISA 1 salmonid habitats and habitat-forming processes through regulatory and incentive-based programs; and (b) encouraging and supporting voluntary actions that benefit other WRISA 1 salmonid populations without diverting attention from early chinook recovery.

Focusing efforts on early chinook is consistent with regional salmon recovery — current abundance and productivity for the two populations is very low and recovery of both populations is critical to delisting and recovery of the Puget Sound Evolutionarily Significant Unit (ESU) for Chinook salmon.

Salmon Recovery Board (SRB)

WRISA 1 Salmon Recovery Board membership includes the County Executive, Bellingham Mayor, Mayors of the Small Cities of Whatcom County, the regional director of the Washington Department of Fish and Wildlife, and policy representatives from Lummi Nation and Nooksack Indian Tribe.

The WRISA 1 Salmonid Recovery Plan (2005), a chapter of the Puget Sound Salmon Recovery Plan, guides restoration in the Nooksack River and adjacent watersheds. This plan was developed in partnership with Nooksack Tribe, Lummi Nation, Washington Department of Fish and Wildlife, Bellingham, and the small cities of Whatcom County. Chinook salmon populations (listed as threatened with extinction under the Federal Endangered Species Act) are prioritized, yet the plan also provides the template for recovery of threatened steelhead and bull trout and the other salmon and trout populations native to Whatcom County.

The salmon plan was developed in parallel with the WRISA 1 Watershed Management Plan. Salmon habitat is intricately linked to watershed management; salmon recovery will be most successful when fish habitat objectives are carefully coordinated with watershed management objectives. Integrating salmon recovery
with flood hazard management and restoring fish passage under County roads are two primary areas of focus.
Proposed Council Changes to Comprehensive Plan

Chapter 11 – Environment

Page and line numbers reflect Planning Commission Recommended Draft (1/14/16). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1) p. 11-18; Policy 11F-5: Allow permitted uses that do not require human habitation in hazard areas that are deemed to be of low or acceptable risk, so long as probable adverse off-site impacts to other properties or natural systems (those impacts resulting from the interaction of the natural hazard and the proposed development) are minimized or mitigated. Probable adverse impacts should be prevented or avoided in habitats of state or federally listed sensitive plant and animal species. (Brenner)

2) p. 11-27; Policy 11I-8: Strongly incentivize the use of low impact development strategies. Minimize Work cooperatively with applicants to consider minimizing the amount of impervious surface whenever practicable by using natural engineering design methods such as the use of open, grassed street swales and rain gardens instead of curbs and gutters. Where feasible, encourage alternate surfacing options and other techniques associated with low impact development (see Glossary). (Brenner)

3) p. 11-36; lines 26-31: Shellfish Protection Advisory Boards

Whatcom County has three Shellfish Protection Advisory Boards, one for each of the Shellfish Protection Districts: Birch Bay, Drayton Harbor, and Portage Bay. Each advises the County Council on proposed actions and operations relating to the restoration of water quality in their respective watersheds. (Weimer)

4) p. 11-38; lines 9-11: Many stream systems in Whatcom County have been altered by agriculture, forestry, development, and flood control practices, contributing to low stream flows, fisheries loss, water pollution, sedimentation, and other problems. These impacts can directly affect the fisheries resources by depositing silt and debris into spawning beds, by removing trees that shade and cool the water, stabilizing banks, interfering with the recruitment and establishment of large woody debris (LWD), by obstructing fish passage with culverts and roads, by altering natural channels through filling, bank hardening, and channelizing. (Brenner)

5) p. 11-38; Policy 11L-7: Promote voluntary fish and wildlife habitat enhancement projects through educational and incentive programs. These projects, which can be done by individuals, organizations, and businesses, should will buffer and expand fish and wildlife habitat. (Brenner)
6) p. 11-38; Policy 11L-13: Evaluate the full value of the fishery—including its cultural and economic value—in land use decisions that may impact that fishery. Unavoidable impacts to an individual habitat or fishery should be mitigated. (Brenner)

7) p. 11-40; Policy 11M-3: When possible, establish non-regulatory mechanisms and incentives for development that accommodates the habitat needs of fish and wildlife and encourages good stewardship practices. (Brenner)

8) p. 11-40; Policy 11M-5: Native vegetation and soils on stream banks and shorelines should be disturbed as little as possible. In situations where re-vegetation is necessary to restore stream bank or shoreline stability and provide shading, site-specific native plants should be used. Retention of vegetated riparian areas on all lake and marine shorelines should also be encouraged. (Brenner)

9) p. 11-41; Policy 11M-13: Diligently work to prevent and reduce the spread of invasive species. (Brenner)

10) p. 11-42; Policy 11N-3: Biological functions of wetlands are complex and interwoven. Evaluate the full range of potential and immediate economic impacts in land use decisions relating to wetlands, including fisheries, wildlife, recreation, farmlands, sustainable resources, air and water quality, flood hazard management, real estate, cultural attributes, and other entities uses. (Brenner)

11) p. 11-45; Policy 11P-3: Protect shellfish resources by means of pollution prevention and enforcement when necessary. This should include surface and groundwater monitoring for early detection of pollution that will minimize the damage and cost of resource restoration. (Brenner)

12) p. 11-45; Policy 11P-6: Identify and encourage the use of stormwater treatment systems and Best Management Practices that will help reduce fecal coliform bacteria levels in stormwater discharging directly into shellfish habitat areas. (Brenner)

13) p. 11-46; Policy 11P-12: Continue to develop programs that help identify potential pollution sources and ensure timely and science-based approaches are used in response to problems as they arise. (Brenner)

14) p. 11-46; Policy 11P-15: Create a tracking mechanism to document progress made toward improving downgraded shellfish areas. This information will be useful, not only in supporting an upgrade when water quality shows improvement, but also in preventing degradation in currently approved shellfish areas. (Brenner)

15) p. 11-47; Policy 11P-17: Consider establishing the Drayton Harbor Watershed as a sending area when considering a voluntary, workable transfer of development rights (TDR) program-in. (Brenner)
16) p. 11-51; Restore and edit action item line 37-41:
The Environment and Private Rights

**Develop Encourage** working relationships within development, environmental protection, and property rights organizations, with a clear vision of promoting the greatest public good and environmental health. *(Browne)*

Tabled Items
1) p. 11-20; **New Policy 11F-16**: Identify known locations of abandoned mines and wells that could produce methane and/or other hazardous substances and where immediate danger of methane and hazardous substance leaking exists, prevent construction from occurring above them. *(Browne)*

2) p. 11-33; **Policy 11K-16**: If the county acquires lots through tax foreclosure, consider selling them as non-buildable lots. If vacant lots in the Lake Whatcom watershed come available due to a tax foreclosure the County should acquire them, remove the developments rights and then place them back on the market through the public auction process to recover any residual value. *(Browne)*
Changes Approved April 5

1) p. 11-4; lines 23-26: Over 2.5 million years ago, during the Ice Ages, glacial ice invaded the Puget Sound lowlands from the north at least four times, with the last major glacial event, the Fraser Glaciation, ending approximately 12,000 years ago. (Brenner)

2) p. 11-6; lines 5-12: General environmental goals and policies are intended to provide guidance for environmental management that will promote environmental protection and good stewardship practices through a balance of public education and involvement; incentives, acquisition, and voluntary programs; land use planning and regulations; environmental monitoring; and intergovernmental cooperation. These goals and policies are also intended to provide guidance to County government as it assists its citizens in maintaining a balance between individual property rights, economic development, and environmental protection. (Brenner)

3) p. 11-6; lines 21-23: At the turn of the 20th century, the areas surrounding Lynden, Sumas, and Ferndale were logged, drained, and converted to agricultural land. (Brenner)

4) p. 11-8; Policy 11A-11: Designate high-value open space and natural areas for acquisition, conservation easements, open space, and other such programs to protect these natural areas upon request or consent of the property owner. (Brenner)

5) p. 11-8; lines 38-40: There are currently a multitude of regulations and administrative processes at the federal, state, and local level that together have become excessive and difficult to understand. (Brenner)

6) p. 11-11; lines 9-11: Climate change is a global phenomenon that has the potential for significant local impacts to natural resources, ecosystem functions, as well as human health, infrastructure, and the economy. (Brenner)

7) p. 11-11; lines 14-16: Based on a range of climate change model projections as well as peer-reviewed scientific publications, the CIG concludes that during the next 20-40 years the Pacific Northwest climate may change significantly. (Brenner)

8) p. 11-11; lines 39 – p. 11-12, line 2: Agricultural sector concerns include the cost of climate adaptation, development of more climate-resilient technologies and management and availability of adequate water supplies. Susceptibility to natural hazards is also expected to intensify due to climate change, including increased landslides, erosion, and coastal and riverine flooding due to more winter rainfall, and potential rising sea levels. (Brenner)
9) p. 11-12; Policy 11D-1: Whatcom County's natural resource-based economic sectors, natural systems, water resources, infrastructure, emergency management, and public health all face potentially noteworthy climate change related risks in the future. 
(Brenner)

10) p. 11-12; Policy 11D-3: Promote the efficient use, conservation, and protection of water resources. 
(Brenner)

11) p. 11-14; lines 37-39: Pyroclastic flows, ash flows, and especially volcanic mudflows, also known as lahars, are believed to be the greatest dangers to human life and development in Whatcom County. (Brenner)

12) p. 11-27; Policy 11I-3: Limit the alteration of natural drainage systems and natural water storage sites without mitigating measures. Such measures should not degrade water quality or fish and wildlife habitat, and should not increase hazards to the community. (Brenner)

13) p. 11-27; Policy 11I-8: Strongly incentivize the use of low impact development strategies. Minimize the amount of impervious surface whenever practicable by using natural engineering design methods, such as the use of open, grassed, street swales and rain gardens instead of curbs and gutters. Where feasible, encourage alternate surfacing options and other techniques associated with low impact development (see Glossary). (Brenner)

14) p. 11-32; Policy 11K-10: Encourage the location of public services, such as schools, libraries, parks/open space, and post offices within Rural Communities that would likely reduce the vehicle miles traveled within the watershed. (Brenner)

15) p. 11-34; lines 46 – p. 11-35, line 3: Loss of native vegetation through conversion to ornamental vegetation and non-native species often results in loss of wildlife habitat, increased competition to native wildlife from introduced species, such as starlings, and increased maintenance needs. (Brenner)

16) p. 11-42; lines 10-12: Loss of wetlands has been due to many factors, including urbanization, and to a large degree to agricultural development and associated drainage projects. (Brenner)

17) p. 11-43; Policy 11N-6: Recognize beneficial wetland uses, functions, and values. Support protection of fish and wildlife habitat, water quality, plant diversity, flood attenuation, and low-flow contribution, and water storage through planning, acquisition, incentive programs, and mitigation. (Brenner)

18) p. 11-10; lines 6-15: Prior to the 1970s, growth in Whatcom County was relatively slow and received little management. As a result, private property owners were left to their own resources as they determined how best to use their land. However, as
increasing numbers of people have moved to this area and settled, a greater demand has been placed on Whatcom County's natural resources.

The problems that arise from this situation have caused many to realize that what one person does with his/her property may have an impact on the larger environmental system that sustains us as a community and on the rights of other property owners. (Brenner)

19) p. 11-10; lines 17-19: Land use decisions can no longer be considered exclusively private matters. We are aware that public actions impact every private citizen in Whatcom County and that private actions may have public consequences as well. (Brenner)

20) p. 11-10; Policy 11C-2: When adopting new environmental protection programs, consider multiple economic parameters including development objectives, and impacts, and the economic benefits of the natural environment as both a resource and an amenity. (Brenner)

21) p. 11-11; lines 25-32:

- More precipitation falls as rain rather than snowfall in the Cascades due to an increased snow-line elevation;
- Decreased (winter) mountain snowpack and earlier (spring) snowmelt;
- Higher winter streamflow in rivers that depend on snowmelt;
- Higher winter streamflow in rain-fed river basins if winter precipitation increases in the future as projected;
- Earlier peak (spring) streamflow in rivers that depend on snowmelt;
- Lower summer streamflow in rivers and streams; and
- Decreased water in summer for irrigation, fish, human consumption and recreational use (more drought-like conditions). (Brenner)

22) p. 11-13; Policy 11D-5: Establish land use patterns that minimize transportation-related greenhouse gas emissions and encourage the preservation of natural resource lands and the protection of water resources. (Brenner)

23) p. 11-13; lines 34-35: Various slope failure processes contribute to the mosaic of landslide hazards present in the County and the potential exists for a multitude of impacts ranging from periodic small- to large-scale rockfalls and slides, massive debris slides and avalanches, destructive debris flows, and deep-seated earthflows, slumps, and slides. These landslide processes act on both the large- and small-scale, and though much less catastrophic in nature, smaller landslides occur more frequently and pose a continually hazard to County residents and infrastructure. Certain types of geologic conditions and formations are common
culprits in the occurrence of commonly cause landslides, namely the Chuckanut Formation and the Darrington Phyllite, ... (Brenner)

24) p. 11-14; lines 43-45: The same lahar is now known to have been over 300 feet deep in the upper reaches of the Middle Fork and extended as far west as Nugent’s Corner. (Brenner)

25) p. 11-15; lines 8-10: Mapping over the past decade of other Cascade volcanoes has demonstrated massive mudflows extending from the volcanoes to Puget Sound, and from Mount Rainier and Glacier Peak. (Brenner)

26) p. 11-15; lines 30-32: Recent research has shown that these crustal faults are capable of generating a magnitude 7 earthquake with an average recurrence interval of 30 to 50 years. (Brenner)

28) p. 11-17; lines 30-31: The 1990 Nooksack River floods caused over $20 million dollars of in damage to roads, bridges, buildings, and farmland. (Brenner)

29) p. 11-19; Policy 11F-9: To address the causes of flooding and avoid expensive and maintenance-intensive bank protection measures, the County should prioritize its floodplain property acquisition program. (Brenner)

30) p. 11-21; lines 5-8: Water resources of Whatcom County provide: natural beauty; recreation; habitat for fish and wildlife; water for drinking, agriculture, and industry; and other benefits essential to the quality of life and economic health of the community. (Brenner)

31) p. 11-21; lines 15-21: Whatcom County has 16 major freshwater lakes, 3,012 miles of rivers and streams, over 37,000 acres of wetlands, 134 miles of marine shoreline, and aquifers containing an undetermined amount of groundwater. These water resources serve multiple uses, including providing a source of drinking water for the people of Whatcom County. Surface water sources such as Lake Whatcom, the Nooksack River, and Lake Samish provide water to more than half the county residents, with the remainder relying on groundwater, either from individual wells or from about 300 public water systems. (Brenner)

32) p. 11-21; lines 32-35: Aquifers are often integrally linked with surface water systems and are essential for meeting in-stream and out-of-stream water needs such as for drinking water, agriculture, other industry, and other uses. (Brenner)

33) p. 11-22; lines 3-6: The intent of the following goals and policies is to provide guidance to Whatcom County government as it assists its citizens in effectively managing our water resources in a manner that ensures that the benefits of those resources are maintained far into the future. (Brenner)
34) p. 11-22; lines 18-22:

- WRIA 1 Watershed Management Project;
- Lake Whatcom Watershed Management;
- Groundwater Protection & Management;
- Flood Hazard Management; and
- Stormwater Management;

(Brenner)

35) p. 11-24; Policy 11G-6: Actively promote and participate in education, research, and information opportunities that **better improve** our understanding of the county's complex water resource systems. New information should be considered in the development and evaluation of management actions. (Brenner)

36) p. 11-25; Policy 11H-3: In conjunction with the public and appropriate local, State, Tribal, and Federal jurisdictions, define and identify and develop management strategies for watershed basins and subbasins that may require special protection. These areas may include aquifers, critical aquifer recharge areas as defined under the Growth Management Act, Groundwater Management Areas, wellhead protection areas, and high priority watersheds such as those specified under WAC 400 (Local Planning and Management of Non-point Source Pollution), WRIA Watershed Management Planning, and under legislative policy direction (e.g. Nooksack Basin, Lake Whatcom, Lake Samish, and Drayton Harbor). (Brenner)

37) p. 11-26; Policy 11H-5: Pursue the adoption and implementation of ground and/or surface water management plans and their integration into local comprehensive plans. Designate the Lake Whatcom and Lake Samish Watersheds as a high priorities in this effort. (Brenner)

38) p. 11-27; Policy 11I-4: Support the use by resource industries, such as agriculture, forestry, and mineral resource extraction of by management practices that minimize erosion and sedimentation, and significantly reduce pollutants. (Brenner)

39) p. 11-31; Policy 11K-4: Work cooperatively with the City and Lake Whatcom Water and Sewer District, and applicable associations to identify, review, and, as appropriate, recommend changes to existing monitoring programs that will address the needs of the various jurisdictions. Place a particular focus on the information needed to evaluate the impacts of additional development and stormwater management measures in the watershed. Include an analysis of the diversion from the Middle Fork of the Nooksack. Coordinate efforts with the Lake Whatcom Management Committee process. (Brenner)

40) p. 11-31; Policy 11K-7: Work cooperatively with the City and the Lake Whatcom Water and Sewer District to develop benchmarks to determine; the effectiveness of management options; when goals have been achieved; or when additional actions are necessary. (Brenner)
41) p. 11-33; Policy 11-K-18: Work with all parties to maintain and appropriately plan for infrastructure, public services, and stormwater retention so that Sudden Valley can develop to its appropriate potential. *(Brenner)*

42) p. 11-33; lines 37-40: Natural Systems goals and policies are intended to provide guidance to county government as it assists citizens to effectively manage and enhance these natural systems, and ensures that the benefits of these systems are maintained far into the future. *(Brenner)*

43) p. 11-34; lines 6-14:
   - wetlands, lakes, and streams;
   - nearshore, intertidal, estuarine habitats, and marine habitats including, but not limited to, kelp and eelgrass beds;
   - riparian areas and other travel corridors;
   - snags and downed logs;
   - forested habitats in a variety of successional stages;
   - caves, cliffs, and talus slopes;
   - grasslands and cultivated fields; and
   - thickets and fence rows. *(Brenner)*

44) p. 11-34; lines 36-37: ...stream beds with abundant logs, step waterfalls, pools, and cutbanks, and vegetated marine and estuarine communities. *(Brenner)*

45) p. 11-35; lines 28-36: These habitats play a vital role in the health of the local environment as well as of the broader Puget Sound region. They provide spawning, rearing, and feeding grounds for a wide variety of marine life as well as refuge for juvenile and adult fish, birds, and shellfish. The vegetation on back-shore marshes and within estuaries buffers adjacent upland areas by absorbing wave energy and slowing erosion.

   Symptoms of ecosystem stress include: declining stocks of salmon, bottomfish, and forage fish... *(Brenner)*

46) p. 11-36; lines 7-9: The warm, nutrient-rich tide flats in and around Lummi, Portage, and Birch Bays, and Drayton Harbor, and Eliza and Lummi Islands represent unique water resources in this regard. *(Brenner)*

47) p. 11-36; lines 7-9: Shellfish Recovery Plans
   Shellfish Recovery Plans have been created for each of three districts. The plans outline the primary sources of bacteria and actions to improve water quality:
   - Drayton Harbor Shellfish Recovery Plan (2007);
   - Portage Bay Shellfish Recovery Plan (2014), Portage Bay Initial Closure Response Strategy (1998); and
• **Birch Bay Initial Closure Response Strategy (2009)**;

Pertinent Documents
• **Whatcom Marine Resources Committee 2011-2015 Strategic Plan (2010)**

This document outlines the MRC’s mission, vision, and values, their goals and objectives, and strategies for achieving them.
*(adjust formatting as appropriate)*

(Brenner)

48) p. 11-37; lines 20-26: The Whatcom County Shoreline Management Program jurisdiction includes:
• More than 130 miles of marine shoreline;
• More than 60 miles of lake shoreline;
• More than 220 miles of stream channels; and
• All wetlands and floodways associated with the above shorelines, together with all upland areas within 200-feet of the Ordinary High Water Mark (OHWM).

(Brenner)

49) p. 11-37; lines 28-29: Whatcom County and the Washington State Department of Ecology (DOE) share joint authority and responsibility of for the Whatcom County SMP.

(Brenner)

50) p. 11-37; lines 37-38: Growth and urbanization of the land base have and may continue to impose a risk to the degradation and reduction of for natural systems.

(Brenner)

51) p. 11-38; Policy 11L-3: Develop and adopt programs that provide incentives for the protection of environmentally fragile areas or critical wildlife habitats and corridors.

(Brenner)

52) p. 11-38; Policy 11L-12: Ensure that design and development of residential and industrial development minimizes disturbance to rivers, streams, and functioning riparian areas.

(Brenner)

53) p. 11-41; Policy 11M-14: Actively participate in and support WRIA 1 Salmon Recovery efforts to return self-sustaining salmonid runs to harvestable levels through the restoration of healthy rivers, marine shorelines, and natural processes, careful use of hatcheries, and responsible harvest.

(Brenner)

54) p. 11-41; Policy 11M-11: Formulate and implement a comprehensive, landscape-based, environmental management program to protect fish and wildlife. The program should include the following:
1. Formulate an administrative approach to the review of development and planning proposals that consider natural system policies;
2. Investigate and develop programs for acquisition and restoration of important fish and wildlife habitat areas.
3. Develop and enter into cooperative agreements with State and Federal agencies and neighboring jurisdictions for the purpose of identifying and protecting natural systems.

4. Identify and map important habitat corridors throughout the county. and

5. Support the development of educational materials which lists, describes, and characterizes the appropriate use of native vegetation to enhance natural systems in Whatcom County.
   (Brenner)

55) p. 11-43; Policy 11N-5: Property rights and public services are an essential component of our political and economic system. Where such rights and public services are significantly compromised by the goal of wetland preservation, adverse wetland impacts may be permitted through standardized mitigation. This may include avoidance, impact minimization, restoration, enhancement, creation, or off-site compensation for loss of wetland functions in accordance with mitigation sequencing. (Brenner)

56) p. 11-43; Policy 11N-7: Development proposals applications should be assessed on a case-by-case basis so that marginal wetlands are not preserved at the expense of upland areas with higher habitat value. (Brenner)

57) p. 11-44; Policy 11O-1: Support the Whatcom County Marine Resources Committee in their its pursuit of the Northwest Straits Commission benchmarks as follows:
   - Broad county participation in MRC’s;
   - A net gain in high-value habitat and ecosystem functions;
   - A net reduction in shellfish beds closures;
   - Measurable increases in factors supporting bottomfish recovery;
   - Population increases in other key indicator species;
   - Coordination of scientific data;
   - Successful public education and outreach efforts; and
   - The establishment of a regional system of Marine Protected Areas (MPA’s).
   (Brenner)

58) p. 11-45; Goal 11P: Protect and enhance shellfish habitat in commercial and recreational areas in order to ensure a productive resource base for long-term use. (Brenner)

59) p. 11-46; Policy 11P-10: Continue to partner with jurisdictions in British Columbia to minimize impacts on water quality, including that affecting what effects shellfish habitat. (Brenner)

60) p. 11-47; lines 31-33: Whatcom County will take steps to halt the practice of treating its streams and rivers as a storm sewer and the marine system as a water treatment facility. (Brenner)
61) p. 11-2; lines 13-20: This chapter is composed of an introduction and four sections organized by topic heading. The first section, entitled "General Environmental Management," addresses general environmental goals and policies. The remaining three sections deal with Natural Hazards, Water Resources, and Natural Systems. Together, the sections of this chapter provide the direction necessary to ensure/promote long-term sustainability of the environment in Whatcom County. (Brenner)

62) p. 11-7; line 13-14 Much of the environmental degradation and destruction to property occurs as a result of a lack of information/understanding rather than willful action. (Brenner)

63) p. 11-7; Policy 11A-4: Manage designated Critical Areas (ECAs) as needed, to minimize or protect against environmental degradation and reduce the potential for losses to property and human life. (Donovan, Weimer)

64) p. 11-8; Policy 11A-7: Support efforts using best available science to educate and inform the public as to the benefits of a healthy and viable environment, ecologically fragile areas, and their economic and social value. (Weimer)

65) p. 11-8; Policy 11A-8: Lead and/or coordinate efforts with property owners, citizen groups, and governmental and non-governmental agencies in furthering Whatcom County's environmental goals and policies. (Weimer)

66) p. 11-8; Policy 11A-12: Broadly inform the citizens of the people of Whatcom County of the locations of potential development constraints associated with natural conditions. Information should include known natural hazards, and an assessment of the potential danger to both the property owner and the public. (Brenner)

67) p. 11-8; lines 38 - p.11-9, line 2: There are currently a multitude of regulations and administrative processes at the federal, state and local level that together have become excessive and difficult to understand. Conflicting regulations and complicated administrative processes can create undue hardship on community members and result in reduced levels of environmental protection. Regulatory inspection and enforcement of environmental regulations are currently inconsistent and lack effectiveness. The combination of complex regulations and inadequate enforcement have led to a lack of administrative predictability, widespread violations, and ultimately to environmental deterioration. Thoughtful and
efficient regulations play an important part in protecting the environment. 
(Brenner, Weimer)

68) p. 11-9; Policy 11B-7: *Keep Ensure* regulations are as simple as possible and maintain effective inspection, compliance, and enforcement measures. (Brenner)

69) p. 11-10; Policy 11C-3: Emphasize an approach to environmental protection by encouraging the use of conservation easements, open space taxation, land acquisition, purchase/voluntary, workable transfer of development rights, and other mechanisms that assist affected property owners. Avoid extreme standards and procedures that are likely to require compensation to property owners or invalidation of such rules. (Brenner)

70) p. 11-10 lines 17-23: Land use decisions can no longer be considered exclusively private matters. We are aware public actions impact every private citizen in Whatcom County and private actions avoid standards and procedures that are likely to require compensation to property owners or invalidation of such rules may have public consequences as well. To that end, the law must protect the public good from detrimental private actions. Nevertheless, the right of the individual to use his or her property, within the bounds permitted by law, is a value supported by law and the community and must be recognized when making land use decisions in Whatcom County.

71) p. 11-11; lines 18-21: The CIG confirms that global climate models project mid-21st century temperatures in the Pacific Northwest that are will be higher than the natural range of temperature observed in the 20th century. (Brenner)

72) p. 11-11; lines 29-30:
- Higher winter streamflow in rain-fed river basins resulting in scouring floods that negatively affect salmon populations if winter precipitation and rain-on-snow events increases in the future as projected (Donovan)

73) p. 11-12; Policy 11D-1: Whatcom County’s natural resource-based economic sectors, natural systems, water resources, infrastructure, emergency management and public health all face potentially noteworthy climate change related risks in the future.... (Donovan)

74) p. 11-13; New Policy 11D-6: *Convene a climate impact advisory committee by 2017. The advisory committee should consist of (but not be limited to) experts in energy efficiency and carbon emission reduction, representatives from Whatcom County, and interested community members. The committee will be tasked*
with:

- Evaluating Whatcom County’s compliance with meeting targets set forth in the 2007 Climate Plan;
- Establishing new targets that meet or exceed state and federal climate impact goals;
- Updating the Climate Plan, at minimum every five years, or as needed to meet targets;
- Recommending updates to the Whatcom County Comprehensive Plan in accordance with meeting Whatcom County’s emission reduction goals; and
- Ensuring that Whatcom County government facilities and operations are designed to meet or exceed goals and standards resolved in the current Climate Protection and Energy Conservation Action Plan. (Weimer)

75) p. 11-13; New Policy 11D-7: Encourage sustainability by developing strategies and practices to increase the use of renewable, net-neutral carbon energy in Whatcom County facilities and County vehicles, with a goal of net zero man-made carbon emission by 2050. (Donovan)

76) p. 11-13; New Policy 11D-8: Encourage sustainability by developing strategies and practices to reduce landfill waste from Whatcom County government facilities to near zero. (Donovan)

77) p. 11-16; lines 11-12: Landslides — Siting human development on or adjacent to known landslide hazard areas can create health and safety risks for humans and their property. (Brenner)

78) p. 11-17; lines 1-6: Volcanos — A volcanic eruption or mudflow at Mount Baker could potentially severely affect river flow on the Nooksack River or Baker River and cause severe property damage near the volcanoes or along lahar routes. A lahar is an extremely rare and unpredictable occurrence. Evacuation routes should be planned and made public. Development should be regulated according to the Critical-Areas Ordinance. (Donovan)

79) p. 11-18; Policy 11F-3: Broadly inform the people of Whatcom County of the locations of known natural hazards, and the potential for adverse impacts of such natural hazards to the health, safety, and welfare of people and their properties. (Brenner)
80) p. 11-18; Policy 11F-5: Allow permitted uses that do not require human habitation so long as probable adverse off-site impacts to other properties or natural systems (those impacts resulting from the interaction of the natural hazard and the proposed development uses) are minimized or mitigated. Probable adverse impacts should be prevented or avoided in habitats of state or federally listed sensitive plant and animal species. (Brenner)

Approved April 19

1) p. 11-12; lines 4- : In 2007, Whatcom County completed a Climate Protection and Energy Conservation Action Plan that laid out specific actions and targets for reducing greenhouse gas emissions and increasing energy conservation efforts in response to potential climate change.

In addition many insurance industry experts are now factoring in the costs of climate change into insurance premiums as the increase in the frequency and severity of extreme weather events around the world results in a corresponding increase in claims costs.

Local government, residents and business must anticipate that as the climate changes, more frequent and severe damage to private and public infrastructure will occur. Maintenance costs and insurance premiums can be expected to increase accordingly. (Browne)

2) p. 11-13; New Policy 11D-9?: Identify responsible parties and agencies and encourage them to identify and properly seal and/or burn methane that is escaping into the atmosphere from wells. (Browne)

3) p. 11-17; line 22, insert new paragraphs:

Gas wells - Several exploratory oil & gas wells have been drilled around the county over the last 70+ years. Some of these present potential environmental hazards due to ongoing leakage of gas.

Old Landfills - There are known abandoned landfills in the County and possibly some that are unknown. There are also several sites around the County that contain large numbers of abandoned vehicles and other debris. As with most landfills these locations pose some degree of risk of hazardous substances leaking into local aquifers. (Browne)

4) p. 11-17; Goal 11F: Minimize potential loss of life, damage to property, the expenditure of public funds, and degradation of natural systems resulting from development in hazardous areas such as floodplains, landslide-prone areas, seismic hazards areas, volcanic impact areas, abandoned mine and exploratory gas well locations, potentially dangerous alluvial fans, and other known natural hazards.
by advocating the use of land acquisition, open space taxation, conservation easements, growth planning, regulations, and other options to discourage or minimize development, or prohibit inappropriate development in such areas. (Browne)

5) p. 11-19; Policy 11F-12: Consider conducting a public process with affected citizens, technical experts, and decision-makers to establish recommended levels of public risk for each of the identified natural hazards. In developing recommended levels of public risk for natural hazards, consider the appropriate variables affecting developments in hazardous areas. These variables may include:
   • Specific types of risk associated with the particular hazard area;
   • The gradation of hazards associated with a particular geo-hazard;
   • Level of detail necessary to map hazard areas;
   • Different levels of risk associated with different ownership classes (e.g. public ownership versus private ownership);
   • Different levels of risk associated with different types of land uses; and
   • Mitigation measures related to specific adverse impacts of development in hazard areas.

Once a set of risk levels have been identified, propose these risk levels for adoption by the County Council as the levels to which future development must be designed. (Brenner)

7) p. 11-26; Policy 11H-4: Support the implementation of local and state Watershed Management Plans, the Lower Nooksack Strategy, the Lake Whatcom Management Program, NPDES Phase II Permitting, and the WRIA Watershed Management Projects. (Brenner)

8) p. 11-26; New Policy 11H-6: Policy 11H-6: Oppose the use of hydraulic fracturing in oil and gas wells (also known as “fracking”) to avoid the potential degradation of water quality in aquifers and other ground water. (Mann)

9) p. 11-28; Policy 11l-11: Place a high priority on integrating impervious surface reduction incentives into policies, regulations, and standards for the Lake Whatcom and Lake Samish watersheds. (Weimer)

10) p. 11-28; Policy 11l-12: Develop and implement comprehensive stormwater management programs and strategies designed to address runoff from all private and public developments and facilities within regulated and sensitive watersheds.

3. Amend subdivision, zoning, and other land use regulations and design standards to encourage that land use activities minimize the amount of impervious surface.

4. Identify and implement a long-term funding source to provide for water resource protection services, including non-point source identification and enforcement of applicable county regulations.

5. Focus on the Lake Whatcom watershed as a high priority in developing a stormwater management program. Develop a stormwater management
plan that achieves a uniform level of protection throughout the Lake Whatcom watershed. Ensure coordination and communication with the public and affected jurisdictions, such as the Lake Whatcom Water and Sewer District, the Sudden Valley Community Association, and the City of Bellingham.

6. Ensure that existing stormwater standards are adequately enforced within Stormwater Special Districts, Watershed Protection Districts, and the NPDES areas.

(Brenner)

11) p. 11-30; Goal 11-J: Support water conservation, reclamation, reuse measures, and education as a means to help ensure sufficient water supplies in the future.

(Brenner)

12) p. 11-30; New Policy 11J-3: Develop and implement plans to comply with the Department of Ecology's instream flow and water management rules and water resources management programs.

(Donovan)

13) p. 11-33; Restore Policy 2K-16 with edits: Work with the community association towards voluntary achievement of the density reduction additional lots within Sudden Valley.

(Brenner)
<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to</th>
</tr>
</thead>
<tbody>
<tr>
<td>Originator</td>
<td></td>
<td>4/26/2016</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Division Head</td>
<td>2/4/2016</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dept. Head</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prosecutor</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchasing/Budget</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TITLE OF DOCUMENT:**
Annual Report from Commission Against Domestic Violence

**ATTACHMENTS:**

**SEPA review required?**  (  ) Yes  (  ) NO
**SEPA review completed?**  (  ) Yes  (  ) NO

**Should Clerk schedule a hearing?**  (  ) Yes  (  ) NO
**Requested Date:**

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)
Annual Report from Commission Against Domestic Violence

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

*Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.*
March 2016

The Commission consists of 14 government and 14 community members. Government officials are designated by government position. Community members are selected by the Mayor and the County Executive from among members of the community who have an interest in, or are impacted by, domestic violence.

(14) Designated Government Representatives

<table>
<thead>
<tr>
<th>Term Exp.</th>
<th>Name</th>
<th>Community Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 31, 2016</td>
<td>Michael Knapp</td>
<td>Selected Police Chief-Whatcom County Cities</td>
</tr>
<tr>
<td>January 31, 2016</td>
<td>Linda Quinn</td>
<td>Selected Superintendent-Whatcom Co. School Districts</td>
</tr>
<tr>
<td>January 31, 2017</td>
<td>Area Administrator</td>
<td>Area Administrator, DSHS/Children's Administration</td>
</tr>
<tr>
<td>January 31, 2018</td>
<td>Mike Riber</td>
<td>Administrator, DSHS/Community Service Office</td>
</tr>
<tr>
<td>January 31, 2019</td>
<td>Bruce Van Glubt</td>
<td>Designated Representative-Whatcom County Cities</td>
</tr>
<tr>
<td>N/A</td>
<td>Dave Reynolds</td>
<td>Whatcom County Probation Administrator</td>
</tr>
<tr>
<td>N/A</td>
<td>Regina Delahunt</td>
<td>Whatcom County Superior Court Administrator</td>
</tr>
<tr>
<td>N/A</td>
<td>William Efo</td>
<td>Whatcom County Health Department Director</td>
</tr>
<tr>
<td>N/A</td>
<td>Clifford Cook</td>
<td>Whatcom County Sheriff</td>
</tr>
<tr>
<td>N/A</td>
<td>Dave McEachran</td>
<td>Bellingham Police Chief</td>
</tr>
<tr>
<td>N/A</td>
<td>Jon Komorowski</td>
<td>Whatcom County Public Defender</td>
</tr>
<tr>
<td>N/A</td>
<td>Darlene Peterson</td>
<td>Bellingham Municipal Court Administrator</td>
</tr>
<tr>
<td>N/A</td>
<td>Peter Ruffatto</td>
<td>Bellingham City Attorney</td>
</tr>
</tbody>
</table>

(7) County Community Appointments

<table>
<thead>
<tr>
<th>Term Exp.</th>
<th>Name</th>
<th>Community Position</th>
<th>Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 31, 2016</td>
<td>Michele Zlotek</td>
<td>Major Employer</td>
<td>Whatcom County Transit Authority</td>
</tr>
<tr>
<td>January 31, 2016</td>
<td>Vacant</td>
<td>Domestic Violence Victim Service Provider</td>
<td>Domestic Violence and Sexual Assault Services</td>
</tr>
<tr>
<td>January 31, 2017</td>
<td>Mary Dumas</td>
<td>Community at Large</td>
<td>Dumas and Associates</td>
</tr>
<tr>
<td>January 31, 2018</td>
<td>Christina Kobdish</td>
<td>Health Care Provider</td>
<td>Mt. Baker Planned Parenthood</td>
</tr>
<tr>
<td>January 31, 2018</td>
<td>Kathy McNaughton</td>
<td>Human Service Provider</td>
<td>Catholic Community Services</td>
</tr>
<tr>
<td>January 31, 2019</td>
<td>Vacant</td>
<td>Community at Large</td>
<td>Lummi Health Clinic</td>
</tr>
<tr>
<td>January 31, 2019</td>
<td>Beth Boyd</td>
<td>Human Service Provider</td>
<td></td>
</tr>
</tbody>
</table>

(7) City Community Appointments

<table>
<thead>
<tr>
<th>Term Exp.</th>
<th>Name</th>
<th>Community Position</th>
<th>Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 31, 2017</td>
<td>Ken Levinson</td>
<td>Community at Large</td>
<td>Family Services, Nooksack Indian Tribe</td>
</tr>
<tr>
<td>January 31, 2017</td>
<td>Sheri Emerson</td>
<td>Human Service Provider</td>
<td>Opportunity Council</td>
</tr>
<tr>
<td>January 31, 2017</td>
<td>Katie Plewa</td>
<td>Domestic Violence Victim Service Provider</td>
<td>CASAS, Western Washington University</td>
</tr>
<tr>
<td>January 31, 2018</td>
<td>Riannon Bardsley</td>
<td>Human Service Provider</td>
<td></td>
</tr>
<tr>
<td>January 31, 2018</td>
<td>Vacant</td>
<td>Community at Large</td>
<td>Family Care Network</td>
</tr>
<tr>
<td>January 31, 2019</td>
<td>Darla Woolman</td>
<td>Health Care Provider</td>
<td>Faithlife Corp</td>
</tr>
<tr>
<td>January 31, 2019</td>
<td>Alan Artman</td>
<td>Major Employer</td>
<td></td>
</tr>
</tbody>
</table>
Providing leadership in our community's efforts to reduce and prevent domestic violence

**DV COMMISSION STRATEGIC GOALS**

- **Goals for 2015-2018**
  - Engage the community to prevent domestic violence through increasing public consciousness of its impact, resources, and effective interventions
  - Promote best practices in the community response, with a focus on high risk and high lethality domestic violence
  - Increase capacity in the community to address domestic violence as it impacts children and youth
  - Explore an expansion of our mission to include sexual violence that occurs outside of an intimate partner relationships

**LEVERAGING FEDERAL FUNDING**

Since 2005, the DV Commission has leveraged its unique mission, vision, and membership to obtain more than $2.5 million in federal funding for Whatcom County agencies to address domestic violence. These federal grants have supported programs, services, education and training, and research and data collection. Grants have funded both the DV Commission and multiple community partners.
PARTNERING WITH FAITH COMMUNITIES TO ENGAGE FAMILY, FRIENDS, AND NEIGHBORS

In 2015, the DV Commission developed Responding to Domestic Violence: A Toolkit for Faith Communities in Whatcom County. This unique resource helps clergy create strong domestic violence prevention strategies for their congregations, and impact long-term change in domestic violence relationships through support and resources for victims, children, and abusers.

The Toolkit for Faith Communities was piloted by two congregations in 2016 – Christ the King in Bellingham and Christ Lutheran Church in Ferndale.

Since the Toolkit for Faith Communities was launched in fall 2015, it has been downloaded more than 400 times from the DV Commission website.

PROMOTING BEST PRACTICES TO ADDRESS DOMESTIC VIOLENCE HOMICIDE

50% of all Whatcom County homicides are DV-related

In November 2014, the DV Commission launched a Domestic Violence High Risk Team (DVHRT) to prevent domestic violence homicides. This team monitors DV offenders who are identified as high risk for committing serious assault or homicide. The DVHRT is monitoring 27 high risk offenders.

INCREASING CAPACITY OF SCHOOLS AND YOUTH TO END DV

In September 2015, the DV Commission hosted Our Gender Revolution: promoting healthy relationships, ending violence, a summit for Whatcom County middle and high school students. The DV Commission worked with local youth to plan and promote the Summit, as well as to present workshops for their peers.

More than 130 youth from 11 schools attended the Summit, along with at least one adult advisor from each school. Participants attended workshops on social change, healthy relationships, consent, and gender stereotypes. Each group of youth also created action plans; they committed to returning to their schools to educate peers, and promote healthy relationships.
Local Agency Agreement and Prospectus for the Lummi Island Dolphin and Breakwater Replacement.

1. Memo
2. Contract Info Sheet
3. Local Agency Agreement (2 originals)
4. Local Agency Federal Aid Project Prospectus (2 originals)

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Whatcom County has been awarded federal Ferry Boat Program funds for the Lummi Island Dolphin and Breakwater Replacement. A Local Agency Agreement is required to receive the funds.

Related County Contract #: Related File Numbers: Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.
Memorandum

To: The Honorable Jack Louws, Whatcom County Executive and The Honorable Members of the Whatcom County Council

Through: Jon Hutchings, Director

From: Joseph P. Rutan, P.E., County Engineer/Assistant Director
James E. Lee, P.E., Engineering Manager

Date: April 20, 2016

Re: Lummi Island Dolphin & Breakwater Replacement (CRP 914015)
Federal Aid Project Prospectus and Local Agency Agreement

Enclosed for your review and signature are two (2) originals each of a Federal Aid Project Prospectus and Local Agency Agreement between the Washington State Department of Transportation (WSDOT) and Whatcom County for the Lummi Island Dolphin & Breakwater Replacement (CRP 914015).

Requested Action
Public Works respectfully requests that the County Council authorize the County Executive to enter into an agreement with WSDOT to receive federal funding for the Lummi Island Dolphin & Breakwater Replacement project.

Please keep one original of the Project Prospectus for your files and return the other original to my office, as it requires no signatures from WSDOT. Please return both originals of the Local Agency Agreement to my office for further processing. We will return a fully executed original to you once they are signed by WSDOT.

Background and Purpose
The three remaining timber dolphins and southerly breakwater at the Lummi Island terminal were constructed in the 1980’s and are showing signs of significant deterioration, including broken piles, rotten timbers and corroded cables and are in need of replacement. The replacement structures will be a modern steel pile design to accommodate safe docking of the Whatcom Chief.

Whatcom County has been awarded $631,064 of Federal Ferry Boat Program funds for this project which require a 20% local match. This Project Prospectus and Local Agency Agreement are required to receive the federal funds.

Funding Amount and Source
The attached Local Agency Agreement will obligate $40,000 of the award amount for design and permitting. A Local Agency Supplement will be submitted to obligate the remaining federal funds for construction once the design and permitting are complete.

Please contact James Lee at extension 6264 with any questions regarding this agreement.
**WHATCOM COUNTY CONTRACT INFORMATION SHEET**

<table>
<thead>
<tr>
<th>Originating Department:</th>
<th>Public Works</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program/Project: (i.e. Dept. Division and Project)</td>
<td>Bridge &amp; Hydraulic – Lummi Island Dolphin and Breakwater Replacement</td>
</tr>
<tr>
<td>Contract or Grant Administrator:</td>
<td>James E. Lee, Engineering Manager</td>
</tr>
<tr>
<td>Contractor’s / Agency Name:</td>
<td>Washington State Department of Transportation</td>
</tr>
</tbody>
</table>

**Is this a New Contract?** Yes [ ] No [x]  
**If not, is this an Amendment or Renewal to an Existing Contract?** Yes [ ] No [ ]  
**If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #:**  

**Does contract require Council Approval?** Yes [x] No [ ]  
**If No, include WCC:**  
(see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)

**Is this a grant agreement?** Yes [x] No [ ]  
**If yes, grantor agency contract number(s):** TBD  
**CFDA#:** 20.205

**Is this contract grant funded?** Yes [x] No [ ]  
**If yes, Whatcom County grant contract number(s):** TBD

**Is this contract the result of a RFP or Bid process?**  
**Contract:**  
**Cost Center:** 914015

**Is this agreement excluded from E-Verify?** No [ ] Yes [x]  
**If no, include Attachment D Contractor Declaration form.**

**If YES, indicate exclusion(s) below:**  
□ Professional services agreement for certified/licensed professional.  
□ Contract work is for less than $100,000.  
□ Contract work is for less than 120 days.  
□ Interlocal Agreement (between Governments).  
□ Contract for Commercial off the shelf items (COTS).  
□ Work related subcontract less than $25,000.  
□ Public Works - Local Agency/Federally Funded FHWA.

**Contract Amount:** (sum of original contract amount and any prior amendments):  
$ 50,000.00

**This Amendment Amount:**  
$ N/A

**Total Amended Amount:**  
$ 50,000.00

**Summary of Scope:** Whatcom County has been awarded Federal Ferry Boat Program funds for the Lummi Island Dolphin and Breakwater Replacement. A Local Agency Agreement is required to receive the funds.

**Term of Contract:** N/A  
**Expiration Date:**  
**Project Completion:**

**Contract Routing:**  
1. Prepared by: D. Ranney  
2. Attorney signoff: Daniel L. Gibson  
3. AS Finance reviewed: bbennett  
4. IT reviewed (if IT related):  
5. Contractor signed:  
6. Submitted to Exec.: [x]  
7. Council approved (if necessary):  
8. Executive signed:  
9. Original to Council:  

**Date:**  
1. 4-15-16  
2. 4-18-16  
3. 4-18-16  
4. [ ]  
5. 4/22/16  
6.  
7.  
8.  
9.  

**Last edited 10/01/15**
Local Agency Agreement

CFDA No. 20.205
(Catalog or Federal Domestic Assistance)

Project No.

Agreement No.
For OSC WSDOT Use Only

The Local Agency having complied, or hereby agreeing to comply, with the terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the regulations issued pursuant thereto, (3) 2 CFR Part 200, (4) the policies and procedures promulgated by the Washington State Department of Transportation, and (5) the federal aid project agreement entered into between the State and Federal Government, relative to the above project, the Washington State Department of Transportation will authorize the Local Agency to proceed on the project by a separate notification. Federal funds which are to be obligated for the project may not exceed the amount shown herein on line r, column 3, without written authority by the State, subject to the approval of the Federal Highway Administration. All project costs not reimbursed by the Federal Government shall be the responsibility of the Local Agency.

Project Description

Name: Lummi Island Dolphin & Breakwater Replacement
Termini: N/A

Description of Work:
Whatcom County proposes to replace the three timber dolphins and timber southerly breakwater at the Lummi Island ferry terminal with new modern steel pile supported structures.

Project Agreement End Date: December 31, 2019
Proposed Advertisement Date: 

<table>
<thead>
<tr>
<th>Type of Work</th>
<th>Estimated Total Project Funds</th>
<th>Estimated Agency Funds</th>
<th>Estimated Federal Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>PE 80</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Agency</td>
<td>50,000.00</td>
<td>10,000.00</td>
<td>40,000.00</td>
</tr>
<tr>
<td>b. Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Aid Participation Ratio for PE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. State</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Total PE Cost Estimate (a+b+c+d)</td>
<td>50,000.00</td>
<td>10,000.00</td>
<td>40,000.00</td>
</tr>
<tr>
<td>Right of Way</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. Agency</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g. Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Aid Participation Ratio for RW</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>h. Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. State</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>j. Total R/W Cost Estimate (f+i+h+l)</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Construction</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>k. Contract</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>l. Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Aid Participation Ratio for CN</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>m. Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>n. Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o. Agency</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>p. State</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>q. Total CN Cost Estimate (k+m+n+o+p)</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>r. Total Project Cost Estimate (a+b+c+d)</td>
<td>50,000.00</td>
<td>10,000.00</td>
<td>40,000.00</td>
</tr>
</tbody>
</table>

Agency Official
By
Title: Jack Louws, Whatcom County Executive

Washington State Department of Transportation
By
Director, Local Programs
Date Executed

Approved as to form:
Daniel L. Gibson
Chief Civil Deputy Prosecutor

Page 1
Construction Method of Financing (Check Method Selected)

State Ad and Award
Method A - Advance Payment - Agency Share of total construction cost (based on contract award)
Method B - Withhold from gas tax the Agency’s share of total construction coast (line 5, column 2) in the amount of $ at $ per month for months.

Local Force or Local Ad and Award
✓ Method C - Agency cost incurred with partial reimbursement
The Local Agency further stipulates that pursuant to said Title 23, regulations and policies and procedures, and as a condition to payment of hte federal funds obligated, it accepts and will comply with the applicable provisions set forth below. Adopted by official action on Resolution/Ordinance No.

Provisions
I. Scope of Work
The Agency shall provide all the work, labor, materials, and services necessary to perform the project which is described and set forth in detail in the “Project Description” and “Type of Work.”
When the State acts for and on behalf of the Agency, the State shall be deemed an agent of the Agency and shall perform the services described and indicated in “Type of Work” on the face of this agreement, in accordance with plans and specifications as proposed by the Agency and approved by the State and the Federal Highway Administration.
When the State acts for the Agency but is not subject to the right of control by the Agency, the State shall have the right to perform the work subject to the ordinary procedures of the State and Federal Highway Administration.

II. Delegation of Authority
The State is willing to fulfill the responsibilities to the Federal Government by the administration of this project. The Agency agrees that the State shall have the full authority to carry out this administration. The State shall review, process, and approve documents required for federal aid reimbursement in accordance with federal requirements. If the State advertises and awards the contract, the State will further act for the Agency in all matters concerning the project as requested by the Agency. If the Local Agency advertises and awards the project, the State shall review the work to ensure conformity with the approved plans and specifications.

III. Project Administration
Certain types of work and services shall be provided by the State on this project as requested by the Agency and described in the Type of Work above. In addition, the State will furnish qualified personnel for the supervision and inspection of the work in progress. On Local Agency advertised and awarded projects, the supervision and inspection shall be limited to ensuring all work is in conformance with approved plans, specifications, and federal aid requirements. The salary of such engineer or other supervisor and all other salaries and costs incurred by State forces upon the project will be considered a cost thereof. All costs related to this project incurred by employees of the State in the customary manner on highway payrolls and vouchers shall be charged as costs of the project.

IV. Availability of Records
All project records in support of all costs incurred and actual expenditures kept by the Agency are to be maintained in accordance with local government accounting procedures prescribed by the Washington State Auditor’s Office, the U.S. Department of Transportation, and the Washington State Department of Transportation. The records shall be open to inspection by the State and Federal Government at all reasonable times and shall be retained and made available for such inspection for a period of not less than three years from the final payment of any federal aid funds to the Agency. Copies of said records shall be furnished to the State and/or Federal Government upon request.

V. Compliance with Provisions
The Agency shall not incur any federal aid participation costs on any classification of work on this project until authorized in writing by the State for each classification. The classifications of work for projects are:
1. Preliminary engineering.
2. Right of way acquisition.
3. Project construction.

Once written authorization is given, the Agency agrees to show continuous progress through monthly billings. Failure to show continuous progress may result the Agency’s project becoming inactive, as described in 23 CFR 630, and subject to de-obligation of federal aid funds and/or agreement closure.
If right of way acquisition, or actual construction of the road for which preliminary engineering is undertaken is not started by the close of the tenth fiscal year following the fiscal year in which preliminary engineering phase was authorized, the Agency will repay to the State the sum or sums of federal funds paid to the Agency under the terms of this agreement (see Section IX).
If actual construction of the road for which right of way has been purchased is not started by the close of the tenth fiscal year following the fiscal year in which the right of way phase was authorized, the Agency will repay to the State the sum or sums of federal funds paid to the Agency under the terms of this agreement (see Section IX).
The Agency agrees that all stages of construction necessary to provide the initially planned complete facility within the limits of this project will conform to at least the minimum values set by approved statewide design standards applicable to this class of highways, even though such additional work is financed without federal aid participation.

The Agency agrees that on federal aid highway construction projects, the current federal aid regulations which apply to liquidated damages relative to the basis of federal participation in the project cost shall be applicable in the event the contractor fails to complete the contract within the contract time.

VI. Payment and Partial Reimbursement

The total cost of the project, including all review and engineering costs and other expenses of the State, is to be paid by the Agency and by the Federal Government. Federal funding shall be in accordance with the Federal Transportation Act, as amended, 2 CFR Part 200. The State shall not be ultimately responsible for any of the costs of the project. The Agency shall be ultimately responsible for all costs associated with the project which are not reimbursed by the Federal Government. Nothing in this agreement shall be construed as a promise by the State as to the amount or nature of federal participation in this project.

The Agency shall bill the state for federal aid project costs incurred in conformity with applicable federal and state laws. The agency shall minimize the time elapsed between receipt of federal aid funds and subsequent payment of incurred costs. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for federal participation unless a current indirect cost plan has been prepared in accordance with the regulations outlined in 2 CFR Part 200 - Uniform Admin Requirements, Cost Principles and Audit Requirements for Federal Awards, and retained for audit.

The State will pay for State incurred costs on the project. Following payment, the State shall bill the Federal Government for reimbursement of those costs eligible for federal participation to the extent that such costs are attributable and properly allocable to this project. The State shall bill the Agency for that portion of State costs which were not reimbursed by the Federal Government (see Section IX).

1. Project Construction Costs

Project construction financing will be accomplished by one of the three methods as indicated in this agreement.

Method A – The Agency will place with the State, within (20) days after the execution of the construction contract, an advance in the amount of the Agency’s share of the total construction cost based on the contract award. The State will notify the Agency of the exact amount to be deposited with the State. The State will pay all costs incurred under the contract upon presentation of progress billings from the contractor. Following such payments, the State will submit a billing to the Federal Government for the federal aid participation share of the cost. When the project is substantially completed and final actual costs of the project can be determined, the State will present the Agency with a final billing showing the amount due the State or the amount due the Agency. This billing will be cleared by either a payment from the Agency to the State or by a refund from the State to the Agency.

Method B – The Agency’s share of the total construction cost as shown on the face of this agreement shall be withheld from its monthly fuel allotments. The face of this agreement establishes the months in which the withholding shall take place and the exact amount to be withheld each month. The extent of withholding will be confirmed by letter from the State at the time of contract award. Upon receipt of progress billings from the contractor, the State will submit such billings to the Federal Government for payment of its participating portion of such billings.

Method C – The Agency may submit vouchers to the State in the format prescribed by the State, in duplicate, not more than once per month for those costs eligible for Federal participation to the extent that such costs are directly attributable and properly allocable to this project. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for Federal participation unless claimed under a previously approved indirect cost plan.

The State shall reimburse the Agency for the Federal share of eligible project costs up to the amount shown on the face of this agreement. At the time of audit, the Agency will provide documentation of all costs incurred on the project. The State shall bill the Agency for all costs incurred by the State relative to the project. The State shall also bill the Agency for the federal funds paid by the State to the Agency for project costs which are subsequently determined to be ineligible for federal participation (see Section IX).

VII. Audit of Federal Consultant Contracts

The Agency, if services of a consultant are required, shall be responsible for audit of the consultant’s records to determine eligible federal aid costs on the project. The report of said audit shall be in the Agency’s files and made available to the State and the Federal Government.

An audit shall be conducted by the WSDOT Internal Audit Office in accordance with generally accepted governmental auditing standards as issued by the United States General Accounting Office by the Comptroller General of the United States; WSDOT Manual M 27-50, Consultant Authorization, Selection, and Agreement Administration; memoranda of understanding between WSDOT and FHWA; and 2 CFR Part 200.501 - Audit Requirements.

If upon audit it is found that overpayment or participation of federal money in ineligible items of cost has occurred, the Agency shall reimburse the State for the amount of such overpayment or excess participation (see Section IX).

VIII. Single Audit Act

The Agency, as a subrecipient of federal funds, shall adhere to the federal regulations outlined in 2 CFR Part 200.501 as well as all applicable federal and state statutes and regulations. A subrecipient who expends $750,000 or more in federal awards from all sources during a given fiscal year shall have a single or program-specific audit performed for that year in accordance with the provisions of 2 CFR Part 200.501. Upon conclusion of the audit, the Agency shall be responsible for ensuring that a copy of the report is transmitted promptly to the State.

DOT Form 140-039
Revised 05/2015
IX. Payment of Billing

The Agency agrees that if payment or arrangement for payment of any of the State's billing relative to the project (e.g., State force work, project cancellation, overpayment, cost ineligible for federal participation, etc.) is not made to the State within 45 days after the Agency has been billed, the State shall effect reimbursement of the total sum due from the regular monthly fuel tax allotments to the Agency from the Motor Vehicle Fund. No additional Federal project funding will be approved until full payment is received unless otherwise directed by the Director, Local Programs.

Project Agreement End Date - This date is based on your projects Period of Performance (2 CFR Part 200.309).

Any costs incurred after the Project Agreement End Date are NOT eligible for federal reimbursement. All eligible costs incurred prior to the Project Agreement End Date must be submitted for reimbursement within 90 days after the Project Agreement End Date or they become ineligible for federal reimbursement.

X. Traffic Control, Signing, Marking, and Roadway Maintenance

The Agency will not permit any changes to be made in the provisions for parking regulations and traffic control on this project without prior approval of the State and Federal Highway Administration. The Agency will not install or permit to be installed any signs, signals, or markings not in conformance with the standards approved by the Federal Highway Administration and MUTCD. The Agency will, at its own expense, maintain the improvement covered by this agreement.

XI. Indemnity

The Agency shall hold the Federal Government and the State harmless from and shall process and defend at its own expense all claims, demands, or suits, whether at law or equity brought against the Agency, State, or Federal Government, arising from the Agency's execution, performance, or failure to perform any of the provisions of this agreement, or of any other agreement or contract connected with this agreement, or arising by reason of the participation of the State or Federal Government in the project, PROVIDED, nothing herein shall require the Agency to reimburse the State or the Federal Government for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the Federal Government or the State.

XII. Nondiscrimination Provision

No liability shall attach to the State or Federal Government except as expressly provided herein.

The Agency shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract and/or agreement or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts and agreements. The WSDOT's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Agency of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

The Agency hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the rules and regulations of the Secretary of Labor in 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee or understanding pursuant to any federal program involving such grant, contract, loan, insurance, or guarantee, the required contract provisions for Federal-Aid Contracts (FHWA 1273), located in Chapter 44 of the Local Agency Guidelines.

The Agency further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the applicant so participating is a State or Local Government, the above equal opportunity clause is not applicable to any agency, instrumentality, or subdivision of such government which does not participate in work on or under the contract.

The Agency also agrees:

(1) To assist and cooperate actively with the State in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and rules, regulations, and relevant orders of the Secretary of Labor.

(2) To furnish the State such information as it may require for the supervision of such compliance and that it will otherwise assist the State in the discharge of its primary responsibility for securing compliance.

(3) To refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, government contracts and federally assisted construction contracts pursuant to the Executive Order.

(4) To carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the State, Federal Highway Administration, or the Secretary of Labor pursuant to Part II, subpart D of the Executive Order.

In addition, the Agency agrees that if it fails or refuses to comply with these undertakings, the State may take any or all of the following actions:

(a) Cancel, terminate, or suspend this agreement in whole or in part;

(b) Refrain from extending any further assistance to the Agency under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Agency; and

(c) Refer the case to the Department of Justice for appropriate legal proceedings.
XIII. Liquidated Damages

The Agency hereby agrees that the liquidated damages provisions of 23 CFR Part 635, Subpart 127, as supplemented, relative to the amount of Federal participation in the project cost, shall be applicable in the event the contractor fails to complete the contract within the contract time. Failure to include liquidated damages provision will not relieve the Agency from reduction of federal participation in accordance with this paragraph.

XIV. Termination for Public Convenience

The Secretary of the Washington State Department of Transportation may terminate the contract in whole, or from time to time in part, whenever:

(1) The requisite federal funding becomes unavailable through failure of appropriation or otherwise.
(2) The contractor is prevented from proceeding with the work as a direct result of an Executive Order of the President with respect to the prosecution of war or in the interest of national defense, or an Executive Order of the President or Governor of the State with respect to the preservation of energy resources.
(3) The contractor is prevented from proceeding with the work by reason of a preliminary, special, or permanent restraining order of a court of competent jurisdiction where the issuance of such order is primarily caused by the acts or omissions of persons or agencies other than the contractor.
(4) The Secretary is notified by the Federal Highway Administration that the project is inactive.
(5) The Secretary determines that such termination is in the best interests of the State.

XV. Venue for Claims and/or Causes of Action

For the convenience of the parties to this contract, it is agreed that any claims and/or causes of action which the Local Agency has against the State of Washington, growing out of this contract or the project with which it is concerned, shall be brought only in the Superior Court for Thurston County.

XVI. Certification Regarding the Restrictions of the Use of Federal Funds for Lobbying

The approving authority certifies, to the best of his or her knowledge and belief, that:

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit the Standard Form - LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.
(3) The undersigned shall require that the language of this certification be included in the award documents for all sub awardees at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed $100,000, and that all such subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification as a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

XVII. Assurances

Local agencies receiving Federal funding from the USDOT or its operating administrations (i.e., Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration) are required to submit a written policy statement, signed by the Agency Executive and addressed to the State, documenting that all programs, activities, and services will be conducted in compliance with Section 504 and the Americans with Disabilities Act (ADA).

Additional Provisions
Local Agency Federal Aid Project Prospectus

Date: 3-3-2016

DUNS Number: 618953285
Federal Employer Tax ID Number: 916001383

Agency: Whatcom County
CA Agency: Yes □ No □ 20.205 □ Other
Federal Program Title: Lummi Island Dolphin & Breakwater Replacement
Start Latitude: N 48.7204deg
Start Longitude: W 122.6810deg
End Latitude: N N/A
End Longitude: W N/A

Project Termini From - To: N/A
Nearest City Name: Bellingham, WA
Project Zip Code (+ 4): 98225

Begin Mile Post: N/A
End Mile Post: N/A
Length of Project: 0.00
Award Type: Local □ Local Forces □ State □ Railroad
Route ID: Begin Mile Point: N/A
End Mile Point: N/A
City Number: N/A
County Number: 37
County Name: Whatcom
WSDOT Region: Northwest Region
Congressional District(s): 2
Urban Area Number: 99

Phase | Total Estimated Cost (Nearest Hundred Dollar) | Local Agency Funding (Nearest Hundred Dollar) | Federal Funds (Nearest Hundred Dollar) | Phase Start Date
--- | --- | --- | --- | ---
P.E. | $50,000 | $10,000 | $40,000 | June 2016
R/W | Const. | $1,700,000 | $1,108,936 | $591,064 | June 2019
Total | $1,750,000 | $1,118,936 | $631,064 |

Description of Existing Facility (Existing Design and Present Condition)
Roadway Width: N/A
Number of Lanes: N/A

Whatcom County operates the Lummi Island ferry system, which provides the only public transportation across Hale Passage between the mainland of Whatcom County and Lummi Island. The island ferry terminal is located on Nugent Road on Lummi Island. The Lummi Island terminal dolphins and breakwater serve to provide a safe environment for the berthing and loading and unloading of vehicles on the Lummi Island ferry.

Description of Proposed Work
Description of Proposed Work (Attach additional sheet(s) if necessary)

Whatcom County proposes to replace the last three remaining timber dolphins and southern breakwater at the Lummi Island Ferry Terminal with steel pile supported structures.

Local Agency Contact Person:
Christina Schoenfelder
Title: Engineer
Phone: 360-778-6210
Mailing Address:
322 N. Commercial Street, Suite 301
City: Bellingham
State: WA
Zip Code: 98225

Project Prospectus Approval
Title: County Engineer
By: [Signature]
Approving Authority: [Signature]
Date: 4/20/16
### Type of Proposed Work

<table>
<thead>
<tr>
<th>Project Type</th>
<th>Roadway Width</th>
<th>Number of Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ Reconstruction</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>☐ New Construction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐ Railroad</td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐ Bridge</td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐ Path / Trail</td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐ Pedestrian / Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐ Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐ 3-R</td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐ 2-R</td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐ Other</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Geometric Design Data

<table>
<thead>
<tr>
<th>Description</th>
<th>Through Route</th>
<th>Crossroad</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terrain</td>
<td></td>
<td></td>
</tr>
<tr>
<td>☒ Urban</td>
<td></td>
<td></td>
</tr>
<tr>
<td>☒ Rural</td>
<td>□ Flat</td>
<td>□ Flat</td>
</tr>
<tr>
<td>☐ NHS</td>
<td>☒ Roll</td>
<td>☒ Roll</td>
</tr>
<tr>
<td>☒ Mountain</td>
<td>☐ Mountain</td>
<td>☐ Mountain</td>
</tr>
<tr>
<td>Posted Speed</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Design Speed</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Existing ADT</td>
<td>250</td>
<td>250</td>
</tr>
<tr>
<td>Design Year ADT</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Design Year</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Design Hourly Volume (DHV)</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### Performance of Work

<table>
<thead>
<tr>
<th>Preliminary Engineering Will Be Performed By Agency</th>
<th>Others %</th>
<th>Agency %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Will Be Performed By Construction Contract</td>
<td>Contract 100</td>
<td>Agency 0</td>
</tr>
</tbody>
</table>

### Environmental Classification

- ☐ Class I - Environmental Impact Statement (EIS)
- ☒ Class II - Categorically Excluded (CE)
- ☐ Project Involves NEPA/SEPA Section 404 Interagency Agreement
- ☒ Projects Requiring Documentation (Documented CE)
- ☐ Class III - Environmental Assessment (EA)
- ☐ Project Involves NEPA/SEPA Section 404 Interagency Agreement

### Environmental Considerations

SEPA/NEPA, Shorelines, HPA, ESA, Clean Water Act (Section 404), Water Quality Certification, NPDES, Archeological review.
Right of Way

☐ No Right of Way Needed
  ☑ All construction required by the contract can be accomplished within the existing right of way.

☐ Right of Way Needed
  ☐ No Relocation
  ☐ Relocation Required

Utilities

☑ No utility work required

☐ All utility work will be completed prior to the start of the construction contract
☐ All utility work will be completed in coordination with the construction contract

Railroad

☑ No railroad work required

☐ All railroad work will be completed prior to the start of the construction contract
☐ All railroad work will be completed in coordination with the construction contract

Description of Utility Relocation or Adjustments and Existing Major Structures Involved in the Project

N/A

FAA Involvement

Is any airport located within 3.2 kilometers (2 miles) of the proposed project?  ☐ Yes  ☑ No

Remarks

This project has been reviewed by the legislative body of the administration agency or agencies, or its designee, and is not inconsistent with the agency’s comprehensive plan for community development.

Agency

Date

By

Mayor/Chairperson

Approved as to form:

[Signature] 4/22/16

Chief Civil/Deputy Director

Page 3
**TITLE OF DOCUMENT:**
Local Agency Agreement for the Hannegan Road/Ten Mile Creek Bridge No. 236 Replacement Project

**ATTACHMENTS:**
1. Memo
2. Contract Info Sheet
3. Project Narrative
4. Local Agency Agreement (2 originals)
5. Local Agency Federal Aid Project Prospectus (2 originals)

**SEPA review required?** ( ) Yes ( x ) NO  
**SEPA review completed?** ( ) Yes ( ) NO  
**Should Clerk schedule a hearing?** ( ) Yes ( x ) NO

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Whatcom County was awarded federal funds through the Surface Transportation Program (STP) to replace the Ten Mile Creek Bridge No. 236 on Hannegan Road. A Local Agency Agreement is required to receive the funds. Approval of the Local Agency Agreement will be taken as approval to close Hannegan Road during construction.

---

**COUNCIL ACTION:**

---

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).
Memorandum

To: The Honorable Jack Louws, Whatcom County Executive and The Honorable Members of the Whatcom County Council

Through: Jon Hutchings, Director

From: Joseph P. Rutan, P.E., County Engineer/Assistant Director
       James E. Lee, P.E., Engineering Manager

Date: April 20, 2016

Re: Hannegan Road/Ten-Mile Creek Bridge No. 236 Replacement (CRP 913007)

Federal Aid Project Prospectus and Local Agency Agreement

Enclosed for your review and signature are two (2) originals each of a Federal Aid Project Prospectus and Local Agency Agreement between the Washington State Department of Transportation (WSDOT) and Whatcom County for the Hannegan Road/Ten Mile Creek Bridge No. 236 Replacement project (CRP #913007).

Requested Action
Public Works respectfully requests that the County Council authorize the County Executive to enter into an agreement with WSDOT to receive federal funding for the Hannegan Road/Ten-Mile Creek Bridge No. 236 Replacement project.

Public Works would like to note that approval of this agreement will also be taken as approval to close Hannegan Road at Bridge No. 236 during construction with a signed detour route in place. In addition, the road closure will be coordinated so that it will not coincide with the annual Northwest Washington Fair in Lynden during the construction of this bridge replacement project.

Please keep one original of the Project Prospectus for your files and return the other original to my office, as it requires no signatures from WSDOT. Please return both originals of the Local Agency Agreement to my office for further processing. We will return a fully executed original to you once they are signed by WSDOT.

Background and Purpose
In October of 2015 Whatcom County was awarded federal funds through the Surface Transportation Program (STP) to replace the Ten-Mile Creek Bridge No. 236 on Hannegan Road. This bridge is a 31-foot span concrete channel girder design that has not historically held up well to heavy truck traffic loads. With an average daily traffic in excess of 10,000 vehicles per day on this 50 mph facility, it is one of Whatcom County's highest volume roadways. This project will remove the final bridge of this type from Hannegan Road.

A Project Prospectus and Local Agency Agreement are required to receive the federal funds.

Funding Amount and Source
The total project cost is estimated to be $1,280,000. Whatcom County has been awarded $950,000 in federal funds for this project, with the remainder, $377,501, coming from the Road Fund. The attached Local Agency Agreement will obligate $100,000.00 of the award amount for design and permitting. A Local Agency Supplement will be submitted to obligate the remaining federal funds for construction once the design and permitting are complete.

Please contact James Lee at extension 6264 with any questions regarding this agreement.
**Whatcom County Contract Sheet**

<table>
<thead>
<tr>
<th>Originating Department:</th>
<th>Public Works</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program/Project: (i.e. Dept. Division and Project)</td>
<td>Bridge &amp; Hydraulic – Hannegan Road/Ten Mile Creek Bridge No. 236 Replacement</td>
</tr>
<tr>
<td>Contract or Grant Administrator:</td>
<td>James E. Lee, Engineering Manager</td>
</tr>
<tr>
<td>Contractor’s / Agency Name:</td>
<td>Washington State Department of Transportation</td>
</tr>
</tbody>
</table>

Is this a New Contract? No [□] Yes [x]  
If not, is this an Amendment or Renewal to an Existing Contract? Yes [□] No [□]  
Original Contract #:  
Amendment #:  
Does contract require Council Approval? Yes [x] No [□]  
If No, include WCC: (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)  
Is this a grant agreement? Yes [x] No [□]  
If yes, grantor agency contract number(s): TBD  
Grantor Agency:  
CFDA#:  
Is this contract grant funded? Yes [x] No [□]  
If yes, Whatcom County grant contract number(s): TBD  
Is this contract the result of a RFP or Bid process? Yes [x] No [□]  
If yes, RFP and Bid number(s):  
Cost Center: 913007  
Is this agreement excluded from E-Verify? No [□] Yes [x]  
If no, include Attachment D Contractor Declaration form.  
If YES, indicate exclusion(s) below:  
- Professional services agreement for certified/licensed professional.  
- Contract work is for less than $100,000.  
- Contract work is for less than 120 days.  
- Interlocal Agreement (between Governments).  
- Contract for Commercial off the shelf items (COTS).  
- Work related subcontract less than $25,000.  
- Public Works - Local Agency/Federally Funded FHWA.  
- Contracts that require Council Approval (incl. agenda bill & memo)  
  - Professional Services Agreement above $20,000.  
  - Bid is more than $50,000.  
  - Professional Service Contract Amendments that have an increase greater than $20,000 and other contracts with a cumulative increase greater than $50,000.  
  RENEWALS: Council approval is not required when exercising an option to renew that is provided in the original contract.  
  
**Summary of Scope:** Whatcom County was awarded federal funds through the Surface Transportation Program (STP) to replace the Ten Mile Creek Bridge No. 236 on Hannegan Road. A Local Agency Agreement is required to receive the funds.  

<table>
<thead>
<tr>
<th>Contract Amount (sum of original contract amount and any prior amendments):</th>
<th>$ 130,000</th>
<th>Total Amended Amount:</th>
<th>$ 130,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>This Amendment Amount:</td>
<td>$ N/A</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Term of Contract:**  
1. Prepared by: D. Ranney  
2. Attorney signoff: Daniel L. Gibson  
3. AS Finance reviewed: bbennett  
4. IT reviewed (if IT related):  
5. Contractor signed:  
6. Submitted to Exec.: ✔  
7. Council approved (if necessary):  
8. Executive signed:  
9. Original to Council:  

<table>
<thead>
<tr>
<th>Expiration Date:</th>
<th>Project Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date: 02/01/16</td>
<td></td>
</tr>
<tr>
<td>Date: 02/02/16</td>
<td></td>
</tr>
<tr>
<td>Date: 02/02/16</td>
<td></td>
</tr>
<tr>
<td>Date: 02/02/16</td>
<td></td>
</tr>
<tr>
<td>Date: 02/02/16</td>
<td></td>
</tr>
<tr>
<td>Date: 02/02/16</td>
<td></td>
</tr>
</tbody>
</table>

Last edited 10/01/15

56
Hannegan Road Bridge No. 236 Replacement
CRP # 913007

Construction Funding Year(s): TBD

Project Narrative:
This project is located on Hannegan Road between Central and Ten Mile Roads in Section 16, T39N, R3E. This is a project to replace the last 31-foot channel beam bridge on the Hannegan Road. This old design is not suited for the volume of truck traffic present on the Hannegan Road. This project is listed #B9 on the 2016-2021 Six Year Transportation Improvement Program.

Project Status:
Project design is nearly complete and permitting work is underway. Rural Surface Transportation Program (STP) Funds have been obtained for the construction of the project.

Total Estimated Project Cost: TBD
Expenditures to Date: $ 50,000

Funding Sources:
<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal</td>
<td>$40,000 (STP)</td>
</tr>
<tr>
<td>State</td>
<td>$0</td>
</tr>
<tr>
<td>Local</td>
<td>$10,000 (STIP 2016)</td>
</tr>
</tbody>
</table>

Environmental Permitting | TBD
Right-of-Way Acquisition (Estimate) | TBD
County Forces (Estimate) | N/A
The Local Agency having complied, or hereby agreeing to comply, with the terms and conditions set forth in (1) Title 23, U.S. Code Highways, (2) the regulations issued pursuant thereto, (3) 2 CFR Part 200, (4) the policies and procedures promulgated by the Washington State Department of Transportation, and (5) the federal aid project agreement entered into between the State and Federal Government, relative to the above project, the Washington State Department of Transportation will authorize the Local Agency to proceed on the project by a separate notification. Federal funds which are to be obligated for the project may not exceed the amount shown herein on line r, column 3, without written authority by the State, subject to the approval of the Federal Highway Administration. All project costs not reimbursed by the Federal Government shall be the responsibility of the Local Agency.

**Project Description**

**Name**: Hannegan Road / Ten Mile Creek Bridge No. 236 Replacement Project  
**Termini**: MP 6.76 to 6.78  
**Description of Work**: Remove the existing bridge structure and replace with a new bridge structure.

**Project Agreement End Date**: June, 2019  
**Proposed Advertisement Date**:  

**Claiming Indirect Cost Rate**

- [ ] Yes  
- [x] No

<table>
<thead>
<tr>
<th>Type of Work</th>
<th>(1) Estimated Total Project Funds</th>
<th>(2) Estimated Agency Funds</th>
<th>(3) Estimated Federal Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>86.5 %</td>
<td>115607</td>
<td>15607</td>
<td>100000</td>
</tr>
<tr>
<td><strong>Federal Aid Participation</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ratio for PE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Agency</td>
<td>14393</td>
<td>14393</td>
<td></td>
</tr>
<tr>
<td>b. Other Consultant</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. State</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Total PE Cost Estimate (a+b+c+d)</td>
<td>130,000.00</td>
<td>30,000.00</td>
<td>100,000.00</td>
</tr>
<tr>
<td><strong>Right of Way</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>%</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. Agency</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g. Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Federal Aid Participation</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ratio for RW</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. State</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>j. Total R/W Cost Estimate (f+g+i)</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td><strong>Construction</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>%</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>k. Contract</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>l. Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>m. Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Federal Aid Participation</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ratio for CN</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>o. Agency</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>p. State</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>q. Total CN Cost Estimate (k+m+n+p)</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>r. Total Project Cost Estimate (e+i+q)</td>
<td>130,000.00</td>
<td>30,000.00</td>
<td>100,000.00</td>
</tr>
</tbody>
</table>

**Agency Official**

**By**:  
**Title**: Jack Louws, Whatcom County Executive  
**DOT Form 140-039**:  
**Revision**: 12/2015

**Washington State Department of Transportation**

**By**:  
**Title**: Director, Local Programs  
**Approved As To Form**:  
**Date Executed**: 4/12/2015  
**Chief Civil Deputy Prosecutor**:  
**Page**: 1
Construction Method of Financing (Check Method Selected)

State Aid and Award
- Method A - Advance Payment - Agency Share of total construction cost (based on contract award)
- Method B - Withhold from gas tax the Agency’s share of total construction cost (line 5, column 2) in the amount of $ at $ per month for months.

Local Force or Local Ad and Award
- ✓ Method C - Agency cost incurred with partial reimbursement
  The Local Agency further stipulates that pursuant to said Title 23, regulations and policies and procedures, and as a condition to payment of the federal funds obligated, it accepts and will comply with the applicable provisions set forth below. Adopted by official action on , Resolution/Ordinance No.

Provisions
I. Scope of Work
The Agency shall provide all the work, labor, materials, and services necessary to perform the project which is described and set forth in detail in the “Project Description” and “Type of Work.”

When the State acts for and on behalf of the Agency, the State shall be deemed an agent of the Agency and shall perform the services described and indicated in “Type of Work” on the face of this agreement, in accordance with plans and specifications as proposed by the Agency and approved by the State and the Federal Highway Administration.

When the State acts for the Agency but is not subject to the right of control by the Agency, the State shall have the right to perform the work subject to the ordinary procedures of the State and Federal Highway Administration.

II. Delegation of Authority
The State is willing to fulfill the responsibilities to the Federal Government by the administration of this project. The Agency agrees that the State shall have the full authority to carry out this administration. The State shall review, process, and approve documents required for federal aid reimbursement in accordance with federal requirements. If the State advertises and awards the contract, the State will further act for the Agency in all matters concerning the project as requested by the Agency. If the Local Agency advertises and awards the project, the State shall review the work to ensure conformity with the approved plans and specifications.

III. Project Administration
Certain types of work and services shall be provided by the State on this project as requested by the Agency and described in the Type of Work above. In addition, the State will furnish qualified personnel for the supervision and inspection of the work in progress. On Local Agency advertised and awarded projects, the supervision and inspection shall be limited to ensuring all work is in conformance with approved plans, specifications, and federal aid requirements. The salary of such engineer or other supervisor and all other salaries and costs incurred by State forces upon the project will be considered a cost thereof. All costs related to this project incurred by employees of the State in the customary manner on highway payrolls and vouchers shall be charged as costs of the project.

IV. Availability of Records
All project records in support of all costs incurred and actual expenditures kept by the Agency are to be maintained in accordance with local government accounting procedures prescribed by the Washington State Auditor’s Office, the U.S. Department of Transportation, and the Washington State Department of Transportation. The records shall be open to inspection by the State and Federal Government at all reasonable times and shall be retained and made available for such inspection for a period of not less than three years from the final payment of any federal aid funds to the Agency. Copies of said records shall be furnished to the State and/or Federal Government upon request.

V. Compliance with Provisions
The Agency shall not incur any federal aid participation costs on any classification of work on this project until authorized in writing by the State for each classification. The classifications of work for projects are:

1. Preliminary engineering.
2. Right of way acquisition.
3. Project construction.

Once written authorization is given, the Agency agrees to show continuous progress through monthly billings. Failure to show continuous progress may result the Agency’s project becoming inactive, as described in 23 CFR 630, and subject to de-obligation of federal aid funds and/or agreement closure.

If right of way acquisition, or actual construction of the road for which preliminary engineering is undertaken is not started by the close of the tenth fiscal year following the fiscal year in which preliminary engineering phase was authorized, the Agency will repay to the State the sum or sums of federal funds paid to the Agency under the terms of this agreement (see Section IX).

If actual construction of the road for which right of way has been purchased is not started by the close of the tenth fiscal year following the fiscal year in which the right of way phase was authorized, the Agency will repay to the State the sum or sums of federal funds paid to the Agency under the terms of this agreement (see Section IX).
The Agency agrees that all stages of construction necessary to provide the initially planned complete facility within the limits of this project will conform to at least the minimum values set by approved statewide design standards applicable to this class of highways, even though such additional work is financed without federal aid participation.

The Agency agrees that on federal aid highway construction projects, the current federal aid regulations which apply to liquidated damages relative to the basis of federal participation in the project cost shall be applicable in the event the contractor fails to complete the contract within the contract time.

VI. Payment and Partial Reimbursement

The total cost of the project, including all review and engineering costs and other expenses of the State, is to be paid by the Agency and by the Federal Government. Federal funding shall be in accordance with the Federal Transportation Act, as amended, 2 CFR Part 200. The State shall not be ultimately responsible for any of the costs of the project. The Agency shall be ultimately responsible for all costs associated with the project which are not reimbursed by the Federal Government. Nothing in this agreement shall be construed as a promise by the State as to the amount or nature of federal participation in this project.

The Agency shall bill the state for federal aid project costs incurred in conformity with applicable federal and state laws. The agency shall minimize the time elapsed between receipt of federal aid funds and subsequent payment of incurred costs. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for federal participation unless a current indirect cost plan has been prepared in accordance with the regulations outlined in 2 CFR Part 200 - Uniform Admin Requirements, Cost Principles and Audit Requirements for Federal Awards, and retained for audit.

The State will pay for State incurred costs on the project. Following payment, the State shall bill the Federal Government for reimbursement of those costs eligible for federal participation to the extent that such costs are attributable and properly allocable to this project. The State shall bill the Agency for that portion of State costs which were not reimbursed by the Federal Government (see Section IX).

1. Project Construction Costs

Project construction financing will be accomplished by one of the three methods as indicated in this agreement.

Method A – The Agency will place with the State, within (20) days after the execution of the construction contract, an advance in the amount of the Agency’s share of the total construction cost based on the contract award. The State will notify the Agency of the exact amount to be deposited with the State. The State will pay all costs incurred under the contract upon presentation of progress billings from the contractor. Following such payments, the State will submit a billing to the Federal Government for the federal aid participation share of the cost. When the project is substantially completed and final actual costs of the project can be determined, the State will present the Agency with a final billing showing the amount due the State or the amount due the Agency. This billing will be cleared by either a payment from the Agency to the State or by a refund from the State to the Agency.

Method B – The Agency’s share of the total construction cost as shown on the face of this agreement shall be withheld from its monthly fuel tax allotments. The face of this agreement establishes the months in which the withholding shall take place and the exact amount to be withheld each month. The extent of withholding will be confirmed by letter from the State at the time of contract award. Upon receipt of progress billings from the contractor, the State will submit such billings to the Federal Government for payment of its participating portion of such billings.

Method C – The Agency may submit vouchers to the State in the format prescribed by the State, in duplicate, not more than once per month for those costs eligible for Federal participation to the extent that such costs are directly attributable and properly allocable to this project. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for Federal participation unless claimed under a previously approved indirect cost plan.

The State shall reimburse the Agency for the Federal share of eligible project costs up to the amount shown on the face of this agreement. At the time of audit, the Agency will provide documentation of all costs incurred on the project. The State shall bill the Agency for all costs incurred by the State relative to the project. The State shall also bill the Agency for the federal funds paid by the State to the Agency for project costs which are subsequently determined to be ineligible for federal participation (see Section IX).

VII. Audit of Federal Consultant Contracts

The Agency, if services of a consultant are required, shall be responsible for audit of the consultant’s records to determine eligible federal aid costs on the project. The report of said audit shall be in the Agency’s files and made available to the State and the Federal Government.

An audit shall be conducted by the WSDOT Internal Audit Office in accordance with generally accepted governmental auditing standards as issued by the United States General Accounting Office by the Comptroller General of the United States; WSDOT Manual M 27-50, Consultant Authorization, Selection, and Agreement Administration; memoranda of understanding between WSDOT and FHWA; and 2 CFR Part 200.501 - Audit Requirements.

If upon audit it is found that overpayment or participation of federal money in ineligible items of cost has occurred, the Agency shall reimburse the State for the amount of such overpayment or excess participation (see Section IX).

VIII. Single Audit Act

The Agency, as a subrecipient of federal funds, shall adhere to the federal regulations outlined in 2 CFR Part 200.501 as well as all applicable federal and state statutes and regulations. A subrecipient who expends $750,000 or more in federal awards from all sources during a given fiscal year shall have a single or program-specific audit performed for that year in accordance with the provisions of 2 CFR Part 200.501. Upon conclusion of the audit, the Agency shall be responsible for ensuring that a copy of the report is transmitted promptly to the State.
IX. Payment of Billing

The Agency agrees that if payment or arrangement for payment of any of the State’s billing relative to the project (e.g., State force work, project cancellation, overpayment, cost ineligible for federal participation, etc.) is not made to the State within 45 days after the Agency has billed, the State shall effect reimbursement of the total sum due from the regular monthly fuel tax allotments to the Agency from the Motor Vehicle Fund. No additional Federal project funding will be approved until full payment is received unless otherwise directed by the Director, Local Programs.

Project Agreement End Date - This date is based on your projects Period of Performance (2 CFR Part 200.309).

Any costs incurred after the Project Agreement End Date are NOT eligible for federal reimbursement. All eligible costs incurred prior to the Project Agreement End Date must be submitted for reimbursement within 90 days after the Project Agreement End Date or they become ineligible for federal reimbursement.

X. Traffic Control, Signing, Marking, and Roadway Maintenance

The Agency will not permit any changes to be made in the provisions for parking regulations and traffic control on this project without prior approval of the State and Federal Highway Administration. The Agency will not install or permit to be installed any signs, signals, or markings not in conformance with the standards approved by the Federal Highway Administration and MUTCD. The Agency will, at its own expense, maintain the improvement covered by this agreement.

XI. Indemnity

The Agency shall hold the Federal Government and the State harmless from and shall process and defend at its own expense all claims, demands, or suits, whether at law or equity brought against the Agency, State, or Federal Government, arising from the Agency’s execution, performance, or failure to perform any of the provisions of this agreement, or of any other agreement or contract connected with this agreement, or arising by reason of the participation of the State or Federal Government in the project, PROVIDED, nothing herein shall require the Agency to reimburse the State or the Federal Government for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the Federal Government or the State.

XII. Nondiscrimination Provision

No liability shall attach to the State or Federal Government except as expressly provided herein.

The Agency shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract and/or agreement or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts and agreements. The WSDOT’s DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Agency of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

The Agency hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the rules and regulations of the Secretary of Labor in 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee or understanding pursuant to any federal program involving such grant, contract, loan, insurance, or guarantee, the required contract provisions for Federal-Aid Contracts (FHWA 1273), located in Chapter 44 of the Local Agency Guidelines.

The Agency further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the applicant so participating is a State or Local Government, the above equal opportunity clause is not applicable to any agency, instrumentality, or subdivision of such government which does not participate in work on or under the contract.

The Agency also agrees:

(1) To assist and cooperate actively with the State in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and rules, regulations, and relevant orders of the Secretary of Labor.

(2) To furnish the State such information as it may require for the supervision of such compliance and that it will otherwise assist the State in the discharge of its primary responsibility for securing compliance.

(3) To refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, government contracts and federally assisted construction contracts pursuant to the Executive Order.

(4) To carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the State, Federal Highway Administration, or the Secretary of Labor pursuant to Part II, subpart D of the Executive Order.

In addition, the Agency agrees that if it fails or refuses to comply with these undertakings, the State may take any or all of the following actions:

(a) Cancel, terminate, or suspend this agreement in whole or in part;

(b) Refrain from extending any further assistance to the Agency under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Agency; and

(c) Refer the case to the Department of Justice for appropriate legal proceedings.
XIII. Liquidated Damages

The Agency hereby agrees that the liquidated damages provisions of 23 CFR Part 635, Subpart 127, as supplemented, relative to the amount of Federal participation in the project cost, shall be applicable in the event the contractor fails to complete the contract within the contract time. Failure to include liquidated damages provision will not relieve the Agency from reduction of federal participation in accordance with this paragraph.

XIV. Termination for Public Convenience

The Secretary of the Washington State Department of Transportation may terminate the contract in whole, or from time to time in part, whenever:

1. The requisite federal funding becomes unavailable through failure of appropriation or otherwise.
2. The contractor is prevented from proceeding with the work as a direct result of an Executive Order of the President with respect to the prosecution of war or in the interest of national defense, or an Executive Order of the President or Governor of the State with respect to the preservation of energy resources.
3. The contractor is prevented from proceeding with the work by reason of a preliminary, special, or permanent restraining order of a court of competent jurisdiction where the issuance of such order is primarily caused by the acts or omissions of persons or agencies other than the contractor.
4. The Secretary is notified by the Federal Highway Administration that the project is inactive.
5. The Secretary determines that such termination is in the best interests of the State.

XV. Venue for Claims and/or Causes of Action

For the convenience of the parties to this contract, it is agreed that any claims and/or causes of action which the Local Agency has against the State of Washington, growing out of this contract or the project with which it is concerned, shall be brought only in the Superior Court for Thurston County.

XVI. Certification Regarding the Restrictions of the Use of Federal Funds for Lobbying

The approving authority certifies, to the best of his or her knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit the Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawaits at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed $100,000, and that all such subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification as a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

XVII. Assurances

Local agencies receiving Federal funding from the USDOT or its operating administrations (i.e., Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration) are required to submit a written policy statement, signed by the Agency Executive and addressed to the State, documenting that all programs, activities, and services will be conducted in compliance with Section 504 and the Americans with Disabilities Act (ADA).

Additional Provisions
## Local Agency Federal Aid Project Prospectus

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency</td>
<td>Whatcom County</td>
</tr>
<tr>
<td>CA Agency</td>
<td>Yes</td>
</tr>
<tr>
<td>WSDOT Region</td>
<td>Northwest</td>
</tr>
<tr>
<td>Route</td>
<td>1372</td>
</tr>
<tr>
<td>Project Title</td>
<td>Hannegan Road/Ten Mile Creek Bridge No. 236 Replacement</td>
</tr>
<tr>
<td>Begin Mile Post</td>
<td>6.76</td>
</tr>
<tr>
<td>End Mile Post</td>
<td>6.78</td>
</tr>
<tr>
<td>Length of Project</td>
<td>.02 mi.</td>
</tr>
<tr>
<td>Nearest City Name</td>
<td>Lynden</td>
</tr>
<tr>
<td>Project Zip Code (+4)</td>
<td>98264</td>
</tr>
<tr>
<td>Local Agency Project Number</td>
<td>(WSDOT Use Only)</td>
</tr>
<tr>
<td>Federal Program Title</td>
<td>20.205</td>
</tr>
<tr>
<td>Award Type</td>
<td>Local</td>
</tr>
<tr>
<td>County Name</td>
<td>Whatcom</td>
</tr>
<tr>
<td>Total Estimated Cost</td>
<td>1,280,000</td>
</tr>
<tr>
<td>Phase P.E.</td>
<td>130,000</td>
</tr>
<tr>
<td>Phase R/W</td>
<td>30,000</td>
</tr>
<tr>
<td>Phase Const.</td>
<td>1,100,000</td>
</tr>
<tr>
<td>Description of Existing Facility</td>
<td>Bridge #236 is a 2-lane, 31-foot long, single span reinforced concrete channel girder bridge with timber caps and piles. Hannegan Road is an all-weather freight and goods route with a federal function class of Rural Major Collector. It serves significant truck traffic and the existing channel girder design is one that has not historically held up well to heavy truck traffic loads. This project will remove the last channel girder bridge on this route to avoid load restrictions.</td>
</tr>
<tr>
<td>Description of Proposed Work</td>
<td>Replace existing bridge with new bridge structure.</td>
</tr>
<tr>
<td>Local Agency Contact Person</td>
<td>Doug Ranney</td>
</tr>
<tr>
<td>Phone</td>
<td>(360) 778-6252</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>322 N. Commercial Street, Suite 301</td>
</tr>
<tr>
<td>City</td>
<td>Bellingham</td>
</tr>
<tr>
<td>State</td>
<td>WA</td>
</tr>
<tr>
<td>Zip Code</td>
<td>98225-4042</td>
</tr>
<tr>
<td>Title Project Engineer</td>
<td>Project Engineer</td>
</tr>
<tr>
<td>Project Prospectus Approval</td>
<td></td>
</tr>
</tbody>
</table>

**DOT Form 140-101**
Revised 04/2015

---

*Previous Editions Obsolete*
### Type of Proposed Work

<table>
<thead>
<tr>
<th>Project Type (Check all that Apply)</th>
<th>Roadway Width</th>
<th>Number of Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Construction</td>
<td>40'</td>
<td>2</td>
</tr>
<tr>
<td>Path / Trail</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reconstruction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pedestrian / Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Railroad</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bridge</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Geometric Design Data

<table>
<thead>
<tr>
<th>Description</th>
<th>Through Route</th>
<th>Crossroad</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Urban</td>
<td>Urban</td>
</tr>
<tr>
<td></td>
<td>Rural</td>
<td>Rural</td>
</tr>
<tr>
<td>Federal Functional Classification</td>
<td>Principal Arterial</td>
<td>Principal Arterial</td>
</tr>
<tr>
<td></td>
<td>Collector</td>
<td>Collector</td>
</tr>
<tr>
<td></td>
<td>Major Collector</td>
<td>Major Collector</td>
</tr>
<tr>
<td></td>
<td>Minor Collector</td>
<td>Minor Collector</td>
</tr>
<tr>
<td></td>
<td>Local Access</td>
<td>Local Access</td>
</tr>
<tr>
<td>Terrain</td>
<td>Flat</td>
<td>Flat</td>
</tr>
<tr>
<td></td>
<td>Roll</td>
<td>Roll</td>
</tr>
<tr>
<td></td>
<td>Mountain</td>
<td>Mountain</td>
</tr>
<tr>
<td>Posted Speed</td>
<td>50</td>
<td>(None)</td>
</tr>
<tr>
<td>Design Speed</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Design Year ADT</td>
<td>9,818</td>
<td></td>
</tr>
<tr>
<td>Design Year ADT</td>
<td>11,550</td>
<td></td>
</tr>
<tr>
<td>Design Year</td>
<td>2036</td>
<td></td>
</tr>
<tr>
<td>Design Hourly Volume (DHV)</td>
<td>2100</td>
<td></td>
</tr>
</tbody>
</table>

### Performance of Work

- Preliminary Engineering Will Be Performed By Consultant Contract
- Construction Will Be Performed By Construction Contract

### Environmental Classification

- Class I - Environmental Impact Statement (EIS)
  - Project Involves NEPA/SEPA Section 404 Interagency Agreement
- Class II - Categorically Excluded (CE)
  - Projects Requiring Documentation (Documented CE)
- Class III - Environmental Assessment (EA)
  - Project Involves NEPA/SEPA Section 404 Interagency Agreement

### Environmental Considerations

- Whatcom County Planning and Development Services: SEPA, Land Disturbance, Critical Areas Review, Shorelines.
- Army Corps: NWP/Section 404
- USFWS/NOAA Fisheries: ESA Section 7 compliance
- Department of Fish and Wildlife: HPA
- Department of Ecology: Water Quality Certification/Section 401
- FHWA: ECS
### Right of Way

<table>
<thead>
<tr>
<th>☒ No Right of Way Needed</th>
<th>☐ Right of Way Needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>* All construction required by the contract can be accomplished within the existing right of way.</td>
<td>☐ No Relocation</td>
</tr>
<tr>
<td>☐ Relocation Required</td>
<td></td>
</tr>
</tbody>
</table>

### Utilities

<table>
<thead>
<tr>
<th>☐ No utility work required</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ All utility work will be completed prior to the start of the construction contract</td>
</tr>
<tr>
<td>☐ All utility work will be completed in coordination with the construction contract</td>
</tr>
</tbody>
</table>

### Railroad

<table>
<thead>
<tr>
<th>☒ No railroad work required</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ All railroad work will be completed prior to the start of the construction contract</td>
</tr>
<tr>
<td>☐ All railroad work will be completed in coordination with the construction contract</td>
</tr>
</tbody>
</table>

### Description of Utility Relocation or Adjustments and Existing Major Structures Involved in the Project

No utility relocation anticipated

### FAA Involvement

Is any airport located within 3.2 kilometers (2 miles) of the proposed project?  ☐ Yes  ☒ No

### Remarks

This project has been reviewed by the legislative body of the administration agency or agencies, or it's designee, and is not inconsistent with the agency's comprehensive plan for community development.

Agency

Date  ____________________________

By  ____________________________

Whatcom County Executive

DOT Form 140-101 EF
Revised 04/2015

◆ Previous Editions Obsolete ◆
**WHATCOM COUNTY COUNCIL AGENDA BILL**

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Originator:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jeff Gollen</td>
<td></td>
<td>4-20-16</td>
<td></td>
<td>05/03/16</td>
<td>Finance / Council</td>
</tr>
<tr>
<td>Division Head:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jeff Gollen</td>
<td></td>
<td>4-20-16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dept. Head:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jon Hutchings</td>
<td></td>
<td>4-20-16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prosecutor:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Daniel L. Gibson</td>
<td></td>
<td>4-20-16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchasing/Budget:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brad Bennett</td>
<td></td>
<td>4-22-16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jack Lounsbury</td>
<td></td>
<td>4-26-16</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TITLE OF DOCUMENT:** Revised Interlocal Agreement between Whatcom County and City of Bellingham

**ATTACHMENTS:** Memo and Interlocal Agreement

<table>
<thead>
<tr>
<th>SEPA review required?</th>
<th>( ) Yes (X) NO</th>
<th>Should Clerk schedule a hearing?</th>
<th>( ) Yes (X) NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPA review completed?</td>
<td>( ) Yes (X) NO</td>
<td>Requested Date:</td>
<td></td>
</tr>
</tbody>
</table>

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Re-approval and re-authorization for the County Executive to enter into an amended Interlocal Agreement (WCC #201602026) between Whatcom County and the City of Bellingham, for the purposes of providing for the joint usage of the Victor Waste Site Facility from January 1, 2016 through December 31, 2016 due to required renewal language changes from the City of Bellingham, in an amount not to exceed $50,000.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

02/23/16 Council approval of AB 2016-094 and WC Contract #201602026

05/03/16 Request for re-approval with amended and additional Interlocal language for renewal terms required by the City of Bellingham.

<table>
<thead>
<tr>
<th>Related County Contract #:</th>
<th>Related File Numbers:</th>
<th>Ordinance or Resolution Number:</th>
</tr>
</thead>
</table>

**Please Note:** Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).
MEMORANDUM

To: Brad Bennett, AS Finance Manager
Through: Jon Hutchings, Public Works Director
From: Jeff Gollen, PW Maintenance & Operations Superintendent
Date: April 13, 2016
Re: 2016 Interlocal Agreement - City of Bellingham
Joint Usage of the Vector Waste Transfer Facility - AMENDED

- **Requested Action**
  Enclosed for your review and signature are two (2) Interlocal Agreement originals between Whatcom County Public Works and City of Bellingham.

- **Background and Purpose**
  Whatcom County and the City of Bellingham first entered into an Interlocal Agreement, dated November 5, 2001 (Whatcom County Contract 200110028, City Contract 2001-0295) to establish the terms and conditions under which they mutually agreed to provide for the joint installation and maintenance of a beneficial re-use facility for street waste over a ten-year period.

  The latest agreement was approved on December 6, 2011 (Whatcom County Contract 201111036) with subsequent contracts through December 31, 2015.

  County Council approved this year's Interlocal on 2/23/16 under WCC #201602026. Due to additional renewal language added by the City of Bellingham, County Council re-approval is required.

- **Funding Amount and Source**
  Adequate funding exists within the 2015-2016 County Road Fund budget.

- **Differences from Previous Contract**
  This replaces Interlocal Agreement 2011311020, which expired December 31, 2015. During 2012-2013 there was no price increase from the City's $36.77/ton disposal rate and annual Whatcom County expenditures not to exceed $50,000.

  For the 2014 rate, the City reviewed the actual expenses over the last two years and determined that a rate increase was necessary based primarily on the current cost of outside disposal of the material at $57.75/ton. Vector waste is dried at the facility resulting in a 15% reduction in weight. The 2014 rate established by the City was $54.36 per ton, this includes $4.47 per ton for operating the site and 2% allowance for increase cost of outside disposal.

  There is no price increase from 2015 to 2016.

- **Recommended Action**
  Please approve this agreement and forward to the Executive and the Whatcom County Council for re-approval at the May 3, 2016 Whatcom County Council Meeting. This Interlocal Agreement has been approved by the City of Bellingham. Please contact Jeff Gollen at extension 50660, if you have any questions or concerns regarding the terms of this agreement.

Enclosures
**WHATCOM COUNTY CONTRACT INFORMATION SHEET**

**Originating Department:**
Public Works – Maintenance & Operations Division

**Contract or Grant Administrator:**
Jeff Gollen, Maintenance & Operations Superintendent

**Contractor's / Agency Name:**
City of Bellingham

**Is this a New Contract?**
Yes ☑ No ☐

**If not, is this an Amendment or Renewal to an Existing Contract?**
Yes ☐ No ☑

**If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #:**
201602026

**Does contract require Council Approval?**
Yes ☑ No ☐

**If No, include WCC: (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)**

**Is this a grant agreement?**
Yes ☐ No ☑

**If yes, grantor agency contract number(s):**

**CFDA#:**

**Is this contract grant funded?**
Yes ☐ No ☑

**If yes, Whatcom County grant contract number(s):**

**Is this contract the result of a RFP or Bid process?**
Yes ☑ No ☐

**Contract**

**Cost Center:**
108100

**Is this agreement excluded from E-Verify?**
Yes ☑ No ☐

**If no, include Attachment D Contractor Declaration form.**

**If YES, indicate exclusion(s) below:**

- Professional services agreement for certified/licensed professional.
- Contract work is for less than $100,000.
- Contract work is for less than 120 days.
- Interlocal Agreement (between Governments).
- Contract for Commercial off the shelf items (COTS).
- Work related subcontract less than $25,000.
- Public Works - Local Agency/Federally Funded FHWA.

**Contract Amount:** (sum of original contract amount and any prior amendments):

$ 50,000.00

**This Amendment Amount:**

$ 0.00

**Total Amended Amount:**

$ 50,000.00

**Summary of Scope:**

Provide for the continued joint usage of the Vector Waste Transfer Facility between Whatcom County and the City of Bellingham for the period of January 1, 2016 through December 31, 2016.

**Term of Contract:**
One year with five annual renewals

**Expiration Date:**
December 31, 2016 (excluding renewals)

**Contract Routing:**
1. Prepared by: Eric Schlehuber
2. Attorney signoff: 
3. AS Finance reviewed: [Signature]
4. IT reviewed (if IT related): [Signature]
5. Contractor signed: 
6. Submitted to Exec.: [Signature] 
7. Council approved (if necessary): 
8. Executive approved: 
9. Original to Council: 

**Date:**
- 4/13/16
- 9/22/16
- 1/22/16

**Last Edited:** 04/12/16
Pursuant to the **Washington State Interlocal Cooperative Act, RCW Chapter 39.34**, and to other provisions of law, this Interlocal Agreement is entered into by and between THE CITY OF BELLINGHAM (City), a municipal corporation of the State of Washington, and WHATCOM COUNTY (The County), a municipal corporation of the State of Washington located in Whatcom County, Washington, for the purpose of utilization of certain operational services, to the mutual advantage of each jurisdiction.

WHEREAS, The County desires to utilize the City’s vactor waste facility located at 2140 Division Street, Bellingham, WA for the purposes of disposing or recycling of their street sweeping and vactor waste,

WHEREAS, the City has available capacity at this time to store and process The County’s street sweeping and vactor waste,

WHEREAS, The County is being required by the Department of Ecology (DOE) and Whatcom County Department of Health (DOH) to dispose of this waste in a manner deemed appropriate by those agencies,

WHEREAS, RCW 39.34 permits governmental entities to enter into Interlocal Agreements to accomplish mutually beneficial purposes in the public interest;

NOW, THEREFORE, THE CITY OF BELLINGHAM AND WHATCOM COUNTY AGREE AS FOLLOWS:

1. PURPOSE: The purpose of the Interlocal Agreement is to authorize and to define the terms under which the City will provide certain services to The County as further delineated herein.

2. TERM: The term of this Interlocal Agreement shall commence on January 1, 2016 and upon full execution of this document by all parties and the filing of this Interlocal Agreement as set forth in RCW 39.34.040. This Interlocal Agreement shall terminate on the 31st Day of December, 2016, unless terminated or renewed as elsewhere provided in the Interlocal Agreement.

3. RENEWAL: Unless terminated sooner as otherwise provided herein, this Interlocal Agreement shall remain valid until December 31, 2016. Five (5), one (1) year (annual) renewals are allowed with mutual written agreement by both parties as to term of extension and any adjustments in Cost for Service.

4. SCOPE OF SERVICES: The scope of services is as provided in Exhibit "A" of this Interlocal Agreement, which is attached and incorporated herein, as may be amended from time to time.

5. PAYMENT: Payment to the City for services will be on a per ton basis and as outlined in Exhibit A, which is attached and incorporated herein, as may be amended from time to time.

Upon receipt of an invoice from the City, The County shall remit the above amount on a monthly basis to the City of Bellingham, Finance Department, 210 Lottie Street, Bellingham, WA 98225 for the duration of the Term of this Interlocal Agreement.
The County shall be responsible for payment of any taxes due to the Washington State Department of Revenue on any payments made under this Interlocal Agreement.

The City shall submit invoices to The County on a monthly basis for services performed the prior month. The invoice shall reference this Interlocal Agreement.

The City shall keep clearly detailed records covering all services authorized under this Interlocal Agreement.

6. RELATIONSHIP TO THE PARTIES: The parties agree that they are each independent entities operating pursuant to the terms and conditions of this Interlocal Agreement. No agent, employee, servant or representative of any party shall be deemed to be an employee, agent, servant or representative of any other party for any purpose. Each party will be solely and entirely responsible for its acts and for the acts of its agents, employees, and servants during the term of this Interlocal Agreement.

7. MUTUAL INDEMNITY: Each of the parties shall protect, defend, indemnify, and save harmless the other party, its officers, officials, employees, and agents from any and all costs, claims, judgment and/or awards of damages, arising out of, or in any way resulting from, that party's own negligent acts or omissions which may arise in connection with its performance under this Agreement. No party will be required to indemnify, defend, or save harmless the other party if the claim, suit or action for injuries, death, or damages is caused by the sole negligence of the other party. Where such claims, suits, or actions result from the concurrent negligence of the parties, the indemnity provisions provided herein shall be valid and enforceable only to the extent of a party's own negligence. Each of the parties agrees that its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by, or on behalf of; any of its employees or agents. FOR THIS PURPOSE, EACH OF THE PARTIES, BY MUTUAL NEGOTIATION, HEREBY WAIVES, WITH RESPECT TO THE OTHER PARTY ONLY, ANY IMMUNITY THAT WOULD OTHERWISE BE AVAILABLE TO IT AGAINST SUCH CLAIMS UNDER THE INDUSTRIAL INSURANCE PROVISION OF TITLE 51 RCW. In any action to enforce the provisions of the Section, the prevailing party shall be entitled to recover its reasonable attorney's fees and costs incurred from the other party. The obligations of this Section shall survive termination of this Agreement. For purposes of this Section, the term "party" includes the party itself as well as its officials, employees, agents, and contractors.

8. EXTENT OF AGREEMENT: This Interlocal Agreement contains all of the terms and conditions agreed upon by the parties. The parties agree that there are no other understandings, oral or otherwise, regarding the subject matter of this Interlocal Agreement.

9. MODIFICATION: No changes or modifications of this Interlocal Agreement shall be valid or binding upon either party to this Interlocal Agreement unless such changes or modifications are in writing and executed by authorized representatives of both parties.

10. RESPONSIBLE PERSONS: The persons responsible for administration of this Interlocal Agreement on behalf of each party shall be the Bellingham Director of Public Works, and the Whatcom County Director of Public Works. All correspondence, letters or other notices shall be directed to the foregoing parties at the following addresses/phone numbers, or to their established agency designee:

Superintendent of Maintenance
City of Bellingham Public Works
2221 Pacific Street
Bellingham, WA 98229
(360) 778-7700

Superintendent of Maintenance
Whatcom County Public Works
901 West Smith Road
Bellingham, WA 98226
(360) 778-6400
11. TERMINATION: This Interlocal Agreement may be terminated by either party upon the giving of ninety (90) days’ written notice to the other, at which time any remaining financial obligations for services rendered prior to termination shall be paid in full.

12. CONSEQUENTIAL DAMAGES: In no event and under no circumstances shall the City be liable to The County for any interest, loss of anticipated revenue, increased expense of operations, loss by reason of shutdown or non-operation, or for any consequential, indirect or special damages.

13. DIRECTION AND CONTROL: The parties hereto do not intend to create any separate or legal administrative entity by this Interlocal Agreement but, rather, intend for this mutual Interlocal Agreement to govern for the purposes contained herein.

14. PROPERTY AND EQUIPMENT: The ownership of all property and equipment utilized in association with this Interlocal Agreement shall remain with the original owner unless specifically and mutually agreed to by both parties.

15. STATUS OF AGREEMENT: This Interlocal Agreement is in addition to, and is not intended to replace, substitute, modify or otherwise amend any other agreement between the City and The County. This Interlocal Agreement is only limited to the purposes stated herein. Any other agreements continue in effect according to the specific terms of those agreements.

16. COMPLIANCE WITH LAW: All parties to this Interlocal Agreement shall comply with all applicable federal, state and local laws, rules and regulations in carrying out the terms and conditions of this Interlocal Agreement.

17. FURTHER COOPERATION: The parties shall fully and completely cooperate with one another in good faith at all times, so that the terms and spirit of this Interlocal Agreement may be fully implemented. All parties have had the ability to negotiate the terms of this Interlocal Agreement on an equal basis. This Interlocal Agreement shall be reasonably interpreted and not weighed in favor of or against any party.

18. SURVIVABILITY: All covenants, promises, and performances which are not fully performed as of the date of termination shall survive termination as binding obligations.

19. WAIVER: No failure by any of the foregoing parties to insist upon the strict performance of any covenant, duty, agreement, or condition of this Interlocal Agreement, or to exercise any right or remedy consequent upon a breach thereof, shall constitute a waiver of any such breach or any other covenant, agreement, term or condition. Any party hereto, by notice, and only by notice as provided herein may, but shall be under no obligation to, waive any of its rights or any conditions to its obligations hereunder, or any duty, obligation or covenant of any other party hereto. No waiver shall affect or alter this Interlocal Agreement, and each and every covenant, agreement, term, and condition of this Interlocal Agreement shall continue in full force and effect with respect to any other then existing or subsequent breach thereof.

20. SEVERABILITY: If any provision of this Interlocal Agreement is held to be invalid, illegal or unenforceable for any reason, that holding shall not affect or impair, in any manner, the validity, legality or enforcement of the remainder of this Interlocal Agreement.
CITY OF BELLINGHAM

Dated this ___ day of __________ 2016

Kelli Linville, Mayor

Attest:

____________________________
Finance Director

Department Approval:

____________________________
Director of Public Works

Approved as to form:

____________________________
Office of the City Attorney

WHATCOM COUNTY

Dated this ___ day of __________ 2016

Jack Louws, County Executive

____________________________
Department Approval:

____________________________
Director of Public Works

Approved as to form:

____________________________
Chief Civil Deputy Prosecuting Attorney

Daniel L. Gibson
STATE OF WASHINGTON
COUNTY OF WHATCOM

I CERTIFY that I know or have satisfactory evidence that KELLI LINVILLE is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the MAYOR of the CITY OF BELLINGHAM to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED

SIGNATURE OF NOTARY PUBLIC

NAME PRINTED

Notary Public
TITLE

MY APPOINTMENT EXPIRES

STATE OF WASHINGTON
COUNTY OF WHATCOM

I CERTIFY that I know or have satisfactory evidence that JACK LOUWS is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the EXECUTIVE of WHATCOM COUNTY to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED

SIGNATURE OF NOTARY PUBLIC

NAME PRINTED

Notary Public
TITLE

MY APPOINTMENT EXPIRES
EXHIBIT "A"

Victor Waste Facility Use

In consideration for the use of the City of Bellingham’s ("City") Victor Waste Facility ("Facility"), Whatcom County, located at 901 West Smith Road, Bellingham, WA 98226 (hereinafter the "User"), covenants and agrees to comply with the following terms and conditions:

“Users”:
Contact Person: ________________________________

Phone Number: ________________________________

Email Address: ________________________________

Section 1 – Purpose

The purpose of this Interlocal Agreement is to allow public sector use of the Facility. As further described herein, User’s ability to use the Facility requires full compliance with this Interlocal Agreement’s terms and conditions, including but not limited to:

- Dumping only “ACCEPTABLE WASTE” (Section 2 – ACCEPTABLE WASTE)
- Dumping in an appropriate manner (Section 3 – DUMPING OPERATION)
- Obtaining Training (Section 4 – REQUIRED TRAINING)
- Complying with Safety Rules and Regulations (Section 5 – SAFETY)
- Payment (Section 6 – COST OF SERVICE)
- Such other terms and conditions as contained herein.

Section 2 – Acceptable Waste

2.1 User shall be solely responsible to ensure that only Acceptable Waste is deposited at the facility. For purposes of this Interlocal Agreement “Acceptable Waste” is defined herein as:

- Street sweepings are wastes collected by utilizing a street sweeper to collect grit, dirt, vegetative waste and litter from roadway surfaces.
- Victor wastes includes, grit, dirt and vegetative waste collected by an eductor truck during the cleaning of storm water catch basins.

2.2 Any materials that are odorous or are from a chemical spill are specifically not considered Acceptable Waste products and shall not be deposited at the Facility. For the purposes of the Agreement, “odorous” is defined as: Odor that is beyond what is normal and expected for street sweepings and Victor wastes based on industry standards for like sweepings and waste.

2.3 In the event unacceptable waste or materials are dumped at the Facility, the responsible party shall pay all costs associated with the proper removal and deposition of the contaminated materials. Removal and deposing of unacceptable waste or materials shall be in accordance with the approved practices and regulations of the State of Washington, including but not limited to the Washington State Department of Ecology, and the Whatcom County Health Department.

2.4 The City reserves the right to find any waste or material unacceptable in its sole discretion. Given however, that this discretion must be exercised in a reasonable manner. Disposing of unacceptable materials may result in the loss of the privilege to use the Facility.
Section 3 – Dumping Operation

3.1 The Facility has a limited capacity to accept Acceptable Waste products and User acknowledges that the City, State of Washington and Whatcom County, as the primary public users, have preference over all other users. In the event that the Facility capacity should become an issue all other users will be directed to cease usage of the site. The City shall have no obligation or duty to provide advance warning of this circumstance.

3.2 Prior to depositing Acceptable Waste at the Facility, User agrees to follow the following “dumping operation”:

3.2.1 Eductor vehicles shall decant excess water prior to depositing Acceptable Waste at the Facility. Decanting shall occur either prior to arriving at the Facility, or by backing into the Facility and decanting into the settling trough;

3.2.2 After excess water is removed, the truck shall be weighed to obtain the net weight of the material. A copy of the weight slip shall be placed in the drop box of every load dumped at the facility. Weight slips shall clearly identify: gross weight, tare weight, and billable weight. Weight slips will be checked against the gate entry log. If there is no slip, the customer will be charged for a full load based upon the capacity of the vehicle. Users are not to use the site other than to dump. Gate access shall be monitored for billing purposes. If a user accesses the facility and there is no weight slip present for that access the user shall be billed for a full load of the vehicle assigned to that access card; AND

3.2.3 After weighing the remaining portion of the load, it shall be dumped, as far back in the facility as is practical to limit the amount of material that may spew out into the parking lot.

3.3 In addition to any other remedies that may be available to the City, the City may terminate this Interlocal Agreement and bar User from any future use of the Facility for failure to follow the procedures outlined in Section 3.2.

Section 4 – Required Training

In order to ensure the proper and safe use of the Facility, training is required prior to use of the Facility. Training consists of a walkthrough of the Facility with a representative of the City to explain how the Facility operates and what is expected from those who use the Facility. The City shall issue a letter of fulfillment (“Letter”) that documents that the User has completed the training requirement. User shall not be allowed to use the Facility until completing this training and receiving the Letter. Further, User shall not allow any of its employees or agents to use the Facility without receiving the training and Letter required hereunder.

Section 5 – Safety

All personal injury, including first aid incidents, or damage to vehicles or buildings must be reported immediately to the Safety Specialist at Bellingham Public Works (778-7700). Users shall follow all Washington State safety policies and regulations while inside the Facility. It is encouraged that a ground guide be used whenever operating a vehicle inside the Facility. The City shall not be responsible in any manner for User’s use of the Facility, except to the extent of the City’s sole negligence.
Section 6 – Cost for Service

The cost of depositing one ton of wet Acceptable Wastes is $54.36 for 2016. These amounts are subject to change at the end of each calendar year. If a price change is announced, this Agreement may be terminated or modified in the manner provided. The User will be billed monthly by invoice and User agrees to pay the bill in full within 30 calendar days of the date of the bill.

In addition to any other remedies that may be available, User’s failure to pay the bill after 60 calendar days shall automatically suspend this Interlocal Agreement and cause User to forfeit the privilege to use the Facility until resolved.
**WHATCOM COUNTY COUNCIL AGENDA BILL**

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>K Christensen Originator:</td>
<td>KNC</td>
<td>1/26/16</td>
<td></td>
<td>5/3/16</td>
<td>Finance</td>
</tr>
<tr>
<td>R. Ney Division Head:</td>
<td>B</td>
<td>4/20/16</td>
<td></td>
<td>5/3/16</td>
<td>Council</td>
</tr>
<tr>
<td>J. Hutchings Dept. Head:</td>
<td>4T</td>
<td>4/12/16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Gibson Prosecutor:</td>
<td>KRF</td>
<td>4/27/16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Bennett Purchasing/Budget:</td>
<td>BB</td>
<td>4/19/16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J. Louws Executive:</td>
<td>TK</td>
<td>4/26/16</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TITLE OF DOCUMENT:**

Construction/Post-Construction Services for Cedar Hills-Euclid Stormwater Improvements Project

**ATTACHMENTS:**

1. Memo
2. Contract information sheet
3. Contract and exhibits

**SEPA review required?** ( ) Yes ( X ) NO  
**SEPA review completed?** ( X ) Yes ( ) NO

**Should Clerk schedule a hearing?** ( ) Yes ( X ) NO  
**Requested Date:**

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Whatcom County is constructing new stormwater retrofit projects for water quality improvements in the Euclid Creek sub-basin of the Lake Whatcom watershed. This project will treat stormwater runoff and stabilize a severely eroded stream channel to reduce phosphorus-loading (and other pollutant loading) into Lake Whatcom. This contract is for onsite construction observation and additional services to meet grant requirements for post-construction phase of this stormwater retrofit project.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).
TO: The Honorable Jack Louws, Whatcom County Executive, and Honorable Members of the Whatcom County Council

THROUGH: Jon Hutchings, Public Works Director

FROM: Rob Ney, Special Projects Manager
       Kirk N. Christensen, P.E., Stormwater Manager

DATE: April 20, 2016

RE: Construction/Post-Construction Services for the Cedar Hills-Euclid Stormwater Improvements Project

Please find attached for your review and approval two originals of a contract for services between Wilson Engineering, LLC (Wilson), and Whatcom County for construction and post-construction services for the upcoming Cedar Hills-Euclid Stormwater Improvements project.

- **Background and Purpose**
  Whatcom County will construct new stormwater projects in the Euclid Creek sub-basin of the Lake Whatcom Watershed to reduce phosphorus loading and treat stormwater runoff. Construction includes installation of bioretention swales, stormfilter vaults, pretreatment structures, utility relocations, stormwater piping, stream stabilization, and native plantings. This is a priority capital project in the Lake Whatcom Comprehensive Stormwater Plan. Construction will occur during the summer of 2016 during the Lake Whatcom Watershed work window.

Wilson will provide support services for the Cedar Hills-Euclid project including site inspection, construction management, as-buils, and additional services to meet grant requirements. Due to a busy construction season, County staff is not available to provide inspection services. Wilson Engineering was chosen through a competitive selection process.

- **Funding Amount and Source**
  This contract in the amount of $99,367 is funded by the 2016 Stormwater base budget (cost center 367100) with partial reimbursement by a State of Washington Department of Ecology grant.

Please contact Melissa at extension 6302 if you have any questions regarding this agreement.

Attachments
<table>
<thead>
<tr>
<th><strong>Originating Department:</strong></th>
<th>Public Works</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Program/Project:</strong> (i.e. Dept. Division and Project)</td>
<td>Cedar Hills-Euclid Stormwater Improvements</td>
</tr>
<tr>
<td><strong>Contract or Grant Administrator:</strong></td>
<td>Kirk Christensen, Stormwater Manager</td>
</tr>
<tr>
<td><strong>Contractor’s / Agency Name:</strong></td>
<td>Wilson Engineering, LLC</td>
</tr>
</tbody>
</table>

- **Is this a New Contract?**
  - Yes [ ]
  - No [ ]
- **If not, is this an Amendment or Renewal to an Existing Contract?**
  - Yes [ ]
  - No [ ]
- **Does contract require Council Approval?**
  - Yes [ ]
  - No [ ]
- **If No, include WCC:**
  - (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)
- **Is this a grant agreement?**
  - Yes [ ]
  - No [ ]
- **If yes, grantor agency contract number(s):**
  - CFDA#:
- **Is this contract grant funded?**
  - Yes [ ]
  - No [ ]
- **If yes, Whatcom County grant contract number(s):**
- **Is this the result of a RFP or Bid process?**
  - Yes [ ]
  - No [ ]
- **If yes, RFP and Bid number(s):**
  - RFQ 13-01
  - Contract
  - Cost Center: 367100
- **Is this agreement excluded from E-Verify?**
  - Yes [x]
  - No [ ]
- **If no, include Attachment D Contractor Declaration form.**

**If YES, indicate exclusion(s) below:**
- [ ] Professional services agreement for certified/licensed professional.
- [ ] Contract work is for less than $100,000.
- [ ] Contract work is for less than 120 days.
- [ ] Interlocal Agreement (between Governments).
- [ ] Contract for Commercial off the shelf items (COTS).
- [ ] Work related subcontract less than $25,000.
- [ ] Public Works - Local Agency/Federally Funded FHWA.

**Contract Amount:**
- (sum of original contract amount and any prior amendments):
  - $ **99,367***

**This Amendment Amount:**
- $  

**Total Amended Amount:**
- $  

**Summary of Scope:**
Wilson Engineering (Wilson) will provide construction support services for the Cedar Hills-Euclid project including site inspection, construction management, as-built, and additional services to meet grant requirements. This is a priority capital project in the Lake Whatcom Comprehensive Stormwater Plan to reduce phosphorus loading and treat stormwater runoff in the Lake Whatcom Watershed. Construction will occur during the summer of 2016 during the Lake Whatcom Watershed work window.

**Term of Contract:**

| 1. Prepared by: R. McConnell | Date: 4/15/16 |
| 2. Attorney signoff: Daniel L. Gibson | Date: 04/18/16 |
| 3. AS Finance reviewed: bbennett | Date: 04/19/16 |
| 4. IT reviewed (if IT related): | Date: |
| 5. Contractor signed: | Date: 4/21/16 |
| 6. Submitted to Exec.: | Date: 4/22/16 |
| 7. Council approved (if necessary): | Date: |
| 8. Executive signed: | Date: |
| 9. Original to Council: | Date: |
CONTRACT FOR SERVICES
CONSTRUCTION/POST-CONSTRUCTION SERVICES FOR CEDAR HILLS-EUCLID STORMWATER IMPROVEMENTS PROJECT

WILSON ENGINEERING, LLC, hereinafter called Contractor, and Whatcom County, hereinafter referred to as County, agree and contract as set forth in this Agreement, including:

General Conditions, pp. 3 to 6,
Exhibit A (Scope of Work), pp. 9 to 12,
Exhibit B (Compensation), pp. 13 to 14,
Exhibit C (Certificate of Insurance).

Copies of these items are attached hereto and incorporated herein by this reference as if fully set forth herein.

The term of this Agreement shall commence on the 4th day of May, 2016, and shall, unless terminated or renewed as elsewhere provided in the Agreement, terminate on the 31st day of July, 2017.

The general purpose or objective of this Agreement is: provide construction and post-construction services for the Cedar Hills-Euclid Stormwater Improvements project, as more fully and definitively described in Exhibit A hereto. The language of Exhibit A controls in case of any conflict between it and that provided here.

The maximum consideration for the initial term of this agreement or for any renewal term shall not exceed Ninety-Nine Thousand, Three Hundred Sixty-Seven and NO/100 Dollars ($99,367.00). The Contract Number, set forth above, shall be included on all billings or correspondence in connection therewith.

Contractor acknowledges and by signing this contract agrees that the Indemnification provisions set forth in Paragraphs 11.1, 21.1, 30.1, 31.2, 32.1, 34.2, and 34.3, if included, are totally and fully part of this contract and have been mutually negotiated by the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement this 19 day of April, 2016.

CONTRACTOR:
WILSON ENGINEERING, LLC

Andrew Law, PE, Managing Member

STATE OF WASHINGTON
)
COUNTY OF WHATCOM
)

On this 19 day of April, 2016 before me personally appeared Andrew Law to me known to be a Managing Member of Wilson Engineering, LLC, and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

CHERYL J. PENDEM, NOTARY PUBLIC in and for the State of Washington, residing at Everson. My commission expires 9.28.16.
WHATCOM COUNTY:
Recommended for Approval:

[Signature] 4/20/16
Jon Hutchings
Date
Public Works Director

Approved as to form:

[Signature] 4/22/11
Daniel L. Gibson
Date
Chief Civil Deputy Prosecutor

Approved:
Accepted for Whatcom County:

By:
Jack Louws, Whatcom County Executive

STATE OF WASHINGTON )
COUNTY OF WHATCOM )

On this _____ day of __________, 20 __, before me personally appeared Jack Louws, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

[Signature] NOTARY PUBLIC in and for the State of Washington, residing at __________________________ My commission expires ________________.

CONTRACTOR INFORMATION:

WILSON ENGINEERING, LLC
Andrew Law, P.E., Managing Member

Address:
805 Dupont Street, Suite 7
Bellingham, WA 98225

Contact: Jenifer Ramsey
Phone: 360.733.6100
Contact Email: jramsey@wilsonengineering.com

Contract for Services: Wilson Engineering, LLC
Construction/Post-Construction Services for Cedar Hills-Euclid Stormwater Improvements Project
GENERAL CONDITIONS

Series 00-09: Provisions Related to Scope and Nature of Services

0.1 Scope of Services:
The Contractor agrees to provide to the County services and any materials as set forth in the project narrative identified as Exhibit "A", during the agreement period. No material, labor, or facilities will be furnished by the County, unless otherwise provided for in the Agreement.

Series 10-19: Provisions Related to Term and Termination

10.1 Term:
Services provided by Contractor prior to or after the term of this contract shall be performed at the expense of Contractor and are not compensable under this contract unless both parties hereto agree to such provision in writing. The term of this Agreement may be extended by mutual agreement of the parties; provided, however, that the Agreement is in writing and signed by both parties.

10.2 Extension: Not Applicable

11.1 Termination for Default:
If the Contractor defaults by failing to perform any of the obligations of the contract or becomes insolvent or is declared bankrupt or commits any act of bankruptcy or insolvency or makes an assignment for the benefit of creditors, the County may, by depositing written notice to the Contractor in the U.S. mail, first class postage prepaid, terminate the contract, and at the County's option, obtain performance of the work elsewhere. Termination shall be effective upon Contractor's receipt of the written notice, or within three (3) days of the mailing of the notice, whichever occurs first. If the contract is terminated for default, the Contractor shall not be entitled to receive any further payments under the contract until all work called for has been fully performed. Any extra cost or damage to the County resulting from such default(s) shall be deducted from any money due or coming due to the Contractor. The Contractor shall bear any extra expenses incurred by the County in completing the work, including all increased costs for completing the work, and all damage sustained, or which may be sustained by the County by reason of such default.

11.2 Termination for Reduction in Funding:
In the event that funding from State, Federal or other sources is withdrawn, reduced, or limited in any way after the effective date of this Agreement, and prior to its normal completion, the County may summarily terminate this Agreement as to the funds withdrawn, reduced, or limited, notwithstanding any other termination provisions of this Agreement. If the level of funding withdrawn, reduced or limited is so great that the County deems that the continuation of the programs covered by this Agreement is no longer in the best interest of the County, the County may summarily terminate this Agreement in whole, notwithstanding any other termination provisions of this Agreement. Termination under this section shall be effective upon receipt of written notice as specified herein, or within three days of the mailing of the notice, whichever occurs first.

11.3 Termination for Public Convenience:
The County may terminate the Agreement in whole or in part whenever the County determines, in its sole discretion, that such termination is in the interests of the County. Whenever the Agreement is terminated in accordance with this paragraph, the Contractor shall be entitled to payment for actual work performed at unit contract prices for completed items of work. An equitable adjustment in the contract price for partially completed items of work will be made, but such adjustment shall not include provision for loss of anticipated profit on deleted or uncompleted work. Termination of this Agreement by the County at any time during the term, whether for default or convenience, shall not constitute breach of contract by the County.

Series 20-29: Provisions Related to Consideration and Payments

20.1 Accounting and Payment for Contractor Services:
Payment to the Contractor for services rendered under this Agreement shall be as set forth in Exhibit "B." Where Exhibit "B" requires payments by the County, payment shall be based upon written claims supported, unless otherwise provided in Exhibit "B," by documentation of units of work actually performed and amounts earned, including, where appropriate, the actual number of days worked each month, total number of hours for the month, and the total dollar payment requested, so as to comply with municipal auditing requirements.

Unless specifically stated in Exhibit "B" or approved in writing in advance by the official executing this Agreement for the County or his designee (hereinafter referred to as the "Administrative Officer") the County will not reimburse the Contractor for any costs or expenses...
incurred by the Contractor in the performance of this contract. Where required, the County shall, upon receipt of appropriate documentation, compensate the Contractor, no more often than monthly, in accordance with the County’s customary procedures, pursuant to the fee schedule set forth in Exhibit “B.”

21.1 Taxes:
The Contractor understands and acknowledges that the County will not withhold Federal or State income taxes. Where required by State or Federal law, the Contractor authorizes the County to withhold for any taxes other than income taxes (i.e., Medicaid). All compensation received by the Contractor will be reported to the Internal Revenue Service at the end of the calendar year in accordance with the applicable IRS regulations. It is the responsibility of the Contractor to make the necessary estimated tax payments throughout the year, if any, and the Contractor is solely liable for any tax obligation arising from the Contractor’s performance of this Agreement. The Contractor hereby agrees to indemnify the County against any demand to pay taxes arising from the Contractor’s failure to pay taxes on compensation earned pursuant to this Agreement.

The County will pay sales and use taxes imposed on goods or services acquired hereunder as required by law. The Contractor must pay all other taxes, including, but not limited to, Business and Occupation Tax, taxes based on the Contractor’s gross or net income, or personal property to which the County does not hold title. The County is exempt from Federal Excise Tax.

22.1 Withholding Payment:
In the event the County’s Administrative Officer determines that the Contractor has failed to perform any obligation under this Agreement within the times set forth in this Agreement, then the County may withhold from amounts otherwise due and payable to the Contractor the amount determined by the County as necessary to cure the default, until the Administrative Officer determines that such failure to perform has been cured. Withholding under this clause shall not be deemed a breach entitling Contractor to termination or damages, provided that the County promptly gives notice in writing to the Contractor of the nature of the default or failure to perform, and in no case more than 10 days after it determines to withhold amounts otherwise due. A determination of the Administrative Officer set forth in a notice to the Contractor of the action required and/or the amount required to cure any alleged failure to perform shall be deemed conclusive, except to the extent that the Contractor acts within the times and in strict accord with the provisions of the Disputes clause of this Agreement. The County may act in accordance with any determination of the Administrative Officer which has become conclusive under this clause, without prejudice to any other remedy under the Agreement, to take all or any of the following actions: (1) to cure any failure or default, (2) to pay any amount so required to be paid and to charge the same to the account of the Contractor, (3) to set off any amount so paid or incurred from amounts due or to become due the Contractor. In the event the Contractor obtains relief under a claim under the Disputes clause, no penalty or damages shall accrue to Contractor by reason of good faith withholding by the County under this clause.

23.1 Labor Standards:
The Contractor agrees to comply with all applicable state and federal requirements, including but not limited to those pertaining to payment of wages and working conditions, in accordance with RCW 39.12.040, the Prevailing Wage Act; the Americans with Disabilities Act of 1990; the Davis-Bacon Act; and the Contract Work Hours and Safety Standards Act providing for weekly payment of prevailing wages, minimum overtime pay, and providing that no laborer or mechanic shall be required to work in surroundings or under conditions which are unsanitary, hazardous, or dangerous to health and safety as determined by regulations promulgated by the Federal Secretary of Labor and the State of Washington.

Series 30-39: Provisions Related to Administration of Agreement

30.1 Independent Contractor:
The Contractor’s services shall be furnished by the Contractor as an independent contractor, and nothing herein contained shall be construed to create a relationship of employer-employee or master-servant, but all payments made hereunder and all services performed shall be made and performed pursuant to this Agreement by the Contractor as an independent contractor.

The Contractor acknowledges that the entire compensation for this Agreement is specified in Exhibit "B" and the Contractor is not entitled to any benefits including, but not limited to: vacation pay, holiday pay, sick leave pay, medical, dental, or other insurance benefits, or any other rights or privileges afforded to employees of the County. The Contractor represents that he/she/it maintains a separate place of business, serves clients other than the County, will report all income and expense accrued under this contract to the Internal Revenue Service, and has a tax account with the State of Washington Department of Revenue for payment of all sales and use and Business and Occupation taxes collected by the State of Washington.

Contractor will defend, indemnify and hold harmless the County, its officers, agents or employees from any loss or expense, including, but not limited to, settlements, judgments, setoffs, attorneys' fees or costs incurred by reason of claims or demands because of breach of the provisions of this paragraph.

30.2 Assignment and Subcontracting:
Contract for Services: Wilson Engineering, LLC
Construction/Post-Construction Services for Cedar Hills-Euclid Stormwater Improvements Project
The performance of all activities contemplated by this agreement shall be accomplished by the Contractor. No portion of this contract may be assigned or subcontracted to any other individual, firm or entity without the express and prior written approval of the County.

30.3 **No Guarantee of Employment:**
The performance of all or part of this contract by the Contractor shall not operate to vest any employment rights whatsoever and shall not be deemed to guarantee any employment of the Contractor or any employee of the Contractor or any subcontractor or any employee of any subcontractor by the County at the present time or in the future.

31.1 **Ownership of Items Produced:**
When the Contractor creates any copyrightable materials or invents any patentable property, the Contractor may copyright or patent the same, but the County retains a royalty-free, nonexclusive and irrevocable license to reproduce, publish, recover, or otherwise use the materials or property and to authorize other governments to use the same for state or local governmental purposes. Contractor further agrees to make research, notes, and other work products produced in the performance of this Agreement available to the County upon request.

31.2 **Patent/Copyright Infringement:**
Contractor will defend and indemnify the County from any claimed action, cause or demand brought against the County, to the extent such action is based on the claim that information supplied by the Contractor infringes any patent or copyright. The Contractor will pay those costs and damages attributable to any such claims that are finally awarded against the County in any action. Such defense and payments are conditioned upon the following:
A. The Contractor shall be notified promptly in writing by the County of any notice of such claim.
B. Contractor shall have the right, hereunder, at its option and expense, to obtain for the County the right to continue using the information, in the event such claim of infringement, is made, provided no reduction in performance or loss results to the County.

32.1 **Confidentiality:**
The Contractor, its employees, subcontractors, and their employees shall maintain the confidentiality of all information provided by the County or acquired by the Contractor in performance of this Agreement, except upon the prior written consent of the County or an order entered by a court after having acquired jurisdiction over the County. Contractor shall immediately give to the County notice of any judicial proceeding seeking disclosure of such information. Contractor shall indemnify and hold harmless the County, its officials, agents or employees from all loss or expense, including, but not limited to, settlements, judgments, setoffs, attorneys' fees and costs resulting from Contractor's breach of this provision.

33.1 **Right to Review:**
This contract is subject to review by any Federal, State or County auditor. The County or its designee shall have the right to review and monitor the financial and service components of this program by whatever means are deemed expedient by the Administrative Officer or by the County Auditor's Office. Such review may occur with or without notice and may include, but is not limited to, on-site inspection by County agents or employees, inspection of all records or other materials which the County deems pertinent to the Agreement and its performance, and any and all communications with or evaluations by service recipients under this Agreement. The Contractor shall preserve and maintain all financial records and records relating to the performance of work under this Agreement for three (3) years after contract termination, and shall make them available for such review, within Whatcom County, State of Washington, upon request. Contractor also agrees to notify the Administrative Officer in advance of any inspections, audits, or program review by any individual, agency, or governmental unit whose purpose is to review the services provided within the terms of this Agreement. If no advance notice is given to the Contractor, then the Contractor agrees to notify the Administrative Officer as soon as it is practical.

34.1 **Proof of Insurance:**
The Contractor shall carry for the duration of this Agreement insurance with the following minimums:
1) Commercial General Liability coverage --
   a) Property Damage - $500,000.00 per occurrence;
   b) General Liability & Bodily Injury - $1,000,000.00 per occurrence.

A Certificate of insurance that also identifies the County as an additional insured is attached hereto as Exhibit "C". This insurance shall be considered as primary and non-contributory and shall waive all rights of subrogation. The County insurance shall not serve as a source of contribution.

2) Professional Liability - $1,000,000 per occurrence.
If the professional liability insurance is a claims made policy, and if the contractor discontinues coverage either during the term of this contract or within three years of completion, the contractor agrees to purchase tail coverage for a minimum of three years from the completion date of this contract or any amendment to this contract.
34.2 **Industrial Insurance Waiver:**
With respect to the performance of this agreement and as to claims against the County, its officers, agents and employees, the Contractor expressly waives its immunity under Title 51 of the Revised Code of Washington, the Industrial Insurance Act, for injuries to its employees and agrees that the obligations to indemnify, defend and hold harmless provided in this agreement extend to any claim brought by or on behalf of any employee of the Contractor. This waiver is mutually negotiated by the parties to this agreement.

34.3 **Defense & Indemnity Agreement:**
The Contractor agrees to defend, indemnify and save harmless the County, its appointed and elective officers and employees, from and against all loss or expense, including, but not limited to, judgments, settlements, attorneys’ fees and costs by reason of any and all claims and demands upon the County, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons and on account of damage to property, including loss of use thereof, whether such injury to persons or damage to property is due to the negligence of the Contractor, its subcontractors, its successor or assigns, or its agents, servants, or employees, the County, its appointed or elected officers, employees or their agents, except only such injury or damage as shall have been occasioned by the sole negligence of the County or its appointed or elected officials or employees. In case of damages caused by the concurrent negligence of Contractor, its subcontractors, its successors or assigns, or its agents, servants, or employees, and the County, its appointed or elected officers, employees or their agents, then this indemnification provision is enforceable only to the extent of the negligence of the Contractor, its agents, or its employees.

It is further provided that no liability shall attach to the County by reason of entering into this contract, except as expressly provided herein. The parties specifically agree that this agreement is for the benefit of the parties only and this agreement shall create no rights in any third party.

35.1 **Non-Discrimination in Employment:**
The County’s policy is to provide equal opportunity in all terms, conditions and privileges of employment for all qualified applicants and employees without regard to race, color, creed, religion, national origin, sex, sexual orientation, age, marital status, disability, or veteran status. The Contractor shall comply with all laws prohibiting discrimination against any employee or applicant for employment on the grounds of race, color, creed, religion, national origin, sex, sexual orientation, age, marital status, disability, or veteran status, except where such constitutes a bona fide occupational qualification.

Furthermore, in those cases in which the Contractor is governed by such laws, the Contractor shall take affirmative action to insure that applicants are employed, and treated during employment, without regard to their race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, disability, or veteran status, except where such constitutes a bona fide occupational qualification. Such action shall include, but not be limited to: advertising, hiring, promotions, layoffs or terminations, rate of pay or other forms of compensation benefits, selection for training including apprenticeship, and participation in recreational and educational activities. In all solicitations or advertisements for employees placed by them or on their behalf, the Contractor shall state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

The foregoing provisions shall also be binding upon any subcontractor, provided that the foregoing provisions shall not apply to contracts or subcontractors for standard commercial supplies or raw materials, or to sole proprietorships with no employees.

35.2 **Non-Discrimination in Client Services:**
The Contractor shall not discriminate on the grounds of race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, disability, or veteran status; or deny an individual or business any service or benefits under this Agreement; or subject an individual or business to segregation or separate treatment in any manner related to his/her/its receipt any service or services or other benefits provided under this Agreement; or deny an individual or business an opportunity to participate in any program provided by this Agreement.

36.1 **Waiver of Noncompetition:**
Contractor irrevocably waives any existing rights which it may have, by contract or otherwise, to require another person or corporation to refrain from submitting a proposal to or performing work or providing supplies to the County, and contractor further promises that it will not in the future, directly or indirectly, induce or solicit any person or corporation to refrain from submitting a bid or proposal to or from performing work or providing supplies to the County.

36.2 **Conflict of Interest:**
If at any time prior to commencement of, or during the term of this Agreement, Contractor or any of its employees involved in the performance of this Agreement shall have or develop an interest in the subject matter of this Agreement that is potentially in conflict with the County’s interest, then Contractor shall immediately notify the County of the same. The notification of the County shall be made with sufficient specificity to enable the County to make an informed judgment as to whether or not the County’s interest may be compromised in any manner by the existence of the conflict, actual or potential. Thereafter, the County may require the Contractor to
take reasonable steps to remove the conflict of interest. The County may also terminate this contract according to the provisions herein for termination.

37.1 **Administration of Contract:**
This Agreement shall be subject to all laws, rules, and regulations of the United States of America, the State of Washington, and political subdivisions of the State of Washington. The Contractor also agrees to comply with applicable federal, state, county or municipal standards for licensing, certification and operation of facilities and programs, and accreditation and licensing of individuals.

The County hereby appoints, and the Contractor hereby accepts, the Whatcom County Executive, and his or her designee, as the County’s representative, hereinafter referred to as the Administrative Officer, for the purposes of administering the provisions of this Agreement, including the County’s right to receive and act on all reports and documents, and any auditing performed by the County related to this Agreement. The Administrative Officer for purposes of this agreement is:

Jon Hutchings, Director, Whatcom County Public Works, 322 N. Commercial Street, Suite 210, Bellingham, WA 98225

37.2 **Notice:**
Except as set forth elsewhere in the Agreement, for all purposes under this Agreement except service of process, notice shall be given by the Contractor to the County's Administrative Officer under this Agreement. Notice to the Contractor for all purposes under this Agreement shall be given to the address provided by the Contractor herein above in the “Contractor Information” section. Notice may be given by delivery or by depositing in the US Mail, first class, postage prepaid.

38.1 **Certification of Public Works Contractor’s Status under State Law:** Not Applicable

38.2 **Certification Regarding Federal Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions:** Not Applicable

38.3 **E-Verify:** Not Applicable

**Series 40-49: Provisions Related to Interpretation of Agreement and Resolution of Disputes**

40.1 **Modifications:**
Either party may request changes in the Agreement. Any and all agreed modifications, to be valid and binding upon either party, shall be in writing and signed by both of the parties.

40.2 **Contractor Commitments, Warranties and Representations:**
Any written commitment received from the Contractor concerning this Agreement shall be binding upon the Contractor, unless otherwise specifically provided herein with reference to this paragraph. Failure of the Contractor to fulfill such a commitment shall render the Contractor liable for damages to the County. A commitment includes, but is not limited to, any representation made prior to execution of this Agreement, whether or not incorporated elsewhere herein by reference, as to performance of services or equipment, prices or options for future acquisition to remain in effect for a fixed period, or warranties.

41.1 **Severability:**
If any term or condition of this contract or the application thereof to any person(s) or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications which can be given effect without the invalid term, condition or application. To this end, the terms and conditions of this contract are declared severable.

41.2 **Waiver:**
Waiver of any breach or condition of this contract shall not be deemed a waiver of any prior or subsequent breach. No term or condition of this contract shall be held to be waived, modified or deleted except by an instrument, in writing, signed by the parties hereto. The failure of the County to insist upon strict performance of any of the covenants and agreements of this Agreement, or to exercise any option herein conferred in any one or more instances, shall not be construed to be a waiver or relinquishment of any such, or any other covenants or agreements, but the same shall be and remain in full force and effect.

42.1 **Disputes:**

a. **General:**
Differences between the Contractor and the County, arising under and by virtue of the Contract Documents, shall be brought to the attention of the County at the earliest possible time in order that such matters may be settled or other appropriate action promptly taken. Except for such objections as are made of record in the manner hereinafter specified and within the time limits stated, the records, orders, rulings, instructions, and decisions of the Administrative Officer shall be final and conclusive.
b. Notice of Potential Claims:
The Contractor shall not be entitled to additional compensation which otherwise may be payable, or to extension of time for (1) any act or failure to act by the Administrative Officer or the County, or (2) the happening of any event or occurrence, unless the Contractor has given the County a written Notice of Potential Claim within ten (10) days of the commencement of the act, failure, or event giving rise to the claim, and before final payment by the County. The written Notice of Potential Claim shall set forth the reasons for which the Contractor believes additional compensation or extension of time is due, the nature of the cost involved, and insofar as possible, the amount of the potential claim. Contractor shall keep full and complete daily records of the work performed, labor and material used, and all costs and additional time claimed to be additional.

c. Detailed Claim:
The Contractor shall not be entitled to claim any such additional compensation, or extension of time, unless within thirty (30) days of the accomplishment of the portion of the work from which the claim arose, and before final payment by the County, the Contractor has given the County a detailed written statement of each element of cost or other compensation requested and of all elements of additional time required, and copies of any supporting documents evidencing the amount or the extension of time claimed to be due.

d. Arbitration:
Other than claims for injunctive relief brought by a party hereto (which may be brought either in court or pursuant to this arbitration provision), and consistent with the provisions hereinabove, any claim, dispute or controversy between the parties under, arising out of, or related to this Agreement or otherwise, including issues of specific performance, shall be determined by arbitration in Bellingham, Washington, under the applicable American Arbitration Association (AAA) rules in effect on the date hereof, as modified by this Agreement. There shall be one arbitrator selected by the parties within ten (10) days of the arbitration demand, or if not, by the AAA or any other group having similar credentials. Any issue about whether a claim is covered by this Agreement shall be determined by the arbitrator. The arbitrator shall apply substantive law and may award injunctive relief, equitable relief (including specific performance), or any other remedy available from a judge, including expenses, costs and attorney fees to the prevailing party and pre-award interest, but shall not have the power to award punitive damages. The decision of the arbitrator shall be final and binding and an order confirming the award or judgment upon the award may be entered in any court having jurisdiction. The parties agree that the decision of the arbitrator shall be the sole and exclusive remedy between them regarding any dispute presented or pled before the arbitrator. At the request of either party made not later than forty-five (45) days after the arbitration demand, the parties agree to submit the dispute to nonbinding mediation, which shall not delay the arbitration hearing date; provided, that either party may decline to mediate and proceed with arbitration.

Unless otherwise specified herein, this Agreement shall be governed by the laws of Whatcom County and the State of Washington.

43.1 Venue and Choice of Law:
In the event that any litigation should arise concerning the construction or interpretation of any of the terms of this Agreement, the venue of such action of litigation shall be in the courts of the State of Washington in and for the County of Whatcom. This Agreement shall be governed by the laws of the State of Washington.

44.1 Survival:
The provisions of paragraphs 11.1, 11.2, 11.3, 21.1, 22.1, 30.1, 31.1, 31.2, 32.1, 33.1, 34.2, 34.3, 36.1, 40.2, 41.2, 42.1, and 43.1, if utilized, shall survive, notwithstanding the termination or invalidity of this Agreement for any reason.

45.1 Entire Agreement:
This written Agreement, comprised of the writings signed or otherwise identified and attached hereto, represents the entire Agreement between the parties and supersedes any prior oral statements, discussions or understandings between the parties.
Wilson Engineering, LLC

Construction/Post-Construction Services for Cedar Hills-Euclid Stormwater Improvements Project

BACKGROUND

Whatcom County is constructing a new stormwater retrofit project for water quality improvements in the Euclid Creek sub-basin of the Lake Whatcom watershed. This project will treat stormwater runoff and stabilize one severely eroded stream channel in order to reduce phosphorus loading (and other pollutant loading) to Lake Whatcom. It is a priority capital project in Whatcom County’s Lake Whatcom Comprehensive Stormwater Plan. Construction is planned for the summer of 2016 during the Lake Whatcom watershed work window. The project construction will include installation of nine phosphorus treatment facilities within the County rights of way of Lakeway Drive, Euclid Avenue, Cedar Hills Avenue, and Piedmont Avenue.

SCOPE OF WORK

Description of Project

This scope of work is for the construction phase and post-construction phase of a stormwater retrofit project. The project consists of stormwater treatment and infiltration facilities. The construction includes installation of seven bioretention swales, stormfilter vaults, pretreatment structures, excavation, utility relocations, stormwater piping, trench backfill, paving, native plantings and stream channel stabilization.

Basis for Scope of Work

Due to the sensitive nature and complexity of the construction of this project and the tight schedule, it will be very beneficial to have the project engineer heavily involved with the construction phase to ensure that the project goes well. Due to the steepness of the channel being stabilized, engineer oversight will be critical to ensure that materials installation is completed such that none of the slopes will be prone to undermining or other modes of failure. The treatment systems are complex, which augments the need for close coordination and oversight of the Contractor. It will be essential to have a capable onsite construction observer who can document work and ensure that the contractor executes the project per the bid documents, as well as making needed adjustments to varying site conditions.

The project has been and continues to be funded by Ecology grants. Ecology grants do require significant additional administrative and technical services to meet all of the grant requirements.
Scope of Work
The work described above and in the following sections constitutes services to be provided by Wilson Engineering to the County. This contract includes construction and grant support related services:

PHASE A. ONSITE CONSTRUCTION OBSERVATION SERVICES
PHASE B. CONSTRUCTION PHASE ENGINEERING SERVICES
PHASE C. ADDITIONAL SERVICES TO MEET GRANT REQUIREMENTS

Subtasks are described for each phase. Similar subtasks are described together but listed separately in the fee estimate exhibit.

SCHEDULE AND BUDGET

Construction phase services will be completed in a timely fashion as needed to keep the construction on schedule for completion by September 30, 2016. The attached Exhibit B (spreadsheet) gives the basis for the not-to-exceed estimate of $99,367 for these professional services. All work will be performed on a time and materials basis at the personnel and expense rates shown in Exhibits B and B-1.

PHASE A. ONSITE CONSTRUCTION OBSERVATION SERVICES

Work consists of onsite construction observation and related tasks including:

Subtask 1 Attend pre-construction meeting and project initiation/coordination meetings

Subtask 2 On-site construction observation (55 days)
- Daily reports
- Coordinate scheduling with Contractor and Engineer
- Attend project meetings
- Document Contractor employees and Subcontractor employees on site
- Document equipment on site
- Document force account work
- Project Diary
- Photo documentation
- Document progress
- Document material quantities, sources, certification, testing
- Track Contractor’s schedule and Working Days

Subtask 3 Project closeout procedures
- Assist with punch list and final acceptance of work
- Assist with record drawings
- Compile photo documentation and daily reports for electronic and print submittal

Subtask 4 Project Management
PHASE B. CONSTRUCTION PHASE ENGINEERING AND SURVEYING

Work consists of construction phase engineering including:

**Subtask 1 Daily communications with Contractor and County staff**
This task includes day-to-day communications with the contractor and county staff and the inspector. Correspondence includes emails, letters, transmittals, and telephone conversations.

**Subtask 2 Public relations**
This task includes informal and formal meetings with neighbors and providing project information to the public or to County staff for public communications.

**Subtask 3 Process construction submittals**
Receive, track, review and approve all submittals from the Contractor.

**Subtask 4 Review requests for substitutions**
Receive, track, research, review and approve all requests for substitutions from the Contractor.

**Subtask 5 Coordinate and Communicate with special vendors**
Contact vendors to get early shop drawing submittals and specifications for review. Coordinate scheduling and crane mobilization.

**Subtask 6 Force Account Review**
Receive, track, and review all force account work by the Contractor.

**Subtask 7 Review change orders**
Receive, track, review, and approve all change orders from the Contractor.

**Subtask 8 Review contractor’s testing & inspection results**
Review compaction, concrete, asphalt and other testing data.

**Subtask 9 Site visits**
This task includes up to 15 site visits by project engineer, which includes time for travel, on-site work, follow-up and documentation with text and photos.

**Subtask 10 Project meetings**
The project engineer will participate in up to 12 weekly meetings.

**Subtask 11 Review Daily Reports**
Review daily reports and report to County on review findings.

**Subtask 12 Review pay requests**
Review and recommend for payment up to 5 pay requests.
Subtask 13 Review punch list work for compliance

Subtask 14 Record drawings, project closeout
Prepare record drawings based on Contractor and County provided as-built data. Provide all records to the County.

PHASE C. ADDITIONAL SERVICES TO MEET GRANT REQUIREMENTS

Work consists of providing the following services:

Subtask 1 Grant conditions compliance support
Provide consulting, reporting, and documentation required by Ecology per the Ecology Grant.

Subtask 2 Construction QA Plan
Prepare a construction quality assurance plan per the Ecology Grant.

Subtask 3 Permit coordination/compliance support
Provide consulting, communications, exhibits and documentation needed for acquisition and administration of permits per the Ecology Grant.

Subtask 4 O&M Manual
Prepare Operations and Maintenance Manual per the Ecology Grant requirement.

Subtask 5 Equivalent Area Determination
Per Ecology, prepare an as-built determination of the equivalent area for treatment (i.e., the area needed if all the existing developed area in the basin was new development and all the new development regulations apply).

DELIVERABLES FOR SCOPE OF WORK:

1. Daily reports
2. Construction observation photos
3. Submittal reviews
4. Substitution request reviews
5. Force Account reviews
6. Change Order reviews
7. Contractor's testing & inspection results review
8. Correspondence
9. Record Drawings
10. Project closeout documents
11. Construction QA Plan
13. Equivalent Area Determination per Ecology
## EXHIBIT "B"

(COMPENSATION)

<table>
<thead>
<tr>
<th>Phase</th>
<th>Task ID</th>
<th>Task Description</th>
<th>Direct Costs or Subconsultant</th>
<th>Task Est. Cost</th>
<th>Task Est. Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Senior Engr</td>
<td>Project Engr</td>
<td>Engr</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$ 138.00</td>
<td>$ 125.00</td>
<td>$ 104.00</td>
</tr>
<tr>
<td>A</td>
<td></td>
<td></td>
<td>$ -</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Precon Meeting and Project Initiation</td>
<td>2</td>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>On-site observation/reporting (56 days @ 9 hr/day)</td>
<td>18</td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Project closeout procedures</td>
<td>3</td>
<td>24</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>Project Management</td>
<td>12</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SUBTOTAL</td>
<td>$ -</td>
<td>14</td>
<td>4</td>
</tr>
<tr>
<td>B</td>
<td></td>
<td>Construction Phase Engineering</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Daily communications with Contractor and County staff</td>
<td>10</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Public relations</td>
<td>8</td>
<td>4</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Process construction submittals</td>
<td>4</td>
<td>16</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>Review requests for substitutions</td>
<td>4</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>Coord/Comm. with special vendors</td>
<td>8</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>Force Account Review</td>
<td>8</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>7</td>
<td>Review change orders</td>
<td>8</td>
<td>24</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>8</td>
<td>Review contractor's testing &amp; insp. results</td>
<td>2</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>9</td>
<td>Site visits (15 visits)</td>
<td>5</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>10</td>
<td>Project meetings (12)</td>
<td>3</td>
<td>42</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>11</td>
<td>Review Daily Reports</td>
<td>1</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>12</td>
<td>Review pay requests (5)</td>
<td>3</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>13</td>
<td>Review punch list work for compliance</td>
<td>2</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>14</td>
<td>Record drawings, project closeout</td>
<td>2</td>
<td>8</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SUBTOTAL</td>
<td>$ -</td>
<td>52</td>
<td>253</td>
</tr>
<tr>
<td>C</td>
<td></td>
<td>Additional Services to Meet Grant Requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Grant conditions compliance support</td>
<td>8</td>
<td>24</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Construction QA Plan</td>
<td>8</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Permit coordination/compliance support</td>
<td>8</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>O&amp;M Manual</td>
<td>2</td>
<td>16</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>Completed equivalent area determination</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SUBTOTAL</td>
<td>$ -</td>
<td>18</td>
<td>56</td>
</tr>
<tr>
<td></td>
<td></td>
<td>TOTAL ESTIMATE</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Exhibit B-1**

**Compensation**

As consideration for the services provided pursuant to Exhibit A, Scope of Work, the County agrees to compensate the Contractor according to the hourly rates provided below. Compensation for engineering, planning, and surveying professional services shall be for time and expenses not to exceed $99,367, as outlined below and in Exhibits A and B, based on work performed in satisfactory fulfillment of all items listed and receipt of deliverables.

Work continuing after the completion date of this contract shall be at the Contractor's expense unless otherwise agreed to in writing. In no event shall total compensation paid to Contractor by the County under this contract exceed $99,367 for engineering, planning, surveying and design professional services unless the contract is modified in this regard and such amendment executed in writing by the parties hereto.

Where professional services are provided on an hourly basis, the following rates shall apply to cover salaries, taxes, insurance, administration, general overhead, and profit:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Hourly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Project Engineer</td>
<td>$138.00</td>
</tr>
<tr>
<td>Project Engineer</td>
<td>$125.00</td>
</tr>
<tr>
<td>Engineer II</td>
<td>$114.00</td>
</tr>
<tr>
<td>Engineer I (EIT)</td>
<td>$104.00</td>
</tr>
<tr>
<td>GIS Analyst</td>
<td>$98.00</td>
</tr>
<tr>
<td>Environmental Specialist</td>
<td>$82.00</td>
</tr>
<tr>
<td>Senior CAD Design Technician</td>
<td>$88.00</td>
</tr>
<tr>
<td>CAD Design Technician</td>
<td>$77.00</td>
</tr>
<tr>
<td>Inspector</td>
<td>$82.00</td>
</tr>
<tr>
<td>Clerical</td>
<td>$72.00</td>
</tr>
<tr>
<td>Senior Professional Land Surveyor</td>
<td>$132.00</td>
</tr>
<tr>
<td>Hydrographer</td>
<td>$135.00</td>
</tr>
<tr>
<td>Professional Land Surveyor</td>
<td>$124.00</td>
</tr>
<tr>
<td>Senior Survey Technician</td>
<td>$102.00</td>
</tr>
<tr>
<td>Survey Technician</td>
<td>$79.00</td>
</tr>
<tr>
<td>1-Person Survey Crew</td>
<td>$124.00</td>
</tr>
<tr>
<td>2-Person Survey Crew</td>
<td>$178.00</td>
</tr>
<tr>
<td>3-Person Survey Crew</td>
<td>$220.00</td>
</tr>
<tr>
<td>3-D Scanning Survey Crew</td>
<td>$220.00</td>
</tr>
<tr>
<td>Hydro Survey Crew</td>
<td>$245.00</td>
</tr>
</tbody>
</table>

Sub-consultants - reimbursed at cost plus 5%

Direct expenses (reimbursed at cost plus 5%) include but are not limited to:
- Reproduction of drawings and construction documents
- Postage, shipping, courier
- Lab fees
- Water quality monitoring equipment and supplies
- Specialized Equipment Rental, at rental rate

Contract for Services: Wilson Engineering, LLC
Construction/Post-Construction Services for Cedar Hills-Euclid Stormwater Improvements Project
Exhibit "C"
(INsURANCE)

CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFRMS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(s), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

Rice Insurance LLC
1600 Broadway
P.O. Box 639
Bellingham WA 98227

CONTACT NAME: Rita Lareen
PHONE: (360) 734-1111
FAX: (360) 734-1173
EMAIL: Rita@riceinsurance.com

INSURER

The Northern Assurance Co of A
Bellingham WA 98225

MAC #: 47939

INSURED

Wilson Engineering LLC
805 Dupont St Ste #7
Bellingham, WA 98225

COVERAGES

CERTIFICATE NUMBER: C1163534187

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

<table>
<thead>
<tr>
<th>INSURER</th>
<th>POLICY NUMBER</th>
<th>LIMITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>C1163534187</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>C1163534187</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>C1163534187</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>C1163534187</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>C1163534187</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>C1163534187</td>
<td></td>
</tr>
</tbody>
</table>

DESCRIPTION OF OPERATIONS LOCATIONS/Vehicles (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Additional Insured, Per Project Aggregate, Waiver of Subrogation and Primary Non Contributory per Attached COB416 12/03

CERTIFICATE HOLDER

Whatcom County Executive Office
311 Grand Ave Ste 108
Bellingham, WA 98225

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Greg Cuhramson/PMF
CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFER NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

Michael J Hall & Company
Hall & Company
19860 10th Ave NE
Poulsbo WA 98370

CONTACT

NAME: Michael J Hall & Company
PHONE: 360-598-3700
FAX: 360-598-3703
EMAIL: certificates@hallandcompany.com
INSURER(S) AFFORDING COVERAGE NAIC #
INSURER A: Hanover Insurance Company

INSURED

1506

Wilson Engineering LLC
805 Dupont Street, Suite 7
Bellingham WA 98225

COVERAGES

CERTIFICATE NUMBER: 1734373119

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

<table>
<thead>
<tr>
<th>INSURER/LTL</th>
<th>TYPE OF INSURANCE</th>
<th>ADDED/SURPLUS LIMITS</th>
<th>POLICY NUMBER</th>
<th>POLICY EFF (MM/DD/YYYY)</th>
<th>POLICY EXP (MM/DD/YYYY)</th>
<th>LIMITS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>GENERAL LIABILITY</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>COMMERCIAL, GENERAL LIABILITY</td>
<td>CLAIMS-MADE</td>
<td>OCCUR</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>GENL AGGREGATE LIMIT APPLIES PER:</td>
<td>POLICY</td>
<td>PER</td>
<td>LOC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>AUTOMOBILE LIABILITY</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ANY AUTO</td>
<td>SCHEDULED AUTOS</td>
<td>NON-OWNED AUTOS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>UMBRELLA LIABILITY</td>
<td>OCCUR</td>
<td>CLAIMS-MADE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>EXCESS LIABILITY</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY</td>
<td>Y/N</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A Professional Liability

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured Status is not available on Professional Liability Policy.

RE: Cedar Hills-Euclid Stormwater Construction Administration

CERTIFICATE HOLDER

Whatcom County Public Works
322 N. Commercial Street Suite 301
Bellingham WA 98225

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Matthew L Cooper

© 1989-2010 ACORD CORPORATION. All rights reserved.

ACORD 25 (2010/05) The ACORD name and logo are registered marks of ACORD
THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

GENERAL LIABILITY
MASTER PAK PLUS®
FOR CONSTRUCTION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

INDEX

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>BLANKET ADDITIONAL INSURED (OWNERS, LESSEES, CONTRACTORS OR LESSORS)</td>
<td>2</td>
</tr>
<tr>
<td>FIRE, LIGHTNING, EXPLOSION AND SPRINKLER LEAKAGE DAMAGE TO PREMISES YOU RENT</td>
<td>3</td>
</tr>
<tr>
<td>NON-OWNED WATERCRAFT</td>
<td>4</td>
</tr>
<tr>
<td>SUPPLEMENTARY PAYMENTS (BAIL BONDS)</td>
<td>4</td>
</tr>
<tr>
<td>PERSONAL AND ADVERTISING INJURY - ELECTRONIC PUBLICATION EXTENSION</td>
<td>5</td>
</tr>
<tr>
<td>AGGREGATE LIMITS (PER LOCATION)</td>
<td>5</td>
</tr>
<tr>
<td>AGGREGATE LIMITS (PER PROJECT)</td>
<td>5</td>
</tr>
<tr>
<td>VOLUNTARY PROPERTY DAMAGE COVERAGE</td>
<td>6</td>
</tr>
<tr>
<td>OFF PREMISES CARE, CUSTODY OR CONTROL COVERAGE</td>
<td>6</td>
</tr>
<tr>
<td>NEWLY FORMED OR ACQUIRED ORGANIZATIONS</td>
<td>7</td>
</tr>
<tr>
<td>DUTIES IN THE EVENT OF OCCURRENCE, OFFENSE, CLAIM OR SUIT</td>
<td>7</td>
</tr>
<tr>
<td>BODILY INJURY (MENTAL ANGUISH)</td>
<td>8</td>
</tr>
<tr>
<td>WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS</td>
<td>8</td>
</tr>
<tr>
<td>MEDICAL PAYMENTS</td>
<td>8</td>
</tr>
<tr>
<td>BROAD NAMED INSURED</td>
<td>8</td>
</tr>
<tr>
<td>BROADENED MOBILE EQUIPMENT</td>
<td>8</td>
</tr>
<tr>
<td>INCIDENTAL MALPRACTICE LIABILITY</td>
<td>8</td>
</tr>
<tr>
<td>NON-OWNED AIRCRAFT</td>
<td>9</td>
</tr>
<tr>
<td>PROPERTY DAMAGE - ELEVATORS</td>
<td>9</td>
</tr>
</tbody>
</table>
I. **BLANKET ADDITIONAL INSURED** (Owners, Lessees, Contractors or Lessors)
(Includes a Primary/Non-Contributory provision)

**Who Is An Insured - Section II** is amended to include as an insured any person or organization whom you are required to name as an additional insured on this policy in a written contract or written agreement. The written contract or written agreement must be currently in effect or becoming effective during the term of this policy and executed prior to the "bodily injury," "property damage" or "personal and advertising injury."

The insurance provided the additional insured is limited as follows:

A. The person or organization is only an additional insured with respect to liability:

1. Arising out of real property, as described in a written contract or written agreement, that you own, rent, lease or occupy; or

2. Caused in whole or in part by your ongoing operations performed for that insured.

The insurance provided the additional insured in **A.2** above does not apply to:

a. **Coverage A - Bodily Injury and Property Damage Liability, Coverage B - Personal and Advertising Injury Liability** or defense coverage under the **Supplementary Payments** arising out of an architect's, engineer's or surveyor's rendering of or failure to render any professional services including:

   (1) The preparing, approving, or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; and

   (2) Supervisory, inspection, architectural or engineering activities.

b. "Bodily injury" or "property damage" occurring after:

   (1) All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) were performed by or on behalf of the additional insured(s) at the site where the covered operations have been completed; or

   (2) That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as part of the same project.

B. The limits of insurance applicable to the additional insured are those specified in a written contract or written agreement or the limits of Insurance as stated in the Declarations of this policy and defined in **Section III - Limits Of Insurance** of this policy, whichever are less. These limits are inclusive of and not in addition to the limits of insurance available under this policy.

C. The insurance provided the additional insured does not apply to the liability resulting from the sole negligence of the additional insured.
D. As respects the coverage provided to the additional insured under this endorsement, Section IV - Conditions is amended as follows:

1. The following is added to Condition 2. Duties In The Event Of Occurrence, Offense, Claim, or Suit:

   An additional insured under this endorsement will as soon as practicable:

   a. Give written notice of an "occurrence" or an offense, that may result in a claim or "suit" under this insurance to us;

   b. Tender the defense and indemnity of any claim or "suit" to all insurers whom also have insurance available to the additional insured; and

   c. Agree to make available any other insurance which the additional insured has for a loss we cover under this Coverage Part.

2. The following is added to Condition 3. Legal Action Against Us:

   We have no duty to defend or indemnify an additional insured under this endorsement until we receive written notice of a claim or "suit" from the additional insured.

3. The following is added to Paragraph a., Primary Insurance of Condition 4. Other Insurance:

   If the additional insured’s policy has an Other Insurance provision making its policy excess, and a Named Insured has agreed in a written contract or written agreement to provide the additional insured coverage on a primary and noncontributory basis, this policy shall be primary and we will not seek contribution from the additional insured's policy for damages we cover.

4. The following is added to Paragraph b., Excess Insurance of Condition 4. Other Insurance:

   Except as provided in Paragraph 4.a. Primary Insurance as amended above, any coverage provided hereunder shall be excess over any other valid and collectible insurance available to the additional insured whether primary, excess, contingent or on any other basis. In the event an additional insured has other coverage available for an "occurrence" by virtue of also being an additional insured on other policies, this insurance is excess over those other policies.

2. FIRE, LIGHTNING, EXPLOSION AND SPRINKLER LEAKAGE DAMAGE TO PREMISES YOU RENT

If Damage To Premises Rented To You under Coverage A is not otherwise excluded from this policy, the following applies:

A. The last paragraph of 2. Exclusions of Section I - Coverage A is replaced by the following:

   If Damage To Premises Rented To You is not otherwise excluded, Exclusions c. through n. do not apply to damage by fire, lightning, "explosion" or sprinkler leakage to premises while rented to you or temporarily occupied by you with permission of the owner. A separate limit of insurance applies to this coverage as described in Section III - Limits Of Insurance.
B. Paragraph 6. of Section III - Limits Of Insurance is replaced by the following:

6. Subject to 5. above, the higher of $300,000 or the Damage To Premises Rented To You Limit shown in the Summary of Limits and Charges section of this policy is the most we will pay under Coverage A for damages because of “property damage” to premises rented to you or temporarily occupied by you with the permission of the owner arising out of any one fire, lightning, "explosion" or sprinkler leakage incident.

C. Paragraph b.(1)(b) of Condition 4. Other Insurance (Section IV – Conditions) is replaced by the following:

(1) That is Fire, Lightning, Explosion or Sprinkler Leakage insurance for premises rented to you or temporarily occupied by you with the permission of the owner;

D. Paragraph 9.a. of the definition of "insured contract" in Section V- Definitions is replaced by the following:

9. "Insured contract" means:

a. A contract for the lease of premises. However, that portion of the contract for a lease of premises that indemnifies any person or organization for damages by fire, lightning, "explosion" or sprinkler leakage to premises while rented to you or temporarily occupied by you with the permission of the owner is not an "insured contract";

E. The following definition is added to Section V - Definitions:

"Explosion" means a sudden release of expanding pressure accompanied by a noise, a bursting forth of material and evidence of the scattering of debris to locations further than would have resulted by gravity alone.

"Explosion" does not include any of the following:

1. Artificially generated electrical current including electrical arcing that disturbs electrical devices, appliances or wires;

2. Rupture or bursting of water pipes;

3. Explosion of steam boilers, steam pipes, steam engines or steam turbines owned or leased by you, or operated under your control; or

4. Rupture or bursting caused by centrifugal force.

3. NON-OWNED WATERCRAFT

Subparagraph g.(2) of Paragraph 2., Exclusions of Section I - Coverage A is replaced by the following:

(2) A watercraft you do not own that is:

(a) Less than 51 feet long; and

(b) Not being used to carry persons or property for a charge;

4. SUPPLEMENTARY PAYMENTS

In the Supplementary Payments - Coverages A and B provision:

The limit for the cost of bail bonds in Paragraph 1.b. is changed from $250 to $1000.
5. PERSONAL AND ADVERTISING INJURY - ELECTRONIC PUBLICATION EXTENSION

Paragraphs 14.b., d. and e. of Section V - Definitions are replaced by the following:

b. Malicious prosecution or abuse of process;

d. Oral, written, televised, videotaped or electronic publication of material that slanders or libels a person or organization or disparages a person's or organization's goods, products or services;

e. Oral, written, televised, videotaped or electronic publication of material that violates a person's right of privacy;

The following is added to Paragraph 14. "Personal and Advertising Injury" of Section V - Definitions:

h. Discrimination or humiliation that results in injury to the feelings or reputation of a natural person, but only if such discrimination or humiliation is:

(1) Not done intentionally by or at the direction of:

   (a) An insured; or
   (b) Any "executive officer" director, stockholder, partner or member of the insured; and

(2) Not directly or indirectly related to the employment, prospective employment or termination of employment of any person or persons by any insured.

Subparagraphs b. and c. of 2., Exclusions of Section I - Coverage B - Personal And Advertising Injury Liability are replaced by the following:

b. Material Published With Knowledge Of Falsity

"Personal and advertising injury" arising out of oral, written, televised, videotaped or electronic publication of material, if done by or at the direction of the insured with knowledge of its falsity;

c. Material Published Prior To Policy Period

"Personal and advertising injury" arising out of oral, written, televised, videotaped or electronic publication of material whose first publication took place before the beginning of the policy period;

6. AGGREGATE LIMITS OF INSURANCE (PER LOCATION)

The General Aggregate Limit under Section III Limits Of Insurance applies separately to each of your "locations" owned by or rented to you or temporarily occupied by you with the permission of the owner.

"Location" means premises involving the same or connecting lots, or premises whose connection is interrupted only by a street, roadway, waterway or right-of-way of a railroad.

7. AGGREGATE LIMITS OF INSURANCE (PER PROJECT)

The General Aggregate Limit under Section III Limits Of Insurance applies separately to each of your projects away from premises owned by or rented to you.
8. VOLUNTARY PROPERTY DAMAGE COVERAGE

At your request, we will pay for "loss" to property of others caused by your business operations. The most we will pay for this coverage is $500 each "occurrence." The "loss" must occur during the policy period. The "occurrence" must take place in the "coverage territory".

"Loss" means unintended damage or destruction. "Loss" does not mean disappearance, abstraction or theft.

This coverage does not apply to:

1. Damage arising out of the use of any "auto";
2. Property you own, occupy, rent or lease from others; or
3. Property on your premises for sale, service, repair or storage.

None of the other policy exclusions apply to this coverage.

If the policy to which this endorsement is attached is written with a property damage liability deductible, the deductible shall apply to Voluntary Property Damage. The limit of coverage stated above shall not be reduced by the amount of this deductible.

9. OFF PREMISES CARE, CUSTODY OR CONTROL COVERAGE

A. We will pay those sums that you become legally obligated to pay as damages because of "property damage" to personal property of others while in your or your "employees" care, custody or control or real property of others over which you or your "employees" are exercising physical control if the "property damage" arises out of your business operations. This Coverage is subject to sections B., C., D. and E. below.

B. Exclusions

This insurance shall not apply to:

1. "Property damage" of property at premises owned, rented, leased, operated or used by you;
2. "Property damage" of property while in transit;
3. The cost of repairing or replacing:
   (a) Any of your work defectively or incorrectly done by you or by others on your behalf; or
   (b) Any product manufactured, sold or supplied by you, unless the "property damage" is caused directly by you after delivery of the product or completion of the work and resulting from a subsequent undertaking; or
4. "Property damage" of property caused by or arising out of the "products-completed operations hazard".

C. Limits Of Insurance - The most we will pay for "property damage" under this Section 9. is $25,000 for each "occurrence". The most we will pay for the sum of all damages covered under this Section 9. because of "property damage" is an annual aggregate limit of $25,000.

The Limits Of Insurance provided under this Section 9. are inclusive of and not in addition to any other limits provided in the policy or endorsements attached to it.

D. Deductible - We will not pay for "property damage" in any one "occurrence" until the amount of "property damage" exceeds $250. If the policy to which this endorsement is attached contains a "property damage" deductible, that deductible shall apply if it is greater than $250.

E. In the event of "property damage" covered by this endorsement, you shall, if requested by us, replace the property or furnish the labor and materials necessary for repairs thereto at your actual cost, excluding profit or overhead charges.
10. **NEWLY FORMED OR ACQUIRED ORGANIZATIONS**

A. Paragraph 4. of *Section II - Who Is An Insured* is deleted and replaced by the following:

4. Any business entity acquired by you or incorporated or organized by you under the laws of any individual state of the United States of America over which you maintain majority ownership interest exceeding fifty percent. Such acquired or newly formed organization will qualify as a Named Insured if there is no similar insurance available to that entity. However:

   a. Coverage under this provision applies only until the expiration of the policy period in which the entity was acquired or incorporated or organized by you.

   b. Coverage A does not apply to "bodily injury" or "property damage" that occurred before the entity was acquired or incorporated or organized by you.

   c. Coverage B does not apply to "personal and advertising injury" arising out of an offense committed before the entity was acquired or incorporated or organized by you.

   d. Records and descriptions of operations must be maintained by the first Named Insured.

B. This Section 10. does not apply to newly formed or acquired organizations if coverage is excluded either by provisions of the Coverage Part or by other endorsement(s) attached to it.

11. **DUTIES IN THE EVENT OF OCCURRENCE, OFFENSE, CLAIM OR SUIT**

A. The requirements in *Section IV - Conditions*, Paragraph 2.a., that you must see to it that we are notified of an "occurrence" applies only when the "occurrence" is known to:

1. You, if you are an individual;

2. A partner, if you are a partnership;

3. A member or manager, if you are a limited liability company;

4. An executive officer or designee, if you are a corporation;

5. A trustee, if you are a trust; or

6. A designee, if you are any other type of organization.

B. The requirements in *Section IV - Conditions* Paragraph 2.b. that you must see to it that we receive written notice of a claim or "suit" will not be considered breached unless the breach occurs after such claim or "suit" is known to:

1. You, if you are an individual;

2. A partner, if you are a partnership;

3. A member or manager if you are a limited liability company;

4. An executive officer or designee, if you are a corporation;

5. A trustee, if you are a trust; or

6. A designee, if you are any other type of organization.

Knowledge of an "occurrence," claim or "suit" by the agent, servant or "employee" of any insured shall not in itself constitute knowledge of the insured unless an officer or designee shall have received notice from its agent, servant or "employee".
12. BODILY INJURY

Paragraph 3. of the definition of "bodily injury" in the Section V - Definitions is replaced by the following:

3. "Bodily injury" means bodily injury, sickness or disease sustained by a person, including mental anguish or death resulting from any of these at any time.

13. WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against any person or organization for whom you perform work under a written contract that requires you to obtain this agreement from us.

This agreement shall not operate directly or indirectly to benefit anyone not named in the agreement.

14. MEDICAL PAYMENTS

If Coverage C Medical Payments is not otherwise excluded, the Medical Expense Limit provided by this policy shall be the greater of:

A. $10,000; or
B. The amount shown in the Declarations.

15. BROAD NAMED INSURED

Paragraph 2.a.(1)(d) of Section II - Who is An Insured is replaced by the following:

(d) Arising out of his or her providing or failing to provide professional health care services. However, this exclusion does not apply to nurses, emergency medical technicians or paramedics who are employed by you to provide medical or paramedical services to your employees.

16. BROADENED MOBILE EQUIPMENT

Paragraph 12.f.(1) of Section V - Definitions is replaced by the following:

(1) Equipment designed primarily for:

(a) Snow removal;
(b) Road maintenance, but not construction or resurfacing; or
(c) Street cleaning provided that vehicles have a Gross Vehicle Weight of 1,000 pounds or greater;

17. INCIDENTAL MALPRACTICE LIABILITY

Paragraph 3. of Section V - Definitions is replaced by the following:

3. "Bodily injury" means bodily injury, sickness, disease or "incidental medical malpractice" sustained by a person, including mental anguish or death resulting from any of these at any time.

The following is added to Section V - Definitions:

23. "Incidental medical malpractice" means injury arising out of the negligent rendering or failure to render medical or paramedical services to persons by any physician, dentist, nurse, emergency medical technician or paramedic who is employed by you to provide such services to your employees, provided you are not engaged in the business or occupation of providing any services referred to in this definition.
18. NON-OWNED AIRCRAFT

The following is added to Subparagraph g. of 2., Exclusions of Section I - Coverage A Bodily Injury And Property Damage Liability:

(6) An aircraft with a paid crew, that is hired, chartered or loaned but is not owned by any insured.

19. PROPERTY DAMAGE - ELEVATORS

The following is added to Subparagraph j. of 2., Exclusions of Section I - Coverage A Bodily Injury And Property Damage Liability:

Paragraphs (3) and (4) of this exclusion do not apply to damages that result from the use of elevators.

All other terms and conditions of your policy remain unchanged.
## WHATCOM COUNTY COUNCIL AGENDA BILL NO. 2016-162

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Originator: JPK</td>
<td>JPK</td>
<td>4/20/16</td>
<td></td>
<td></td>
<td>5/3/16</td>
</tr>
<tr>
<td>Division Head: JR</td>
<td>JR</td>
<td>4/2/16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dept. Head: FH</td>
<td>FH</td>
<td>4/2/16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prosecutor: DG</td>
<td>DG</td>
<td>4/2/16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchasing/Budget: BB</td>
<td>BB</td>
<td>4/2/16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive: JL</td>
<td>JL</td>
<td>4/26/16</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TITLE OF DOCUMENT:**
Local Agency Standard Consultant Agreement - Supplement No. 2 between Environmental Science Associates, Inc. and Whatcom County

**ATTACHMENTS:**
1. Memo
2. Contract Information Sheet
3. Supplement No. 2

<table>
<thead>
<tr>
<th>SEPA review required?</th>
<th>( ) Yes</th>
<th>(X ) NO</th>
<th>Should Clerk schedule a hearing?</th>
<th>( ) Yes</th>
<th>(X ) NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPA review completed?</td>
<td>( ) Yes</td>
<td>(X ) NO</td>
<td>Requested Date:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This Supplement No. 2 addresses additional work within scope for Environmental Science Associates, Inc. related to further archaeological field investigation required by permitting agencies, right of way plan modifications due to property ownership changes, and associated project management.

The Birch Bay Drive & Pedestrian Facility Project, CRP No. 907001 appears as Item No. 1 on the 2016 Annual Construction Program.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

<table>
<thead>
<tr>
<th>Related County Contract #:</th>
<th>Related File Numbers:</th>
<th>Ordinance or Resolution Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>201409001-1</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.
MEMORANDUM

To: The Honorable Jack Louws, Whatcom County Executive and
The Honorable Whatcom County Council
Through: Jon Hutchings, Director
From: Joseph P. Rutan, P.E., Assistant Director / County Engineer
James P. Karcher, P.E., Engineering Manager
Date: April 18, 2016
Re: Birch Bay Drive & Pedestrian Facility, CRP No. 907001
Local Agency Standard Consultant Agreement – Supplement No. 2
Environmental Science Associates, Inc.

Enclosed are two (2) originals of a Local Agency Standard Consultant Agreement Supplement No. 2 between Environmental Science Associates, Inc. and Whatcom County for your review and signature.

Requested Action
After approval by the Whatcom County Council, Public Works respectfully requests that the County Executive sign the attached two (2) originals of the Local Agency Standard Consultant Agreement Supplement No. 2 between Environmental Science Associates, Inc. and Whatcom County for $48,666.00.

Background and Purpose
This Supplement No. 2 addresses additional work within scope for Environmental Science Associates, Inc. related to further archaeological field investigation required by permitting agencies, right of way plan modifications due to property ownership changes, and associated project management.

The Birch Bay Drive & Pedestrian Facility Project, CRP No. 907001 appears as Item No. 1 on the 2016 Annual Construction Program.

Funding Amount and Source
Whatcom County has acquired Surface Transportation Program (STP) Federal funds for Preliminary Engineering that requires a 13.5% local fund match. This supplement is for $48,666.00, of which $42,096.09 is covered by Federal STP funds and the remainder (13.5% match) of $6,569.91 in local funds. Budget authority is in place to cover the requested supplement amount through Project Based Budge Ordinance 2014-036.

Please contact Kevin Thompson at extension 6278 if you have any questions or concerns regarding the terms of this agreement.
### Whatcom County Contract Information Sheet

**Originating Department:** Whatcom County Public Works  
**Program/Project:** Design and Construction  
**Contract or Grant Administrator:** James P. Karcher, P.E., Engineering Manager  
**Contractor's/Agency Name:** Washington State Department of Transportation  

**Is this a New Contract?** Yes ☒ No ☐  
If not, is this an Amendment or Renewal to an Existing Contract? Yes ☒ No ☐  
**Original Contract #:** 201409001  

**Does contract require Council Approval?** Yes ☒ No ☐  
If No, include WCC:  
(see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)  
**CFDA #:**  

**Is this a grant agreement?** Yes ☒ No ☐  
If yes, grantor agency contract number(s):  

**Is this contract grant funded?** Yes ☒ No ☐  
If yes, Whatcom County grant contract number(s): STP-K370(003)  

**Is this contract the result of a RFP or Bid process?** Yes ☒ No ☐  
If yes, RFP and Bid number(s): 14-20  
**Contract Cost Center:** 339100  

**Is this agreement excluded from E-Verify?** No ☐ Yes ☒  
If no, include Attachment D Contractor Declaration form.  

**If YES, indicate exclusion(s) below:**  
☒ Professional services agreement for certified/licensed professional.  
☐ Contract work is for less than $100,000.  
☐ Contract work is for less than 120 days.  
☐ Interlocal Agreement (between Governments).  
☐ Contract for Commercial off the shelf items (COTS).  
☐ Work related subcontract less than $25,000.  
☐ Public Works - Local Agency/Federally Funded FHWA.  

**Contract Amount:** sum of original contract amount and any prior amendments:  
$ 1,727,129.82  
**This Amendment Amount:**  
$ 48,666.00  
**Total Amended Amount:**  
$ 1,775,795.82  

**Summary of Scope:** This Supplement No. 2 addresses additional work within scope for Environmental Science Associates, Inc. related to further archaeological field investigation required by permitting agencies, right of way plan modifications due to property ownership changes, and associated project management.  

**Term of Contract:** Project Completion  
**Expiration Date:** December 31, 2017  

**Contract Routing:**  
1. Prepared by: K. Thompson  
2. Attorney signoff: Daniel L. Gibson  
3. AS Finance reviewed: bbennett  
4. IT reviewed (if IT related):  
5. Contractor signed:  
6. Submitted to Exec.:  
7. Council approved (if necessary):  
8. Executive signed:  
9. Original to Council:  

**Date:**  
4/18/16  
04/19/16  
04/19/16  
04/19/16  
4/18/16  
4/18/16  

Last edited 10/01/15
Supplemental Agreement
Number 2

Organization and Address
ESA
819 SE Morrison Street, Suite 310, Portland, OR 97214
Phone: 503-274-2010

Original Agreement Number
CRP No. 907001

Project Number
STP-K370 (003)

Execution Date
Sept. 9, 2014

Completion Date
Dec. 31, 2017

Project Title
Birch Bay Drive and Pedestrian Facility

New Maximum Amount Payable
$1,775,795.82

Description of Work
This supplement addresses additional work within scope for Environmental Science Associates, Inc. related to further archaeological field investigation required by permitting agencies, right of way plan modifications due to property ownership changes, and associated project management.

The Local Agency of Whatcom County Public Works desires to supplement the agreement entered into with ESA and executed on September 9, 2014, and identified as Agreement No. 201409001

All provisions in the basic agreement remain in effect except as expressly modified by this supplement.
The changes to the agreement are described as follows:

I

Section 1, SCOPE OF WORK, is hereby changed to read:
See attached, Exhibit A-1.

II

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: No change.

III

Section V, PAYMENT, shall be amended as follows:
See attached.

as set forth in attached Exhibit A, and by this reference made a part of this supplement.

If you concur with this supplement and agree to the changes as stated above, please sign in the appropriate spaces below and return to this office for final action.

By: Environmental Science Associates

[Signature]

Consultant Signature

By:

[Signature]

Approving Authority Signature

Approved as to form:

[Signature]

Date

Daniel L. Gibson
Chief Civil Deputy Prosecutor

DOT Form 140-063
Revised 09/2005

108
1 Task 1. Project Management/Coordination

1.1 Overall Project Management

Project management and team coordination will increase to address modifications of cultural resources and survey services to meet evolving project needs. Additional cultural resources sampling are required by Department of Archaeology and Historic Preservation (DAHP) and will demand additional coordination within the consultant team, with Whatcom County, WSDOT, and DAHP. Additional survey services are required for ongoing property transactions to keep the ROW Plan current. There will also need to be increased coordination with property owners and the consultant team to acquire the needed permanent and construction easements. This is due to the higher rate of negative responses from property owners than was understood from open house feedback and from the ongoing coordination between Whatcom County and property owners. Additional coordination with ROW subconsultant UFS is required due to these landowner questions and requests for modification of the berm, plantings, and other project features.

Deliverables:

- Additional conference calls with Whatcom County, UFS, and PS&E (up to eight)
- Coordination of cultural resources investigation
- Tracking and invoicing of additional invoices from survey subconsultant PS&E.

2 Task 2. Outreach, Permitting, Easements

2.5.1 Conduct Archaeology Field Assessment

DAHP’s concern regarding cultural resources appeared to increase throughout the project. DAHP and WSDOT had approved the Cultural Resources workplan that ESA had developed with Whatcom County. ESA field crews implementing the work plan encountered boulders while conducting shovel probes along a 1,400-foot reach of Birch Bay Drive road shoulder in August 2015 that prevented exploration to full depth per the plan. Consistent with the approved work plan methods and with commitments to the community to limit activities hindering tourism business, ESA reported the findings on the disturbed road shoulder in the Cultural Resources report. ESA did not attempt to modify the work plan to engage an excavator and traffic control to remove the boulders in the disturbed road shoulder.

DAHP has asked during review of the Cultural Resources report to complete the probes using equipment to verify lack of substantial cultural resources in the disturbed road shoulder. This direction from DAHP will require substantial additional field time and time to complete and compile field data sheets, and will result in additional expenses for lodging and meals.
Deliverables:
- Additional fieldwork (six test units) and field datasheets (approx. 14 per unit (one field form for every 10 cm))
- Update to site form 45-WH-67
- Brief technical memorandum of results (approx. 10 pages plus an appendix with datasheets).

Task 3. Survey & Utility Coordination During Design

3.2.2 Additional ROW Descriptions and Exhibits
The real estate market is dynamic. Property sales have continued since Pacific Survey & Engineering completed the scope of work supporting the Right of Way Plan. Since that time several ownership changes have occurred that require updates beyond the original scope of services. This will be cover costs for updating exhibits as changes are recorded in ownership during the ROW acquisition phase of the project.

Deliverables:
- Revised and updated ROW Plan exhibits (up to 18).

Task 4. Soft Shore Berm Design
No changes for this task.

Task 5. Construction Documents
No changes for this task.

Task 6. Miscellaneous Tasks
No changes for this task.
# Birch Bay Drive and Pedestrian Facility  
**Exhibit A: Contract Supplement 2 - Additional Services Fees**

<table>
<thead>
<tr>
<th>Task No.</th>
<th>Description</th>
<th>ESA</th>
<th>CGS</th>
<th>PS&amp;E</th>
<th>UFS</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Overall Project Management</td>
<td>$10,000</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$10,000</td>
</tr>
<tr>
<td>2.5.1</td>
<td>Conduct Arch Field Assessment</td>
<td>$18,140</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$18,140</td>
</tr>
<tr>
<td>3.2.2</td>
<td>Additional ROW Descriptions &amp; Exhibits</td>
<td>$0</td>
<td>$0</td>
<td>$14,973</td>
<td>$0</td>
<td>$14,973</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$28,140</td>
<td>$0</td>
<td>$14,973</td>
<td>$0</td>
<td>$43,113</td>
</tr>
<tr>
<td></td>
<td>Reimbursables</td>
<td>$5,253</td>
<td>$0</td>
<td>$500</td>
<td>$0</td>
<td>$5,753</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$48,866</strong></td>
</tr>
</tbody>
</table>
**WHATCOM COUNTY COUNCIL AGENDA BILL**

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to</th>
</tr>
</thead>
<tbody>
<tr>
<td>Originator</td>
<td>SW</td>
<td>04/25/16</td>
<td></td>
<td>05/03/16</td>
<td>Finance/Council</td>
</tr>
<tr>
<td>Division Head:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dept. Head:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prosecutor:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchasing/Budget:</td>
<td>04/25/16</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive:</td>
<td>26/16</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TITLE OF DOCUMENT:** Approval to Award Bid #16-17, Rental Rates for Maintenance and Construction Equipment Without Operators

**ATTACHMENTS:** Memo from Finance

**SEPA review required?** ( ) Yes (x) NO  
**SEPA review completed?** ( ) Yes (x) NO  
**Should Clerk schedule a hearing?** ( ) Yes (x) NO  
**Requested Date:**

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Administrative Services is requesting approval to award Bid #16-17, Rental Rates for Maintenance and Construction Equipment Without Operators. They would like to award to all bidders. The award for each vendor will not exceed $100,000.00. The intent of this bid is to obtain firm pricing on rental equipment that could be used by Public Works and any other department that may need to rent equipment for regular projects or emergencies. When equipment is needed, the County will select it from the list, based on equipment availability and suitability, with preference to low bidders.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

**Please Note:** Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
DATE: April 22, 2016
TO: Jack Louws, County Executive
FROM: Brad Bennett, Administrative Services Finance Manager
SUBJECT: Award of Bid #16-17, Rental of Equipment Without Operator

- BACKGROUND

The purpose of this bid is to establish prices and identify firms that are interested in providing maintenance and construction equipment for rent to the County on an on-call basis.

Public Works and other departments will select equipment for rent from the list. The selection will be based on equipment availability and suitability, with preference to the low bidder. The following companies submitted bids on Tuesday March 29, 2016. A list of available equipment and labor rates is attached.

IMCO Construction  NC Machinery
Godwin Pumps      United Rentals
Western Refinery Svcs  Ram Construction
Hertz             Van’s Equipment
Darling Sons Int’l  NW Heavy Equipment
Star Rentals

Rentals will be made on an as-needed basis. Administrative Services is requesting approval to award to all bidders. The award for each vendor will not exceed $100,000.00.

I concur with the recommendation.

[Signature]
AS Finance Manager

Approved as Recommended:

__________________________
County Executive

__________________________
Date of Council Action
Whatcom County
Bid #16-17

2016-2017
Rental Rates for
Maintenance
&
Rental Equipment
### Group 1 - Gravel Dump Trucks

#### 10-Yard 3-Axle Dump Truck

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hertz Equipment Rental</td>
<td>no auto tarp</td>
<td>8</td>
<td>$455</td>
<td>$1,450</td>
<td>$3,795</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-734-2900</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| United Rentals     | 10-yd 2 axle dump truck | 8     | $632 | $1,581 | $4,871 |
| Phone              | 877-874-4468        |       |      |       |        |
| Location           | Bellingham          |       |      |       |        |
| Mobilization       | $75 per hour        |       |      |       |        |

*5 yd dump trucks also available, see attached pricing.

#### 12-Yard 4-Axle Dump Truck

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imco Gen. Const.</td>
<td>no auto tarp</td>
<td>3</td>
<td>$30</td>
<td>$240</td>
<td>$1,200</td>
<td>$4,800</td>
</tr>
<tr>
<td>Phone</td>
<td>360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$3.25 per mile</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 18-Yard 5-Axle Dump Truck & Pony Trailer

No Bid

### 22-Yard 7-Axle Dump Truck & Pony Trailer

No Bid

### End Dump Tubs (greater than 15 yards)

No Bid

### Group 2 - Rock Dump Trucks

#### 10-Yard 3-Axle Dump Truck

No Bid

#### 12-Yard 4-Axle Dump Truck

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imco Gen. Const.</td>
<td>no auto tarp</td>
<td>2</td>
<td>$30</td>
<td>$240</td>
<td>$1,200</td>
<td>$4,800</td>
</tr>
<tr>
<td>Phone</td>
<td>360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$3.25 per mile</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

End Dump Tubs (greater than 15 yards)

No Bid
## Group 3 - Side Dump Trucks

<table>
<thead>
<tr>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-Yard 3-Axle Dump Truck</td>
<td>No Bid</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12-Yard 4-Axle Dump Truck</td>
<td>No Bid</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18-Yard 5-Axle Dump Truck &amp; Pony Trailer</td>
<td>No Bid</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22-Yard 7-Axle Dump Truck &amp; Pony Trailer</td>
<td>No Bid</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>End Dump Tubs (greater than 15 yards)</td>
<td>No Bid</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Group 4 - Lowboy & Pup Trailer

### 2-Axle Lowboy Trailer
- No Bid

### 3-Axle Lowboy Trailer

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imco Gen. Const.</td>
<td>Load King 55 ton, no auto tarp</td>
<td>1</td>
<td>$16</td>
<td>$125</td>
<td>$625</td>
<td>$2,500</td>
</tr>
<tr>
<td>Phone</td>
<td>360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$3.25 per mile</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 4-Axle Lowboy Trailer

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imco Gen. Const.</td>
<td>Aspen 60 ton, no auto tarp</td>
<td>1</td>
<td>$22</td>
<td>$175</td>
<td>$875</td>
<td>$3,600</td>
</tr>
<tr>
<td>Phone</td>
<td>360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$3.25 per mile</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Pup Trailer
- No Bid

### 2-Axle Pup Trailer with Truck
- No Bid

### 3-Axle Pup Trailer with Truck
- No Bid

### 4-Axle Pup Trailer with Truck
- No Bid

---

2016-2017 Rental Rates
Page 2 of 24
# Whatcom County Bid #16-17
## Rental Rates for Equipment Without Operator

## Group 5 - Semi-Bottom Dump Truck

<table>
<thead>
<tr>
<th>Equipment Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>18-yard Belly Dump 2-Axle Trailer</td>
<td>No Bid</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20-yard Belly Dump 3-Axle Trailer</td>
<td>No Bid</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Group 6 - Off-Road Dump Truck

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Intl. LLC</td>
<td>40 ton Articulated</td>
<td>1</td>
<td>$1,000</td>
<td>$4,000</td>
<td>$12,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>35 ton Articulated w/auto tarp</td>
<td>2</td>
<td>$1,000</td>
<td>$4,000</td>
<td>$12,000</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-668-7617</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Snohomish</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Imco Gen. Const.          | Valro A30C 30 ton 6x6, no auto tarp         | 2     | $97   | $775  | $3,875 | $15,500|
|                          | CAT 730 30 ton 6x6, no auto tarp             | 2     | $97   | $775  | $3,875 | $15,500|
| Phone                    | 360-671-3936                                 |       |       |       |       |        |
| Location                 | Ferndale                                    |       |       |       |       |        |
| Mobilization             | $3.25 per mile                              |       |       |       |       |        |

| NC Machinery Co          | CAT 730 ART Truck 30 tons                   | 8     | $190  | $1,500| $4,500 | $13,000|
| Phone                    | 360-424-4292                                 |       |       |       |       |        |
| Location                 | Tukwila, WA                                 |       |       |       |       |        |
| Mobilization             | $150 per hour                               |       |       |       |       |        |

<p>| Ram Construction         | JD 300D                                     | 3     | $150  | $1,200| $9,750 |
| Phone                    | 360-715-8643                                 |       |       |       |       |        |
| Location                 | Bellingham                                  |       |       |       |       |        |
| Mobilization             | $1,000                                      |       |       |       |       |        |</p>
<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imco Gen. Const.</td>
<td>JD544</td>
<td>1</td>
<td>$26.25</td>
<td>$210</td>
<td>$1,050</td>
<td>$4,200</td>
</tr>
<tr>
<td>Phone</td>
<td>360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals Inc</td>
<td>JD524K</td>
<td>4</td>
<td>$460.75</td>
<td>$1,572.50</td>
<td>$2,800</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-384-9029</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td></td>
<td>2</td>
<td>$523</td>
<td>$1,595</td>
<td>$4,195</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>877-874-4468</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van's Equipment</td>
<td>2-cubic yd</td>
<td></td>
<td>$356</td>
<td>$1,349</td>
<td>$3,990</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-755-0399</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Burlington</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$80 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Western Refinery Services</td>
<td></td>
<td>2</td>
<td>$400</td>
<td>$1,600</td>
<td>$4,800</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-366-3303</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$100 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Group 7 - Front End Loader (continued)

### 3-cubic yard

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Intl. LLC</td>
<td>3-cubic yd</td>
<td>1</td>
<td>$400</td>
<td>$1,600</td>
<td>$4,600</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-668-7617</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Snohomish</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hertz Equipment Rental</td>
<td>3-cubic yd</td>
<td>10</td>
<td>$455</td>
<td>$1,335</td>
<td>$3,950</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-734-2900</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Imco Gen. Const.</td>
<td>JD624</td>
<td>2</td>
<td>$33.75</td>
<td>$270</td>
<td>$1,350</td>
<td>$5,400</td>
</tr>
<tr>
<td>Phone</td>
<td>360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NC Machinery Co</td>
<td>CAT 924 2.9 Yd</td>
<td>13</td>
<td>$75</td>
<td>$580</td>
<td>$1,790</td>
<td>$5,360</td>
</tr>
<tr>
<td>Phone</td>
<td>360-424-4292</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Tukwila, WA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 flat rate</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>each way</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NW Heavy Equipment Repair</td>
<td>CAT 928G</td>
<td>1</td>
<td>$360</td>
<td>$1,440</td>
<td>$4,320</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-676-9331</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$110 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ram Construction</td>
<td>JD 544</td>
<td>2</td>
<td>80</td>
<td>$625</td>
<td>$1,900</td>
<td>$5,000</td>
</tr>
<tr>
<td>Phone</td>
<td>360-715-8643</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$500</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td></td>
<td>8</td>
<td>$587</td>
<td>$1,842</td>
<td>$4,602</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>877-874-4468</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van's Equipment</td>
<td>3-cubic yd</td>
<td></td>
<td></td>
<td>$384</td>
<td>$1,425</td>
<td>$4,275</td>
</tr>
<tr>
<td>Phone</td>
<td>360-755-0399</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Burlington</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$80 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Western Refinery Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-366-3303</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$100 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Group 7 - Front End Loader (continued)

### 4-cubic yard

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Intl. LLC</td>
<td>4-cubic yd</td>
<td>2</td>
<td>$425</td>
<td>$1,700</td>
<td>$4,900</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-668-7617</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Snohomish</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hertz Equipment Rental</td>
<td>4-cubic yd</td>
<td>3</td>
<td>$585</td>
<td>$1,695</td>
<td>$5,250</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-734-2900</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Imco Gen. Const.</td>
<td>JD644</td>
<td>2</td>
<td>$41</td>
<td>$325</td>
<td>$1,625</td>
<td>$6,500</td>
</tr>
<tr>
<td>Phone</td>
<td>360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NC Machinery Co</td>
<td>CAT 950 4.25 Yd</td>
<td>6</td>
<td>$100</td>
<td>$790</td>
<td>$2,780</td>
<td>$7,880</td>
</tr>
<tr>
<td>Phone</td>
<td>360-424-4292</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Tukwila, WA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 flat rate each way</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ram Construction</td>
<td>JD 644</td>
<td>1</td>
<td>$90</td>
<td>$700</td>
<td>$2,150</td>
<td>$6,500</td>
</tr>
<tr>
<td>Phone</td>
<td>360-715-8643</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$1,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td></td>
<td>4</td>
<td>$703</td>
<td>$2,692</td>
<td>$6,550</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>877-874-4468</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 5-cubic yard

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Intl. LLC</td>
<td>5-cubic yd</td>
<td>2</td>
<td>$550</td>
<td>$2,200</td>
<td>$6,500</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-668-7617</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Snohomish</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hertz Equipment Rental</td>
<td>5-cubic yd</td>
<td>12</td>
<td>$595</td>
<td>$1,795</td>
<td>$5,395</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-734-2900</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td></td>
<td>1</td>
<td>$850</td>
<td>$3,567</td>
<td>$8,907</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>877-874-4468</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

2016-2017 Rental Rates
Page 6 of 24
## Group 8 - Road Grader

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Size by Wt</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Intl. LLC</td>
<td>CAT 140m</td>
<td>1</td>
<td>$500</td>
<td>$2,000</td>
<td>$6,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone: 360-668-7617</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: Snohomish</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hertz Equipment Rental</td>
<td>Leeboy 685B-10' Mold Board</td>
<td>17,000</td>
<td>1</td>
<td>$600</td>
<td>$1,800</td>
<td>$5,500</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-734-2900</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Imco Gen. Const.</td>
<td>CAT 1406</td>
<td>28,000 lbs</td>
<td>1</td>
<td>$55</td>
<td>$435</td>
<td>$2,175</td>
<td>$8,700</td>
</tr>
<tr>
<td>Phone: 360-671-3936</td>
<td>CAT14M VHP</td>
<td>35,000 lbs</td>
<td>1</td>
<td>$55</td>
<td>$435</td>
<td>$2,175</td>
<td>$8,700</td>
</tr>
<tr>
<td>Location: Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ram Construction</td>
<td>JD 672D</td>
<td>1</td>
<td>$95</td>
<td>$740</td>
<td>$2,300</td>
<td>$7,000</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-715-8643</td>
<td>CAT 130G</td>
<td>1</td>
<td>$85</td>
<td>$700</td>
<td>$2,100</td>
<td>$6,150</td>
<td></td>
</tr>
<tr>
<td>Location: Bellingham</td>
<td>Leeboy 685B</td>
<td>1</td>
<td>$80</td>
<td>$635</td>
<td>$1,750</td>
<td>$4,750</td>
<td></td>
</tr>
<tr>
<td>Mobilization: $500</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van's Equipment</td>
<td>Noram 6SE</td>
<td>16,800 lbs</td>
<td></td>
<td>$375</td>
<td>$1,368</td>
<td>$4,085</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-755-0399</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: Burlington</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $80 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Group 9 - Dozer

#### D-3 Dozer

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Rippers</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Intl. LLC</td>
<td>CAT D3K</td>
<td>Yes</td>
<td>4</td>
<td>$225</td>
<td>$900</td>
<td>$2,700</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-668-7617</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Snohomish</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hertz Equipment Rental</td>
<td>John Deere 450</td>
<td>Yes</td>
<td>4</td>
<td>$320</td>
<td>$950</td>
<td>$2,925</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-734-2900</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Imco Gen. Const.</td>
<td>JD 650</td>
<td>Yes</td>
<td>2</td>
<td>$27</td>
<td>$210</td>
<td>$1,050</td>
<td>$4,200</td>
</tr>
<tr>
<td>Phone</td>
<td>360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NC Machinery Co</td>
<td>CAT D3K 17,160 lbs</td>
<td>Yes</td>
<td>4</td>
<td>$50</td>
<td>$400</td>
<td>$1,310</td>
<td>$3,780</td>
</tr>
<tr>
<td>Phone</td>
<td>360-424-4292</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Monroe, WA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$150 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NW Heavy Equipment Repair</td>
<td>CATD3G XL</td>
<td>No</td>
<td>1</td>
<td>$260</td>
<td>$1,000</td>
<td>$3,000</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-676-9331</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$110 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JD450J LT</td>
<td>Yes</td>
<td>1</td>
<td>$260</td>
<td>$1,000</td>
<td>$3,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-715-8643</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$500</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td>JD 450</td>
<td>No</td>
<td>3</td>
<td>$289.75</td>
<td>$973.25</td>
<td>$2,292.50</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-384-9029</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van's Equipment</td>
<td>Komatsu D31</td>
<td>No</td>
<td>2</td>
<td>$280</td>
<td>$1,102</td>
<td>$3,059</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-755-0399</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Burlington</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$80 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### D-5 Dozer

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Rippers</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>NW Heavy Equipment Repair</td>
<td>CAT DSG LGP</td>
<td>No</td>
<td>1</td>
<td>$375</td>
<td>$1,500</td>
<td>$4,500</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-676-9331</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$110/hr</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JD650J LT</td>
<td>Yes</td>
<td>1</td>
<td>$328</td>
<td>$1,280</td>
<td>$3,600</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JD650H LT</td>
<td>Yes</td>
<td>1</td>
<td>$328</td>
<td>$1,280</td>
<td>$3,600</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group 9 - Dozer (continued)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>D-6 Dozer</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Darling Sons Intl. LLC</strong></td>
<td>CAT D6R</td>
<td>Yes</td>
<td>5</td>
<td>$ 600</td>
<td>$ 2,400</td>
<td>$ 7,200</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-668-7617</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Snohomish</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Hertz Equipment Rental</strong></td>
<td>John Deere 750 LGP/Cab</td>
<td>Yes</td>
<td>1</td>
<td>$ 760</td>
<td>$ 2,565</td>
<td>$ 6,525</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-734-2900</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Imco Gen. Const.</strong></td>
<td>JD 850</td>
<td>Yes</td>
<td>2</td>
<td>$ 53</td>
<td>$ 425</td>
<td>$ 2,125</td>
<td>$ 8,500</td>
</tr>
<tr>
<td>Phone</td>
<td>360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>NC Machinery Co</strong></td>
<td>CAT D6K 28,409 lbs</td>
<td>Yes</td>
<td>2</td>
<td>$ 80</td>
<td>$ 630</td>
<td>$ 2,020</td>
<td>$ 6,510</td>
</tr>
<tr>
<td>Phone</td>
<td>360-424-4292</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Monroe, WA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$150 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ram Construction</strong></td>
<td>JD 850</td>
<td>Yes</td>
<td>1</td>
<td>$ 115</td>
<td>$ 900</td>
<td>$ 2,900</td>
<td>$ 8,750</td>
</tr>
<tr>
<td>Phone</td>
<td>360-715-8643</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$1,200</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Star Rentals</strong></td>
<td>Case 550</td>
<td>No</td>
<td>4</td>
<td>$ 299.25</td>
<td>$ 1,007.25</td>
<td>$ 2,380</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-384-9029</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Van's Equipment</strong></td>
<td>Komatsu D31CGP</td>
<td>No</td>
<td>2</td>
<td>$ 327</td>
<td>$ 1,292</td>
<td>$ 3,629</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-755-0399</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Burlington</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$80 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Western Refinery Services</strong></td>
<td>Deere 700J w/cab</td>
<td>No</td>
<td>1</td>
<td>$ 760</td>
<td>$ 3,040</td>
<td>$ 9,120</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-366-3303</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$100 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| **D-7 Dozer**               |
| **Bidder Information**     | CAT D7R  |
| Darling Sons Intl. LLC     | No | 1 | $ 725 | $ 2,900 | $ 8,700 |
| Phone                       | 360-668-7617 |
| Location                    | Snohomish |
| Mobilization                | $125 per hour |
| **Van's Equipment**        | Komatsu D39 | No | 2 | $ 375 | $ 1,558 | $ 4,199 |
| Phone                       | 360-755-0399 |
| Location                    | Burlington |
| Mobilization                | $80 per hour |
| **NC Machinery Co**        | CAT D7E   | Yes | 3 | 200 | $ 1,600 | $ 4,700 | $ 14,000 |
| Phone                       | 360-424-4292 |
| Location                    | Monroe, WA |
| Mobilization                | $150 per hour |
### Group 9 - Dozer (continued)

#### D-8 Dozer

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Rippers</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Intl. LLC</td>
<td>CAT D8R</td>
<td>Yes</td>
<td>2</td>
<td>$850</td>
<td>$3,400</td>
<td>$10,200</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-668-7617</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Snohomish</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NC Machinery Co</td>
<td>CAT D8T</td>
<td>Yes</td>
<td>8</td>
<td>$200</td>
<td>$6,500</td>
<td>$19,500</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-424-4292</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Monroe, WA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$150 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van's Equipment</td>
<td>Komatsu D39CGP</td>
<td>No</td>
<td>2</td>
<td>$413</td>
<td>$1,634</td>
<td>$4,674</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-755-0399</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Burlington</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$80 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Miscellaneous Dozer

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Rippers</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Rentals</td>
<td>John Deere 450 (16,250)</td>
<td>No</td>
<td>4</td>
<td>$410</td>
<td>$1,368</td>
<td>$3,960</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>877-874-4468</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>John Deere 650 (18,560)</td>
<td>No</td>
<td>2</td>
<td>$525</td>
<td>$1,840</td>
<td>$4,200</td>
<td></td>
</tr>
<tr>
<td></td>
<td>John Deere 450 LGP (low ground pressure)</td>
<td>No</td>
<td>2</td>
<td>$485</td>
<td>$1,990</td>
<td>$4,480</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Case 750M LGP (low ground pressure)</td>
<td>No</td>
<td>4</td>
<td>$719</td>
<td>$2,386</td>
<td>$5,100</td>
<td></td>
</tr>
</tbody>
</table>
### Rental Rates for Equipment Without Operator

#### Group 10, 11, 12, 13 - Excavator

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Group #</th>
<th>Description</th>
<th>Unit Weight</th>
<th>Bucket Size</th>
<th>Lift Capacity</th>
<th>Thumb</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Darling Sons Intl. LLC</strong></td>
<td>10</td>
<td>CAT 303C</td>
<td>8,000 lbs</td>
<td>Y</td>
<td>3</td>
<td>$ 200</td>
<td>$ 800</td>
<td>$ 2,400</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Phone</strong></td>
<td></td>
<td>CAT 305C</td>
<td>12,000 lbs</td>
<td>Y</td>
<td>3</td>
<td>$ 240</td>
<td>$ 960</td>
<td>$ 2,880</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Location</strong></td>
<td></td>
<td>CAT 308C</td>
<td>18,000 lbs</td>
<td>Y</td>
<td>3</td>
<td>$ 275</td>
<td>$ 1,100</td>
<td>$ 3,300</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Mobilization</strong></td>
<td></td>
<td>CAT 312D</td>
<td>30,000 lbs</td>
<td>Y</td>
<td>5</td>
<td>$ 325</td>
<td>$ 1,300</td>
<td>$ 3,900</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Phone</strong></td>
<td></td>
<td>CAT 320D</td>
<td>46,000 lbs</td>
<td>Y</td>
<td>5</td>
<td>$ 475</td>
<td>$ 1,900</td>
<td>$ 5,700</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Location</strong></td>
<td></td>
<td>CAT 330C</td>
<td>75,000 lbs</td>
<td>Y</td>
<td>3</td>
<td>$ 875</td>
<td>$ 2,700</td>
<td>$ 8,100</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Mobilization</strong></td>
<td></td>
<td>CAT 345</td>
<td>100,000 lbs</td>
<td>Y</td>
<td>1</td>
<td>$ 835</td>
<td>$ 3,340</td>
<td>$ 10,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Hertz Equipment Rental</strong></td>
<td>10</td>
<td>JD17D</td>
<td>3,500 lbs</td>
<td>12, 16&quot;</td>
<td>1,000 lbs</td>
<td>Y</td>
<td>21</td>
<td>$ 145</td>
<td>$ 545</td>
<td>$ 1,325</td>
<td></td>
</tr>
<tr>
<td><strong>Phone</strong></td>
<td></td>
<td>John Deere 27</td>
<td>6,300 lbs</td>
<td>12, 18, 24&quot;</td>
<td>2,100 lbs</td>
<td>Y</td>
<td>14</td>
<td>$ 155</td>
<td>$ 595</td>
<td>$ 1,345</td>
<td></td>
</tr>
<tr>
<td><strong>Location</strong></td>
<td></td>
<td>John Deere 350</td>
<td>7,500 lbs</td>
<td>12, 18, 24, 30&quot;</td>
<td>2,500 lbs</td>
<td>Y</td>
<td>77</td>
<td>$ 165</td>
<td>$ 605</td>
<td>$ 1,350</td>
<td></td>
</tr>
<tr>
<td><strong>Mobilization</strong></td>
<td></td>
<td>John Deere 500</td>
<td>10,600 lbs</td>
<td>12, 18, 24, 30&quot;</td>
<td>4,500 lbs</td>
<td>Y</td>
<td>34</td>
<td>$ 220</td>
<td>$ 620</td>
<td>$ 1,695</td>
<td></td>
</tr>
<tr>
<td><strong>John Deere 850 Bobcat</strong></td>
<td></td>
<td>E80</td>
<td>19,000 lbs</td>
<td>12, 18, 24, 36&quot;</td>
<td>6,300 lbs</td>
<td>Y</td>
<td>30</td>
<td>$ 275</td>
<td>$ 835</td>
<td>$ 2,595</td>
<td></td>
</tr>
<tr>
<td><strong>John Deere 135D</strong></td>
<td></td>
<td>John Deere 135D</td>
<td>31,000 lbs</td>
<td>24, 36, 48, 54, 60&quot;</td>
<td>12,000 lbs</td>
<td>Y</td>
<td>32</td>
<td>$ 400</td>
<td>$ 1,200</td>
<td>$ 3,595</td>
<td></td>
</tr>
<tr>
<td><strong>John Deere 160D</strong></td>
<td></td>
<td>John Deere 160D</td>
<td>40,000 lbs</td>
<td>24, 36, 48, 54, 60&quot;</td>
<td>17,000 lbs</td>
<td>Y</td>
<td>4</td>
<td>$ 535</td>
<td>$ 1,475</td>
<td>$ 4,050</td>
<td></td>
</tr>
<tr>
<td><strong>Komatsu PC 200 John Deere 200</strong></td>
<td></td>
<td>Komatsu PC 200 John Deere 200</td>
<td>48,000 lbs</td>
<td>24,36,48,54,60,72&quot;</td>
<td>21,000 lbs</td>
<td>Y</td>
<td>14</td>
<td>$ 535</td>
<td>$ 1,595</td>
<td>$ 4,695</td>
<td></td>
</tr>
<tr>
<td><strong>John Deere 225 Reduced Swing</strong></td>
<td></td>
<td>John Deere 225 Reduced Swing</td>
<td>53,000 lbs</td>
<td>24,36,48,54,60,72&quot;</td>
<td>21,000 lbs</td>
<td>Y</td>
<td>15</td>
<td>$ 735</td>
<td>$ 2,240</td>
<td>$ 6,165</td>
<td></td>
</tr>
<tr>
<td><strong>Komatsu PC 360 John Deere 350</strong></td>
<td></td>
<td>Komatsu PC 360 John Deere 350</td>
<td>78,000 lbs</td>
<td>24,36,48,54,60,72&quot;</td>
<td>26,000 lbs</td>
<td>Y</td>
<td>4</td>
<td>$ 995</td>
<td>$ 2,995</td>
<td>$ 8,400</td>
<td></td>
</tr>
<tr>
<td><strong>Imco Gen. Const.</strong></td>
<td>10</td>
<td>JD135</td>
<td>28,000</td>
<td>24&quot;</td>
<td>21,000 Y</td>
<td>1</td>
<td>$ 37</td>
<td>$ 290</td>
<td>$ 1,450</td>
<td>$ 5,800</td>
<td></td>
</tr>
<tr>
<td><strong>Phone</strong></td>
<td></td>
<td>JD210</td>
<td>42,000</td>
<td>36&quot;</td>
<td>35,000 Y</td>
<td>2</td>
<td>$ 47</td>
<td>$ 375</td>
<td>$ 1,875</td>
<td>$ 7,500</td>
<td></td>
</tr>
<tr>
<td><strong>Location</strong></td>
<td></td>
<td>JD225</td>
<td>45,000</td>
<td>36&quot;</td>
<td>35,000 Y</td>
<td>2</td>
<td>$ 53</td>
<td>$ 425</td>
<td>$ 2,125</td>
<td>$ 8,500</td>
<td></td>
</tr>
<tr>
<td><strong>Mobilization</strong></td>
<td></td>
<td>JD245</td>
<td>51,000</td>
<td>48&quot;</td>
<td>35,500 Y</td>
<td>1</td>
<td>$ 57</td>
<td>$ 450</td>
<td>$ 2,250</td>
<td>$ 9,000</td>
<td></td>
</tr>
<tr>
<td><strong>Hitachi 350</strong></td>
<td></td>
<td>Hitachi 350</td>
<td>70,000</td>
<td>60&quot;</td>
<td>55,000 Y</td>
<td>1</td>
<td>$ 64</td>
<td>$ 509</td>
<td>$ 2,543</td>
<td>$ 10,170</td>
<td></td>
</tr>
<tr>
<td><strong>JD470</strong></td>
<td></td>
<td>JD470</td>
<td>97,000</td>
<td>60&quot;</td>
<td>64,000 Y</td>
<td>4</td>
<td>$ 90</td>
<td>$ 717</td>
<td>$ 3,585</td>
<td>$ 14,340</td>
<td></td>
</tr>
</tbody>
</table>

*Bucket charges apply*
## Group 10, 11, 12, 13 - Excavator (continued)

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Group #</th>
<th>Description</th>
<th>Unit Weight</th>
<th>Bucket Size</th>
<th>Lift Capacity</th>
<th>Thumb</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NC Machinery Co</strong></td>
<td>10</td>
<td>CAT 308</td>
<td>19,000 lbs</td>
<td>Various</td>
<td>8,046 lbs</td>
<td>Y</td>
<td>16</td>
<td>$75</td>
<td>$530</td>
<td>$1,500</td>
<td>$4,520</td>
</tr>
<tr>
<td>Phone</td>
<td>360-424-4292</td>
<td>CAT 312</td>
<td>29,600 lbs</td>
<td>Various</td>
<td>16,850 lbs</td>
<td>Y</td>
<td>15</td>
<td>$85</td>
<td>$550</td>
<td>$1,790</td>
<td>$5,360</td>
</tr>
<tr>
<td>Location</td>
<td>Monroe, WA</td>
<td>CAT 320/323</td>
<td>55,000 lbs</td>
<td>Various</td>
<td>25,000 lbs</td>
<td>Y</td>
<td>25</td>
<td>$105</td>
<td>$840</td>
<td>$2,730</td>
<td>$8,300</td>
</tr>
<tr>
<td>Mobilization</td>
<td>$150 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>NW Heavy Equipment Rental</strong></td>
<td>10</td>
<td>Kubota KX41-3V</td>
<td>3,700 lbs</td>
<td>9, 12, 16, 18 c/o</td>
<td>N</td>
<td>1</td>
<td>$153</td>
<td>$612</td>
<td>$1,536</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-676-9331</td>
<td>Kubota KX121-3, KX121-3 A/B, KX040</td>
<td>9,000 lbs</td>
<td>12, 24, 36</td>
<td>Y</td>
<td>5</td>
<td>$190</td>
<td>$760</td>
<td>$2,280</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td>Kubota 057-4</td>
<td>12,000 lbs</td>
<td>12, 24, 48</td>
<td>Y</td>
<td>2</td>
<td>$250</td>
<td>$1,000</td>
<td>$3,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td></td>
<td>Hitachi ZX70 w/blade</td>
<td>17,000 lbs</td>
<td>24 + 48 c/o</td>
<td>Y</td>
<td>1</td>
<td>$280</td>
<td>$1,120</td>
<td>$3,300</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hitachi ZX120</td>
<td>29,000 lbs</td>
<td>24, 36, 54&quot; c/o</td>
<td>Y</td>
<td>2</td>
<td>$361</td>
<td>$1,440</td>
<td>$4,100</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hitachi ZX160</td>
<td>38,000 lbs</td>
<td>36&quot; + 60&quot; c/o</td>
<td>Y</td>
<td>2</td>
<td>$400</td>
<td>$1,600</td>
<td>$4,700</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hitachi ZX200</td>
<td>45,000 lbs</td>
<td>42&quot; + 60&quot; c/o</td>
<td>Y</td>
<td>1</td>
<td>$488</td>
<td>$1,950</td>
<td>$5,800</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hitachi ZX330</td>
<td>80,000 lbs</td>
<td>54&quot; + 72&quot; c/o</td>
<td>Y</td>
<td>1</td>
<td>$765</td>
<td>$3,060</td>
<td>$8,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>11</td>
<td>Kubota KX121-3/040</td>
<td>9,000</td>
<td></td>
<td></td>
<td>2</td>
<td>$190</td>
<td>$760</td>
<td>$2,280</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Kubota KX057-4</td>
<td>12,000</td>
<td></td>
<td></td>
<td>2</td>
<td>$250</td>
<td>$1,000</td>
<td>$3,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ram Construction</strong></td>
<td>10</td>
<td>Hitachi 120</td>
<td>14 T</td>
<td>.8CY</td>
<td>Y</td>
<td>1</td>
<td>$70</td>
<td>$525</td>
<td>$1,450</td>
<td>$3,950</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-715-8643</td>
<td>Hitachi 135</td>
<td></td>
<td>.8CY</td>
<td>Y</td>
<td>1</td>
<td>$70</td>
<td>$535</td>
<td>$1,500</td>
<td>$4,000</td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td>Hitachi 225</td>
<td></td>
<td>1.1CY</td>
<td>Y</td>
<td>2</td>
<td>$125</td>
<td>$1,050</td>
<td>$2,900</td>
<td>$7,650</td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$500 (120, 135)</td>
<td>Hitachi 245</td>
<td></td>
<td>1.1CY</td>
<td>Y</td>
<td>2</td>
<td>$140</td>
<td>$1,100</td>
<td>$3,100</td>
<td>$8,250</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$1,000 (225, 245)</td>
<td>Hitachi 330</td>
<td></td>
<td>1.85CY</td>
<td>Y</td>
<td>1</td>
<td>$145</td>
<td>$1,150</td>
<td>$3,450</td>
<td>$10,400</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$1,200(330, 350, 450, 470)</td>
<td>Hitachi 350</td>
<td></td>
<td>2.3CY</td>
<td>Y</td>
<td>1</td>
<td>$145</td>
<td>$1,150</td>
<td>$3,450</td>
<td>$10,400</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$250 for KX121</td>
<td>Hitachi 450</td>
<td></td>
<td>2.75CY</td>
<td>N</td>
<td>1</td>
<td>$190</td>
<td>$1,550</td>
<td>$4,550</td>
<td>$13,550</td>
<td></td>
</tr>
<tr>
<td></td>
<td>11</td>
<td>Hitachi 470</td>
<td></td>
<td>3CY</td>
<td>Y</td>
<td>1</td>
<td>$200</td>
<td>$1,600</td>
<td>$4,750</td>
<td>$15,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Kubota KX121 (no angle)</td>
<td>4.5 T</td>
<td>1 T</td>
<td>6</td>
<td>$40</td>
<td>$300</td>
<td>$950</td>
<td>$2,600</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Group 10, 11, 12, 13 - Excavator (continued)

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Group #</th>
<th>Description</th>
<th>Unit Weight</th>
<th>Bucket Size</th>
<th>Lift Capacity</th>
<th>Thumb</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Star Rentals</td>
<td>10</td>
<td><em>Takeuchi TB016</em></td>
<td>4,000 lbs</td>
<td>12&quot;</td>
<td>1,552</td>
<td>Y</td>
<td>36</td>
<td>$ 190</td>
<td>$ 654.50</td>
<td>$ 1,540</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Takeuchi TB230</em></td>
<td>6,500 lbs</td>
<td>&lt;24&quot;</td>
<td>1,731</td>
<td>Y</td>
<td>33</td>
<td>$ 218.50</td>
<td>$ 760.75</td>
<td>$ 1,750</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Takeuchi TB235</em></td>
<td>7,500 lbs</td>
<td>&lt;36&quot;</td>
<td>2,603</td>
<td>Y</td>
<td>64</td>
<td>$ 223.25</td>
<td>$ 769.25</td>
<td>$ 1,806</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Takeuchi TB250</em></td>
<td>12,000 lbs</td>
<td>&lt;36&quot;</td>
<td>4,561</td>
<td>Y</td>
<td>61</td>
<td>$ 294.50</td>
<td>$ 1,007.25</td>
<td>$ 2,380</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>John Deere JD85G</em></td>
<td>18,000 lbs</td>
<td>&lt;40&quot;</td>
<td>6,902</td>
<td>Y</td>
<td>10</td>
<td>$ 332.50</td>
<td>$ 1,160.25</td>
<td>$ 2,730</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>John Deere JD120D</em></td>
<td>24,000 lbs</td>
<td>&lt;48&quot;</td>
<td>9,000</td>
<td>Y</td>
<td>2</td>
<td>$ 346.75</td>
<td>$ 1,194.25</td>
<td>$ 2,800</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>John Deere JD130G</em></td>
<td>28,000 lbs</td>
<td>&lt;48&quot;</td>
<td>10,500</td>
<td>Y</td>
<td>1</td>
<td>$ 375.25</td>
<td>$ 1,296.25</td>
<td>$ 3,080</td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>10</td>
<td><em>Takeuchi TB235</em></td>
<td>7,500 lbs</td>
<td>12&quot; - 36&quot;</td>
<td>Y</td>
<td>34</td>
<td></td>
<td>$ 258</td>
<td>$ 794</td>
<td>$ 1,857</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Takeuchi TB260</em></td>
<td>10,000 - 14,000 lbs</td>
<td>12&quot; - 36&quot;</td>
<td>Y</td>
<td>18</td>
<td></td>
<td>$ 312</td>
<td>$ 925</td>
<td>$ 2,273</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>John Deere 120</em></td>
<td>25,000 - 29,999 lbs</td>
<td>24&quot; - 42&quot;</td>
<td>Y</td>
<td>13</td>
<td></td>
<td>$ 510</td>
<td>$ 1,669</td>
<td>$ 4,012</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Kobelco SK140</em></td>
<td>30,000 - 34,999 lbs</td>
<td>24&quot; - 42&quot;</td>
<td>Y</td>
<td>24</td>
<td></td>
<td>$ 550</td>
<td>$ 1,869</td>
<td>$ 4,770</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>John Deere 225</em></td>
<td>50,000 - 55,900 lbs</td>
<td>36&quot; - 60&quot;</td>
<td>Y</td>
<td>25</td>
<td></td>
<td>$ 790</td>
<td>$ 2,565</td>
<td>$ 6,325</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>John Deere 350</em></td>
<td>70,000 - 79,000 lbs</td>
<td>36&quot; - 60&quot;</td>
<td>Y</td>
<td>4</td>
<td></td>
<td>$ 1,214</td>
<td>$ 3,986</td>
<td>$ 9,955</td>
<td></td>
</tr>
</tbody>
</table>

*additional make/models available. See pricing attached

*rates include one bucket

$75 per hour  | 11  | *Takeuchi TB235* | 7,500 lbs |           |               |       | 34    | $ 258 | $ 794  | $ 1,857 |
### Group 10, 11, 12, 13 - Excavator (continued)

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Group #</th>
<th>Description</th>
<th>Unit Weight</th>
<th>Bucket Size</th>
<th>Lift Capacity</th>
<th>Thumb</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Van's Equipment</td>
<td>10</td>
<td>Yanmar 17</td>
<td>4000 lbs</td>
<td></td>
<td>2,314 lbs</td>
<td>Y</td>
<td>2</td>
<td>$ 171</td>
<td>$ 608</td>
<td>$ 1,824</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td></td>
<td>Yanmar 35</td>
<td>8,000 lbs</td>
<td></td>
<td>4,012 lbs</td>
<td>Y</td>
<td>5</td>
<td>$ 213</td>
<td>$ 793</td>
<td>$ 2,356</td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td></td>
<td>Yanmar 45</td>
<td>10,500 lbs</td>
<td></td>
<td>6,459 lbs</td>
<td>Y</td>
<td>5</td>
<td>$ 242</td>
<td>$ 893</td>
<td>$ 2,679</td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td></td>
<td>Yanmar 55</td>
<td>11,500 lbs</td>
<td></td>
<td>6,966 lbs</td>
<td>Y</td>
<td>5</td>
<td>$ 266</td>
<td>$ 988</td>
<td>$ 2,964</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yanmar 80</td>
<td>18,000 lbs</td>
<td></td>
<td>8,070 lbs</td>
<td>Y</td>
<td>5</td>
<td>$ 308</td>
<td>$ 1,178</td>
<td>3,534</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yanmar 100</td>
<td>22,000 lbs</td>
<td></td>
<td>10,033 lbs</td>
<td>Y</td>
<td>5</td>
<td>$ 332</td>
<td>$ 1,273</td>
<td>3,819</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hitachi 135</td>
<td>30,000 lbs</td>
<td></td>
<td>6,130 lbs</td>
<td>Y</td>
<td>2</td>
<td>$ 385</td>
<td>$ 1,425</td>
<td>4,275</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Link Belt 145</td>
<td>33,000 lbs</td>
<td></td>
<td>14,650 lbs</td>
<td>Y</td>
<td>2</td>
<td>$ 404</td>
<td>$ 1,52</td>
<td>4,512</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Link Belt 225</td>
<td>53,000 lbs</td>
<td></td>
<td>21,150 lbs</td>
<td>Y</td>
<td>2</td>
<td>$ 499</td>
<td>$ 1,938</td>
<td>5,719</td>
<td></td>
</tr>
</tbody>
</table>

| Western Refinery Services    | 10      | Deere 85             | 18,820      | .54-.65 cu yd   | 4,476         | Y     | 2     | $ 400  | $ 1,600 | 4,800 |
|                             |         | Deere 13SG           | 31,000      |                 | 13,400        | Y     | 3     | $ 480  | $ 1,920 | 5,760 |
| Phone                       | 100     | Deere 160            | 39,500      |                 | 17,900        | Y     | 1     | $ 560  | $ 2,240 | 6,720 |
| Location                    |         | Deere 210G           | 51,900      |                 | 21,410        | Y     | 1     | $ 640  | $ 2,560 | 7,680 |
| Mobilization                | $100    | Deere 240            | 54,600      | .9-2.0 cu yd    | 16,877        | Y     | 1     | $ 680  | $ 2,720 | 8,160 |
| per hour                    | $225    | Low Swing Radius,    |             |                 |               |       |       |        |       |      |        |
|                             |         | Deere 245            | 56,167      |                 | 23,330        | Y     | 1     | $ 720  | $ 2,880 | 8,640 |
|                             |         | Link Belt 350Lx      | 98,460      |                 | 37,000        | Y     | 1     | $ 1,040 | $ 4,160 | 12,480 |
|                             |         | Link Belt 350Lx w/ La |             |                 |               |       |       |        |       |      |        |
|                             |         | Bounty demo shear    | 98,460      |                 | N             | 1     |       | $ 1,640 | $ 6,560 | 19,680 |
|                             |         | Deere 380            | 84,000      |                 | 43,000        | Y     | 1     | $ 1,040 | $ 4,160 | 12,480 |
|                             |         | Deere 470            | 109,000     |                 | 54,000        | Y     | 1     | $ 1,280 | $ 5,120 | 15,360 |
|                             | $100    | Kubota KX121-3       | 9195-9500   |                 | 4,250         | 3     |       | $ 260  | $ 1,040 | 3,120 |
|                             | $100    | Kubota KX121-3       | 9195-9500   |                 | 4,250         | 4     |       | $ 260  | $ 1,040 | 3,120 |

---

2016-2017 Rental Rates
Page 14 of 24
## Group 14 - Log Loader with Hydraulic Grapple

No Bid

## Group 15 - Scraper

No Bid

## Group 16 - Shoulder Spreader

No Bid

### Group 17A - Broom, Regenerative Air Sweeper, Truck Sweeper, & Self-Propelled Broom

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Int'l. LLC</td>
<td>Laymor BHC Sweeper</td>
<td>1</td>
<td>175</td>
<td>675</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>Phone 360-668-7617</td>
<td>Laymor GHC Sweeper</td>
<td>1</td>
<td>140</td>
<td>560</td>
<td>1,680</td>
<td></td>
</tr>
<tr>
<td>Location Snohomish</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hertz Rental Equipment</td>
<td>Laymor BHC, 3 wheel</td>
<td>12</td>
<td>175</td>
<td>575</td>
<td>1,195</td>
<td></td>
</tr>
<tr>
<td>Phone 360-734-2900</td>
<td>Bruce KR350, 4wheel, cab</td>
<td>5</td>
<td>255</td>
<td>700</td>
<td>1,620</td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Imco Gen. Const.</td>
<td>Tymco 600 Street</td>
<td>1</td>
<td>38</td>
<td>300</td>
<td>1,500</td>
<td>6,000</td>
</tr>
<tr>
<td>Phone 360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>Laymor BHC (8' window)</td>
<td>20</td>
<td>255</td>
<td>765</td>
<td>1,695</td>
<td></td>
</tr>
<tr>
<td>Phone 877-874-4468</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td>Terramite Const Sweeper</td>
<td>4</td>
<td>147.25</td>
<td>501.50</td>
<td>1,190.00</td>
<td></td>
</tr>
<tr>
<td>Phone 360-384-9029</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Group 17B - Broom, Side Cast with Cab

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imco Gen. Const.</td>
<td>Superior Sweeper 5-5</td>
<td>2</td>
<td>17</td>
<td>135</td>
<td>675</td>
<td>2,700</td>
</tr>
<tr>
<td>Phone 360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ram Construction</td>
<td>Superior Power Broom</td>
<td>1</td>
<td>35</td>
<td>275</td>
<td>875</td>
<td>2,250</td>
</tr>
<tr>
<td>Phone 360-715-8643</td>
<td>Lay-Mor GHC/BHC (no cab)</td>
<td>2</td>
<td>35</td>
<td>275</td>
<td>875</td>
<td>2,250</td>
</tr>
<tr>
<td>Location Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $250</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>Laymore 8C (8' window)</td>
<td>4</td>
<td>341</td>
<td>1,223</td>
<td>2,824</td>
<td></td>
</tr>
<tr>
<td>Phone 877-874-4468</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# Whatcom County Bid #16-17
## Rental Rates for Equipment Without Operator

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Unit Weight</th>
<th>Roller Width</th>
<th>Vibrate</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mtly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Int'l LLC</td>
<td>Dynapac 84&quot;</td>
<td>2</td>
<td>$325</td>
<td></td>
<td>$1,300</td>
<td>$3,900</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone: 360-658-7617</td>
<td>Dynapac 66&quot;</td>
<td>2</td>
<td>$275</td>
<td></td>
<td>$1,100</td>
<td>$3,300</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: Snohomish</td>
<td>Mobilization: $125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hertz Rental Equipment</td>
<td>Wacker RD12</td>
<td>2,500</td>
<td>36&quot;</td>
<td>Y</td>
<td>12</td>
<td>$170</td>
<td>$575</td>
<td>$1,350</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-734-2900</td>
<td>Volvo DD29</td>
<td>6,600</td>
<td>48&quot;</td>
<td>Y</td>
<td>8</td>
<td>$175</td>
<td>$590</td>
<td>$1,395</td>
<td></td>
</tr>
<tr>
<td>Location: Bellingham</td>
<td>Mobilization: $130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Imco Gen. Const.</td>
<td>CAT CS563</td>
<td>24,500 lbs</td>
<td>84&quot;</td>
<td>Y</td>
<td>3</td>
<td>$30</td>
<td>$240</td>
<td>$1,200</td>
<td>$4,800</td>
</tr>
<tr>
<td>Phone: 360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: Ferndale</td>
<td>Mobilization: $175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NC Machinery Co</td>
<td>CAT CB24</td>
<td>5,800 lbs</td>
<td>47&quot;</td>
<td>Y</td>
<td>3</td>
<td>$40</td>
<td>$290</td>
<td>$870</td>
<td>$2,600</td>
</tr>
<tr>
<td>Phone: 360-424-4292</td>
<td>CAT CS533</td>
<td>23,120 lbs</td>
<td>84&quot;</td>
<td>Y</td>
<td>7</td>
<td>$80</td>
<td>$680</td>
<td>$2,210</td>
<td>$6,510</td>
</tr>
<tr>
<td>Location: Monroe, WA</td>
<td>Mobilization: $150 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NW Heavy Equipment Repair</td>
<td>Vibromax ICB double drum</td>
<td>3 ton</td>
<td>47&quot;</td>
<td>Y</td>
<td>1</td>
<td>$153</td>
<td>$612</td>
<td>$1,800</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-676-9331</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: Bellingham</td>
<td>Mobilization: $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ram Construction</td>
<td>Dynapac CA151</td>
<td>7.4 T</td>
<td>66&quot;</td>
<td>Y</td>
<td>1</td>
<td>$60</td>
<td>$485</td>
<td>$1,450</td>
<td>$3,750</td>
</tr>
<tr>
<td>Phone: 360-715-8643</td>
<td>Dynapac CA362</td>
<td>14.5 T</td>
<td>84&quot;</td>
<td>Y</td>
<td>2</td>
<td>$75</td>
<td>$580</td>
<td>$1,750</td>
<td>$5,250</td>
</tr>
<tr>
<td>Location: Bellingham</td>
<td>Dynapac CA12</td>
<td>4.6 T</td>
<td>54&quot;</td>
<td>Y</td>
<td>1</td>
<td>$55</td>
<td>$425</td>
<td>$1,300</td>
<td>$3,500</td>
</tr>
<tr>
<td>Mobilization: $500</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td>Stone WP3100</td>
<td>3,045 lbs</td>
<td>36&quot;</td>
<td>Y</td>
<td>5</td>
<td>$152</td>
<td>$505.75</td>
<td>$1,176</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-384-9029</td>
<td>Bomag BW100AD</td>
<td>5,291 lbs</td>
<td>40&quot;</td>
<td>Y</td>
<td>26</td>
<td>$199.50</td>
<td>$646</td>
<td></td>
<td>$1,526</td>
</tr>
<tr>
<td>Location: Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van's Equipment</td>
<td>Wacker RD12A</td>
<td>3,000 lbs</td>
<td>36&quot;</td>
<td>Y</td>
<td>11</td>
<td>$199</td>
<td>$732</td>
<td>$1,667</td>
<td></td>
</tr>
<tr>
<td>Phone: 877-874-4468</td>
<td>Bomag BW120</td>
<td>6,000 lbs</td>
<td>48&quot;</td>
<td>Y</td>
<td>12</td>
<td>$267</td>
<td>$809</td>
<td>$1,899</td>
<td></td>
</tr>
<tr>
<td>Location: Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van's Equipment</td>
<td>Sakai SW320</td>
<td>3,700 lbs</td>
<td>47&quot;</td>
<td>Y</td>
<td>2</td>
<td>$185</td>
<td>$684</td>
<td>$1,900</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-755-0399</td>
<td>Sakai SV201</td>
<td>9,600 lbs</td>
<td>54&quot;</td>
<td>Y</td>
<td>1</td>
<td>$266</td>
<td>$950</td>
<td>$2,850</td>
<td></td>
</tr>
<tr>
<td>Location: Burlington</td>
<td>Sakai SV400</td>
<td>16,400 lbs</td>
<td>67&quot;</td>
<td>Y</td>
<td>2</td>
<td>$304</td>
<td>$1,121</td>
<td>$3,363</td>
<td></td>
</tr>
<tr>
<td>Mobilization: $80 per hour</td>
<td>Vibromax 106</td>
<td>24,000 lbs</td>
<td>84&quot;</td>
<td>Y</td>
<td>1</td>
<td>$356</td>
<td>$1,330</td>
<td>$3,990</td>
<td></td>
</tr>
<tr>
<td>Western Refinery Services</td>
<td>Hamm HD-8</td>
<td>3,500 lbs</td>
<td>36&quot;</td>
<td>Y</td>
<td>2</td>
<td>$240</td>
<td>$960</td>
<td>$2,880</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-366-3303</td>
<td>Hamm HD10C</td>
<td>3,700 lbs</td>
<td>39&quot;</td>
<td>Y</td>
<td>1</td>
<td>$240</td>
<td>$960</td>
<td>$2,880</td>
<td></td>
</tr>
<tr>
<td>Location: Ferndale</td>
<td>Hamm HD10</td>
<td>3,700 lbs</td>
<td>42&quot;</td>
<td>Y</td>
<td>1</td>
<td>$240</td>
<td>$960</td>
<td>$2,880</td>
<td></td>
</tr>
<tr>
<td>Mobilization: $100 per hour</td>
<td>Hamm HD12 or similar</td>
<td>6,000 lbs</td>
<td>47&quot;</td>
<td>Y</td>
<td>5</td>
<td>$280</td>
<td>$1,120</td>
<td>$3,360</td>
<td></td>
</tr>
<tr>
<td>Western Refinery Services</td>
<td>Vibromax VM1060</td>
<td>25,000 lbs</td>
<td>84&quot;</td>
<td>Y</td>
<td>1</td>
<td>$560</td>
<td>$2,240</td>
<td>$6,720</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-366-3303</td>
<td>CAT CS5630</td>
<td>24,500 lbs</td>
<td>84&quot;</td>
<td>Y</td>
<td>1</td>
<td>$560</td>
<td>$2,240</td>
<td>$6,720</td>
<td></td>
</tr>
<tr>
<td>Location: Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $100 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2016-2017 Rental Rates
Page 16 of 24
## Group 18B - Pneumatic Roller

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Unit Weight</th>
<th>Roller Width</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>NW Heavy Equipment Repair</td>
<td>Vibromax 605</td>
<td>7.5 ton</td>
<td>68&quot;</td>
<td>2</td>
<td>$230</td>
<td>$920</td>
<td>$2,760</td>
<td></td>
</tr>
<tr>
<td>Phone 360-676-9331</td>
<td>Vibromax 1105</td>
<td>14 ton</td>
<td>84&quot;</td>
<td>2</td>
<td>$310</td>
<td>$1,240</td>
<td>$3,720</td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td>Mobilization $110 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ram Construction</td>
<td>Dynapac CC102</td>
<td>2.6 t</td>
<td>42&quot;</td>
<td>2</td>
<td>$36</td>
<td>$290</td>
<td>$800</td>
<td>$2,400</td>
</tr>
<tr>
<td>Phone 360-715-8643</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $250</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>Hamm 3205</td>
<td>11,000</td>
<td>54&quot;</td>
<td>8</td>
<td>$387</td>
<td>$1,050</td>
<td>$2,750</td>
<td></td>
</tr>
<tr>
<td>Phone 877-874-4468</td>
<td>Hamm 3307</td>
<td>15,000</td>
<td>66&quot;</td>
<td>11</td>
<td>$451</td>
<td>$1,622</td>
<td>$3,550</td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td>Hamm 3410</td>
<td>27,000</td>
<td>84&quot;</td>
<td>11</td>
<td>$545</td>
<td>$1,722</td>
<td>$4,666</td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Group 18C - Sheepfoot Roller

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Unit Weight</th>
<th>Roller Width</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imco Gen. Const.</td>
<td>CAT CS 563 w/shell</td>
<td>25,000 lbs</td>
<td>84</td>
<td>1</td>
<td>$32</td>
<td>$250</td>
<td>$1,250</td>
<td>$5,000</td>
</tr>
<tr>
<td>Phone 360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NW Heavy Equipment Repair</td>
<td>Vibromax 605</td>
<td>7.5 ton</td>
<td>68&quot;</td>
<td>1</td>
<td>$270</td>
<td>$1,080</td>
<td>$3,240</td>
<td></td>
</tr>
<tr>
<td>Phone 360-676-9331</td>
<td>Vibromax 1105</td>
<td>14 ton</td>
<td>84&quot;</td>
<td>1</td>
<td>$350</td>
<td>$1,400</td>
<td>$4,200</td>
<td></td>
</tr>
<tr>
<td>Location Not Listed</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization Not Listed</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td>Bomag BW1240H</td>
<td>7,010</td>
<td>48&quot;</td>
<td>8</td>
<td>$199.50</td>
<td>$646</td>
<td>$1,526</td>
<td></td>
</tr>
<tr>
<td>Phone 360-384-9029</td>
<td>Bomag BW145D</td>
<td>11,785</td>
<td>56&quot;</td>
<td>7</td>
<td>$261.25</td>
<td>$862.75</td>
<td>$2,030</td>
<td></td>
</tr>
<tr>
<td>Location Ferndale</td>
<td>Bomag BW177</td>
<td>15,355</td>
<td>67&quot;</td>
<td>5</td>
<td>$380</td>
<td>$1,249.50</td>
<td>$2,730</td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>Hamm 3307 w/shell kit</td>
<td>15,000</td>
<td>66&quot;</td>
<td>11</td>
<td>$451</td>
<td>$1,622</td>
<td>$3,550</td>
<td></td>
</tr>
<tr>
<td>Phone 877-874-4468</td>
<td>Hamm 3410 w/shell kit</td>
<td>27,000</td>
<td>84&quot;</td>
<td>11</td>
<td>$545</td>
<td>$1,722</td>
<td>$4,666</td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van's Equipment</td>
<td>Vibromax VM106</td>
<td>24,500 lbs</td>
<td>84&quot;</td>
<td>1</td>
<td>$375</td>
<td>$1,406</td>
<td>$4,256</td>
<td></td>
</tr>
<tr>
<td>Phone 360-755-0399</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Burlington</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $80 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Western Refinery Services</td>
<td>CAT CS-5630</td>
<td>24,500</td>
<td>84&quot;</td>
<td>1</td>
<td>$600</td>
<td>$2,400</td>
<td>$7,200</td>
<td></td>
</tr>
<tr>
<td>Phone 360-366-3303</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization Not Listed</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2016-2017 Rental Rates
Page 17 of 24
## Group 19 - Mobile Crane

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Size in tons</th>
<th>Boom Length</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imco Gen. Const.</td>
<td>Grous RT600E RT</td>
<td>50</td>
<td>150'</td>
<td>$ 445</td>
<td>$ 2,225</td>
<td>$ 8,900</td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td>Elliot Truck Mounted</td>
<td>15</td>
<td>95'</td>
<td>$ 470.25</td>
<td>$ 1,542.75</td>
<td>$ 3,605</td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td>Peterbuilt Truck Mounted</td>
<td>18</td>
<td>95'</td>
<td>$ 574.75</td>
<td>$ 1,874.25</td>
<td>$ 4,410</td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>Ford F750/Manitex 1770C</td>
<td>17</td>
<td>70'</td>
<td>$ 625</td>
<td>$ 1,823</td>
<td>$ 4,244</td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>Ford F750/Koehring BT3870</td>
<td>19</td>
<td>70'</td>
<td>$ 650</td>
<td>$ 1,925</td>
<td>$ 4,446</td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Group 20 - Pile Driver

**No Bid**

## Group 21 - Dragline or Clam

**No Bid**

## Group 22 - Layton Box

**No Bid**

## Group 23 - Pavement Pulverizer

**No Bid**

## Group 24 - Self-Loading Ditch Cleaner

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Rentals</td>
<td>Ditchwitch FX30</td>
<td>3</td>
<td>$ 419</td>
<td>$ 1,429</td>
<td>$ 3,573</td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Group 25 - Hydro-Seeder

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Size by Gallons</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ram Construction</td>
<td>Finn T90</td>
<td>800</td>
<td>1</td>
<td>$ 100</td>
<td>$ 500</td>
<td>$ 1,750</td>
<td>$ 5,250</td>
</tr>
<tr>
<td>Ram Construction</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Western Refinery Services</td>
<td>Finn T120</td>
<td>1,000</td>
<td>1</td>
<td>$ 800</td>
<td>$ 3,200</td>
<td>$ 9,600</td>
<td></td>
</tr>
<tr>
<td>Western Refinery Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2016-2017 Rental Rates
Page 18 of 24
<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Intl. LLC</td>
<td>CAT 416D</td>
<td>2</td>
<td>$200</td>
<td>$800</td>
<td>$2,400</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-668-7617</td>
<td>Case 580m</td>
<td>2</td>
<td>$200</td>
<td>$800</td>
<td>$2,400</td>
<td></td>
</tr>
<tr>
<td>Location: Snohomish</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hertz Rental Equipment</td>
<td>John Deere 310/Case 580, 4wd Ext</td>
<td>40</td>
<td>$230</td>
<td>$690</td>
<td>$1,850</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-734-2900</td>
<td>Case 590 4wd Ext Cab</td>
<td>4</td>
<td>$350</td>
<td>$1,085</td>
<td>$2,595</td>
<td></td>
</tr>
<tr>
<td>Location: Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Imco Gen. Const.</td>
<td>JD310SG</td>
<td>2</td>
<td>$22</td>
<td>$175</td>
<td>$875</td>
<td>$3,500</td>
</tr>
<tr>
<td>Phone: 360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NC Machinery Co</td>
<td>CAT 415</td>
<td>8</td>
<td>$40</td>
<td>$320</td>
<td>$950</td>
<td>$2,780</td>
</tr>
<tr>
<td>Phone: 360-424-4292</td>
<td>CAT 420</td>
<td>12</td>
<td>$45</td>
<td>$340</td>
<td>$1,050</td>
<td>$3,150</td>
</tr>
<tr>
<td>Location: Monroe, WA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $150 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NW Heavy Equipment Rental</td>
<td>JD310SS 4x4 1,2,3c/o bkts</td>
<td>1</td>
<td>$180</td>
<td>$720</td>
<td>$2,160</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-675-9331</td>
<td>w/ hoepack</td>
<td>1</td>
<td>+$75</td>
<td>+$300</td>
<td>+$900</td>
<td></td>
</tr>
<tr>
<td>Location: Bellingham</td>
<td>Kubota B26 4x4</td>
<td>1</td>
<td>$165</td>
<td>$660</td>
<td>$1,800</td>
<td></td>
</tr>
<tr>
<td>Mobilization: JD310 $110/hr</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kubota B26 $75/hr</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ram Construction</td>
<td>JD 310G</td>
<td>3</td>
<td>$45</td>
<td>$320</td>
<td>$1,000</td>
<td>$2,900</td>
</tr>
<tr>
<td>Phone: 360-715-8643</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location: Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $500</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td>Allmand TL8325</td>
<td>4</td>
<td>$175.75</td>
<td>$446.25</td>
<td>$1,050</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-384-9029</td>
<td>John Deere 310 Extendahoe 4WD</td>
<td>11</td>
<td>$251.75</td>
<td>$858.50</td>
<td>$2,030</td>
<td></td>
</tr>
<tr>
<td>Location: Ferndale</td>
<td>Case 580 4WD Extendahoe</td>
<td>34</td>
<td>$251.75</td>
<td>$858.50</td>
<td>$2,030</td>
<td></td>
</tr>
<tr>
<td>Mobilization: $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>John Deere 310J (w/ext hoe)</td>
<td>20</td>
<td>$289</td>
<td>$832</td>
<td>$2,069</td>
<td></td>
</tr>
<tr>
<td>Phone: 877-874-4468</td>
<td>Case 580N (w/cab &amp; ext hoe)</td>
<td>20</td>
<td>$352</td>
<td>$1,222</td>
<td>$2,629</td>
<td></td>
</tr>
<tr>
<td>Location: Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Western Refinery Services</td>
<td>Deere 310SL</td>
<td>1</td>
<td>$280</td>
<td>$1,120</td>
<td>$3,360</td>
<td></td>
</tr>
<tr>
<td>Phone: 360-366-3303</td>
<td>Deere 410D</td>
<td>1</td>
<td>$280</td>
<td>$1,120</td>
<td>$3,360</td>
<td></td>
</tr>
<tr>
<td>Location: Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization: $100 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Group 27 - Tractor Mounted Mower & Brush Cutter

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Reach Length</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>NW Heavy Equipment Rental</td>
<td>Kubota B26</td>
<td>1</td>
<td></td>
<td>$165</td>
<td>$560</td>
<td>$1,800</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-676-9331</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td>Kubota L3200HS/1</td>
<td>11</td>
<td></td>
<td>$209</td>
<td>$705.50</td>
<td>$1,802.50</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-384-9029</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Modern Mower</td>
<td>60&quot;</td>
<td>11</td>
<td>$57</td>
<td></td>
<td>$246.50</td>
<td>$462</td>
<td></td>
</tr>
</tbody>
</table>

#### Flail/Rear Mount
- No Bid

#### Rotary/Shoulder
- No Bid

#### Flail/Shoulder
- No Bid

#### Rotary/Longarm
- No Bid

#### Flail/Longarm
- No Bid

### Group 28 - Skid-Steer Mounted Mower & Brush Cutter

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Reach Length</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>NW Heavy Equipment Rental</td>
<td>Kubota 057-4</td>
<td>1</td>
<td></td>
<td>$382</td>
<td>$1,500</td>
<td>$4,400</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-676-9331</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$110 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hertz Equipment Rental</td>
<td>Bobcat TS90 with 6' Mower</td>
<td>6'</td>
<td>4</td>
<td>$340</td>
<td>$1,015</td>
<td>$2,530</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-734-2900</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NC Machinery Co</td>
<td>CAT 279 Tracked Skid Steer</td>
<td>6'</td>
<td>8</td>
<td>$75</td>
<td>$500</td>
<td>$1,770</td>
<td>$5,100</td>
</tr>
<tr>
<td>Phone</td>
<td>360-424-4292</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Monroe, WA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$150 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Group 29 - Roadside Mower
- No Bid

### Group 30 - Walking Leg-Type Heavy Duty Brush Cutter
- No Bid

### Group 31 - Sewer Jet
- No Bid
## Group 32 - Water Truck

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Intl. LLC</td>
<td>4,000 gallon</td>
<td>1</td>
<td>$350</td>
<td>$1,350</td>
<td>$4,000</td>
<td></td>
</tr>
<tr>
<td>Phone 360-668-7617</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Snohomish</td>
<td>2,000 gallon</td>
<td>1</td>
<td>$250</td>
<td>$1,000</td>
<td>$3,000</td>
<td></td>
</tr>
<tr>
<td>Mobilization $125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hertz Equipment Rental</td>
<td>IH4200-WT</td>
<td>10</td>
<td>$345</td>
<td>$795</td>
<td>$1,995</td>
<td></td>
</tr>
<tr>
<td>Phone 360-734-2900</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td>IH7400-WT</td>
<td>8</td>
<td>$410</td>
<td>$1,450</td>
<td>$3,495</td>
<td></td>
</tr>
<tr>
<td>Mobilization $130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Imco Gen. Const.</td>
<td>KW T8000-4000 gallon</td>
<td>3</td>
<td>$31</td>
<td>$250</td>
<td>$1,250</td>
<td>$5,000</td>
</tr>
<tr>
<td>Phone 360-671-3936</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NC Machinery Co</td>
<td>Misc 2000 gallon water truck</td>
<td>9</td>
<td>$60</td>
<td>$470</td>
<td>$1,370</td>
<td>$4,100</td>
</tr>
<tr>
<td>Phone 360-424-4292</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Monroe, WA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $150 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td>International 2500gal</td>
<td>5</td>
<td>$308.75</td>
<td>$1,105</td>
<td>$2,730</td>
<td></td>
</tr>
<tr>
<td>Phone 360-384-9029</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Ferndale</td>
<td>International 3750gal</td>
<td>3</td>
<td>$403.75</td>
<td>$1,445</td>
<td>$3,570</td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>2,000 Gal. Ford F750</td>
<td>9</td>
<td>$394</td>
<td>$1,463</td>
<td>$3,829</td>
<td></td>
</tr>
<tr>
<td>Phone 877-874-4468</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td>3,000 Gal. International 7500</td>
<td>6</td>
<td>$482</td>
<td>$1,575</td>
<td>$4,295</td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4,000 Gal. Freightliner M2 106</td>
<td>6</td>
<td>$590</td>
<td>$1,964</td>
<td>$4,710</td>
<td></td>
</tr>
</tbody>
</table>

## Group 33 - Dust Retardant Truck

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Star Rentals</td>
<td>International 2500gal</td>
<td>5</td>
<td>$308.75</td>
<td>$1,105</td>
<td>$2,730</td>
<td></td>
</tr>
<tr>
<td>Phone 360-384-9029</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Ferndale</td>
<td>International 3750gal</td>
<td>3</td>
<td>$403.75</td>
<td>$1,445</td>
<td>$3,570</td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Group 34 - Utility Boring Machine

No Bid

## Group 35 - Under Bridge Inspection Equipment

No Bid

## Group 36 - Snow Removal Equipment

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>NW Heavy Equipment Repair</td>
<td>CAT928G wheel loader</td>
<td>1</td>
<td>$360</td>
<td>$1,440</td>
<td>$4,320</td>
<td></td>
</tr>
<tr>
<td>Phone 360-676-9331</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td>CAT2598 trackloader w/cab</td>
<td>1</td>
<td>$180</td>
<td>$720</td>
<td>$2,000</td>
<td></td>
</tr>
<tr>
<td>Mobilization Not Listed</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>Bobcat S130 skidsteer</td>
<td>1</td>
<td>$136</td>
<td>$544</td>
<td>$1,600</td>
<td></td>
</tr>
<tr>
<td>Phone 877-874-4468</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

See skid steers, backhoes, loaders (attached)

---

2016-2017 Rental Rates
Page 21 of 24
## Group 37 - Man Lift

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hertz Equipment Rental</td>
<td>See &quot;Aerial Equipment&quot; Pricing (Note - no attachments to bid document)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Phone</strong> 360-734-2900</td>
<td><strong>Location</strong> Bellingham</td>
<td><strong>Mobilization</strong> $130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ram Construction</td>
<td>Genie S-40 (40 ft aerial lift)</td>
<td>1</td>
<td>$40</td>
<td>$300</td>
<td>$925</td>
<td>$2,500</td>
</tr>
<tr>
<td><strong>Phone</strong> 360-715-8643</td>
<td><strong>Location</strong> Bellingham</td>
<td><strong>Mobilization</strong> $500</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Phone</strong> 360-384-9029</td>
<td><strong>Location</strong> Ferndale</td>
<td><strong>Mobilization</strong> $25 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>19' Scissor: Genie GS-1930 (elec.)</td>
<td>500</td>
<td>$142</td>
<td>$249</td>
<td>$474</td>
<td>$1,500</td>
</tr>
<tr>
<td><strong>Phone</strong> 877-874-4468</td>
<td><strong>Location</strong> Bellingham</td>
<td><strong>Mobilization</strong> $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van's Equipment</td>
<td>Rough Terrain Scissor Lift Genie 2668, 1,500</td>
<td>2</td>
<td>$285</td>
<td>$736</td>
<td>$1,420</td>
<td>$2,375</td>
</tr>
<tr>
<td><strong>Phone</strong> 360-755-0399</td>
<td><strong>Location</strong> Burlington</td>
<td><strong>Mobilization</strong> $80 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Please see attached list*

*additional units available; see attached pricing*

## Group 38 - Gas Powered Breaker-Rock Drill

No Bid

## Group 39 - Forklift

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hertz Equipment Rental</td>
<td>See &quot;Forklift&quot; Pricing (Note - no attachments to bid document)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Phone</strong> 360-734-2900</td>
<td><strong>Location</strong> Bellingham</td>
<td><strong>Mobilization</strong> $130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Imco Gen. Const.</td>
<td>8000 lb Reach Fork Genie 842</td>
<td>2</td>
<td>$29</td>
<td>$230</td>
<td>$1,150</td>
<td>$4,600</td>
</tr>
<tr>
<td><strong>Phone</strong> 360-671-3936</td>
<td><strong>Location</strong> Ferndale</td>
<td><strong>Mobilization</strong> $175 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ram Construction</td>
<td>Gehl DL-10 (28,000 lb)</td>
<td>1</td>
<td>$75</td>
<td>$575</td>
<td>$1,700</td>
<td>$5,000</td>
</tr>
<tr>
<td><strong>Phone</strong> 360-715-8643</td>
<td><strong>Location</strong> Bellingham</td>
<td><strong>Mobilization</strong> $500</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td>Gehl 10k Telescoping Reach 44&quot;</td>
<td>27</td>
<td>$365.75</td>
<td>$1,249.50</td>
<td>$2,695</td>
<td></td>
</tr>
<tr>
<td><strong>Phone</strong> 360-384-9029</td>
<td><strong>Location</strong> Ferndale</td>
<td><strong>Mobilization</strong> $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>10,000 lb capacity Genie GTH-1056 (reach)</td>
<td>80</td>
<td>$533</td>
<td>$1,515</td>
<td>$3,488</td>
<td></td>
</tr>
<tr>
<td><strong>Phone</strong> 877-874-4468</td>
<td><strong>Location</strong> Bellingham</td>
<td><strong>Mobilization</strong> $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van's Equipment</td>
<td>6,600 lb Mustang 642</td>
<td>2</td>
<td>$218</td>
<td>$783</td>
<td>$2,137</td>
<td></td>
</tr>
<tr>
<td><strong>Phone</strong> 360-755-0399</td>
<td><strong>Location</strong> Not Listed</td>
<td><strong>Mobilization</strong> Not Listed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8,000 lb Mustang 844</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9,000 lb JLG 943</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*additional units available, see attached pricing*
<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>GVWR</th>
<th>Length</th>
<th>Hitch</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Weekly</th>
<th>Monthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Intl. LLC</td>
<td>Tilt: Olympic 30 Ton</td>
<td>60,000</td>
<td>30'</td>
<td>P</td>
<td>3</td>
<td>$240</td>
<td>$935</td>
<td>$2,800</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>360-668-7617</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Snohomish</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$125 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td>Tilt: Felling FT12 (Equipment)</td>
<td>12,000</td>
<td>14'</td>
<td>2-5/16</td>
<td>40</td>
<td>$79</td>
<td>$297</td>
<td>$893</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td>877-874-4468</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization</td>
<td>$75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# Group 41 - Miscellaneous Equipment

<table>
<thead>
<tr>
<th>Bidder Information</th>
<th>Description</th>
<th>Units</th>
<th>Hrly</th>
<th>Daily</th>
<th>Wkly</th>
<th>Mnthly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darling Sons Intl. LLC</td>
<td>CAT 287 Skidsteer</td>
<td>2</td>
<td>$300</td>
<td>$800</td>
<td>$2,400</td>
<td></td>
</tr>
<tr>
<td>Phone 360-668-7617</td>
<td>CAT 257 Skidsteer</td>
<td>2</td>
<td>$275</td>
<td>$700</td>
<td>$2,100</td>
<td></td>
</tr>
<tr>
<td>Location Snohomish</td>
<td>Marooka MST800 Track Dump</td>
<td>2</td>
<td>$675</td>
<td>$2,650</td>
<td>$8,000</td>
<td></td>
</tr>
<tr>
<td>Mobilization $125 per hour</td>
<td>Marooka MST1500 Track Dump</td>
<td>3</td>
<td>$750</td>
<td>$2,950</td>
<td>$8,800</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Marooka MST2200 Track Dump</td>
<td>3</td>
<td>$835</td>
<td>$3,340</td>
<td>$10,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cross Country Side Dump Trailer</td>
<td>3</td>
<td>$325</td>
<td>$1,300</td>
<td>$3,900</td>
<td></td>
</tr>
<tr>
<td>Hertz Equipment Rental</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone 360-734-2900</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $130 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NC Machinery Co</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone 360-424-4292</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Misc</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization Misc</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NW Heavy Equipment Repair</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone 360-676-9331</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ram Construction</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone 360-715-8643</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $8,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Star Rentals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone 360-384-9029</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Ferndale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United Rentals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone 877-874-4468</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Bellingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $75 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van's Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone 360-755-0399</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Burlington</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization $80 per hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Xylem Dewatering Solutions Inc DBA Godwin Pumps</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phone 253-395-5450</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location Mt Vernon &amp; Kent</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobilization Misc</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

See Complete Pricing Attached (Note - no attachments to bid document)

See Attached List

*See attached list for additional units

*Lots more! Call us to inquire about small tools and other large equipment and attachments

*For emergency rentals, call Hillary @ 360-955-7957

---

2016-2017 Rental Rates
Page 24 of 24

138
### TITLE OF DOCUMENT:

Briefing and discussion on Comprehensive Plan Chapter 9 (Recreation).

### ATTACHMENT:

1. Cover letter

<table>
<thead>
<tr>
<th>SEPA review required?</th>
<th>SEPA review completed?</th>
<th>Should Clerk schedule a hearing?</th>
</tr>
</thead>
<tbody>
<tr>
<td>(X) Yes</td>
<td>(X) Yes</td>
<td>( ) Yes ( ) NO</td>
</tr>
<tr>
<td>( ) NO</td>
<td>( ) NO</td>
<td></td>
</tr>
</tbody>
</table>

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Under the Growth Management Act, Whatcom County and the seven cities within the County must complete the periodic update of their comprehensive plans and review urban growth areas by June 30, 2016 (RCW 36.70A.130). The Planning and Development Services Department would like to make a presentation and discuss Comprehensive Plan Chapter 9 (Recreation) with the Public Works, Health and Safety Committee.

### COMMITTEE ACTION:

4/5/2016: Briefed and discussed

### COUNCIL ACTION:

- Related County Contract #: AB2016-047
- Related File Numbers: AB2016-047
- Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.
Memorandum

TO: The Honorable Jack Louws, Whatcom County Executive
   The Honorable Whatcom County Council

FROM: Matt Aamot, Senior Planner

THROUGH: Mark Personius, Assistant Director

DATE: March 23, 2016

SUBJECT: Comp Plan Update – Chapter 9 (Recreation)

As you know, Whatcom County has initiated a multi-year project to update the Whatcom County Comprehensive Plan and conduct the urban growth area (UGA) review by June 30, 2016, as required by the Growth Management Act. Review of Comprehensive Plan Chapter 9 – Recreation was conducted in coordination with the Whatcom County Parks & Recreation Department and the Parks & Recreation Commission. Staff is requesting to make a presentation to the Council’s Public Works, Health and Safety Committee relating to Chapter 9 on April 5, 2016.

The Council has requested a summary of the substantive changes made by the Planning Commission. The Planning Commission considered Chapter 9 – Recreation on August 13, 2015, September 10, 2015, December 10, 2015 and January 14, 2016. Planning Commission changes to policies and maps in the staff draft include the following:

**Policy 9C-23** – The Planning Commission recommended modifying proposed Policy 9C-23 as follows: “Provide bike lanes or wide shoulders where appropriate for trail corridor connection in conjunction with major road improvements” (p. 9-12).

**Map 9-2 (Conceptual Trail Corridors)** – The Planning Commission recommended modifying proposed Map 9-2 as follows:

- Identify the trails that have already been built;
- Identify proposed trails where routing is conceptual; and
- Add the Bellingham/Mt. Baker Trail to the map.

Thank you for your consideration of this matter. We look forward to discussing it with you.
Memorandum

TO: WHATCOM COUNTY COUNCIL

FROM: Regina Delahunt, Director

DATE: MARCH 29, 2016

RE: HEALTH REVIEW OF 2016 COMPREHENSIVE PLAN--RECREATION CHAPTER

Overview:
As one step in the implementation of the County’s Healthy Planning Resolution #2015-038, Health Department staff will provide an overview of health recommendations for selected chapters of the 2016 Comprehensive Plan Update to the County Council.

Process:
The process for developing and incorporating the recommendations included:
- Technical review of the 2008 Comprehensive Plan by Alta Planning and Design (2013), identifying opportunities to strengthen specific policies in the plan from a health perspective
- Planning workshop to prioritize health topics and associated policy recommendations with Public Health Advisory Board (PHAB), PDS staff, health department staff, and community stakeholders (March 2014)
- Refinement of policy recommendations based on PHAB, County PDS and stakeholder input (Spring 2014)
- Correspondence and connection with PDS to integrate recommendations into draft chapters, as feasible and appropriate
- Support for PHAB feedback to Planning Commission on specific issues and recommendations
- Review and analysis of the status of health recommendations in the Planning Commission’s draft chapters.

Recreation Chapter Recommendations:
Whatcom County Health Department (WCHD) staff did not review or make recommendations on Recreation Chapter in our 2014 review of the Comprehensive Plan. However, priorities from the 2014 Healthy Planning Workshop include supporting access to parks and community gathering spaces, particularly in Urban Growth Areas.
not associated with cities or other more densely populated rural communities. Several policies in the Recreation Chapter support this priority:

- **Policy 9C-16**: Implementing goals and policies of the Whatcom County Pedestrian and Bicycle Plan.
- **Policy 9C-17**: Promoting integration of trails in new developments to provide internal circulation and to connect to nearby recreation opportunities.
- **Policy 9C-18**: Encouraging the acquisition and planning of trail corridors in new developments, where the trail has been identified in existing plans adopted by the County.
- **Policy 9D-2**: Exploring the need for community parks as undeveloped areas increase in density.
- **Policy 9D-2**: Promoting integration of recreation and open spaces in subarea planning and other development proposals.
- **Policy 9I-5**: Exploring mechanisms, such as community associations and park districts, in UGAs and rural communities to acquire, develop and maintain community parks.
Proposed Council Changes to Comprehensive Plan

Chapter 9 – Recreation

Page and line numbers reflect Planning Commission Recommended Draft (1/14/16). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

Items 1 through 28 concern comma use and other non-substantive grammatical changes and may be considered in a single motion.

1) p. 9-2; lines 13-17: Recreation provides health and social benefits while contributing to the economics of the community supporting tourism, hospitality businesses, equipment manufacturers, and retailers and area outfitters. Recreational opportunities and abundance of parks and trails is often used as a recruitment tool by area businesses and institutions. (Brenner)

2) p. 9-7; Policy 9A-7: The parks should be designed to accommodate a range of age groups, accessibility and interests. (Brenner)

3) p. 9-7; Policy 9B-5: Most large camping areas should be designed to a high standard with full-service hookups, flush toilets and rest rooms, showers, laundry and other support facilities. (Brenner)

4) p. 9-8; lines 7-8: Trail systems include unpaved foot trails, paved and unpaved multi-use trails and paved bike paths. (Brenner)

5) p. 9-8; lines 28-30: In addition, trails, loops or alternate routes should be designated for the horseback and mountain bike rider groups where conditions warrant. (Brenner)

6) p. 9-8; lines 45 – p. 9-9, line 2: On private timber land, access is normally permitted in most areas on an informal basis with the understanding that closures may occur due to logging, fire danger or other circumstances. (Brenner)

7) p. 9-9; lines 8-10: Concerns range from vandalism, fire and nuisances to liability and invasion of privacy. In most cases, trail design, careful facility planning and public education will help avoid these problems. (Brenner)

8) p. 9-9; lines 33-35: The plan makes recommendations with regard to facility type, primary and secondary routes, design guidelines, safety and education. Additionally the plan includes strategies for implementation that address priority projects, acquisition, development, maintenance and administration of bicycle routes. (Brenner)
9) p. 9-10; Policy 9C-5: Bicycle trails should provide opportunities for the recreational riders, as well as the touring and commuter bicyclists. (Brenner)

10) p. 9-10; Policy 9C-7: Hiking trails should have a variety of lengths and grades for the casual strollers, as well as the serious hikers, and when practicable, be accessible. (Brenner)

11) p. 9-11; Policy 9C-8: Hiking trails should reach areas of natural beauty with the purpose of permitting the hikers to seek areas of solitude and get away from the built environment. (Brenner)

12) p. 9-11; Policy 9C-11: Where public funds are used to construct or maintain dikes, levees, or revetments, public access should be encouraged for trail purposes, where appropriate. (Brenner)

13) p. 9-11; Policy 9C-15: Sharing of corridors for major utilities, trails, and other transportation rights-of-way is encouraged when not in conflict with goals to protect wildlife, public health, and safety. (Brenner)

14) p. 9-11; Policy 9C-17: Promote the integration of trails within subdivisions, planned unit developments, and other development proposals that provide internal circulation and connect to nearby recreational opportunities. (Brenner)

15) p. 9-12; Policy 9C-18: Acquisition of and planning for trail corridors should be encouraged as new subdivisions and development occurs, if the trail has been identified in a park, trail, open space, or other plan adopted by Whatcom County. (Brenner)

16) p. 9-12; Policy 9C-20: Continue to support the County's long-range parks and recreation vision of developing a county-wide trail network, while respecting property rights, and working collaboratively with willing landowners to acquire easements or property for public trails when opportunities exist. (Brenner)

17) p. 9-13; Policy 9C-27: Nooksack River Trail - Develop and implement a plan to acquire Rights of Way for a trail corridor and picnic areas along the Nooksack River between Ferndale and Glacier, to provide recreation opportunities, inter-community transportation, and tourism development. (Brenner)

18) p. 9-13; Policy 9C-28: Continue to collaborate with other organizations, groups, or individuals consistent with the goals identified in the Natural Heritage Plan for Whatcom County, and the Whatcom County Pedestrian and Bicycle Plan. (Brenner)

19) p. 9-17; Policy 9D-4: Promote the integration of recreational and open space opportunities in subarea planning, subdivisions, and other development proposals. (Brenner)

20) p. 9-14; lines 31-36: An excellent source of information about existing and proposed future recreational opportunities featuring shorelines is the Whatcom County
Comprehensive Parks, Recreation, and Open Space Plan (CPROS Plan). The CPROS Plan contains detailed information and maps which identify waterfront and shoreline recreational opportunities on both public and private shorelines across the county. (Brenner)

21) p. 9-15; Policy 9E-2: Continue to review the Nooksack River Plan (Jones and Jones, 1973) and implement those elements which are beneficial, appropriate, and economically feasible. (Brenner)

22) p. 9-15; Policy 9E-3: Provide pedestrian, interpretative, and small boat access sites for a diversity of public shoreline. (Brenner)

23) p. 9-17; lines 4-7: The eight senior/community centers are located in Bellingham, Ferndale, Blaine, Everson, Lynden, Sumas, Welcome, and Point Roberts. (Brenner)

24) p. 9-17; lines 13-21: The Plantation Rifle Range includes two outdoor ranges, a trap field, an indoor range, and a meeting room. It is a unique facility which receives use from law enforcement agencies, educational activities, and recreation.

The Roeder Home, donated to the County and on the National Historic Register, is a unique facility which provides space for meetings, wedding receptions, special events, and classes. (Brenner)

25) p. 9-17; Goal 9H: Encourage multi-use indoor activity centers to meet the needs of the population, using public and private partnerships where possible. (Brenner)

26) p. 9-18; Policy 9H-6: Continue to utilize the Roeder Home for cultural arts activities, community events, and gatherings while utilizing partnerships, leased space, or creative opportunities to accommodate program expansion. (Brenner)

27) p. 9-19; Policy 9I-5: In keeping with policies in other chapters of this plan, consider strategies for ensuring the provision of community parks in accordance with appropriate standards. In the residential UGAs not associated with cities and in Rural Communities, mechanisms are needed for acquisition, development, and subsequent maintenance and operations. Community Associations and Park Districts are options to be explored. (Brenner)

28) p. 9-20; Policy 9J-3: Consider joint ventures with private clubs, public agencies, commercial operations, and other groups to build and maintain facilities. (Brenner)
29) p. 9-1; line 6-11: Recreational opportunities in Whatcom County are abundant. The County’s geography and its natural features contribute greatly to opportunities for recreation. Bounded by sea and forested mountains, with wide open vistas, and vibrant flowing rivers, streams, and tranquil lakes, Whatcom County is a perfect spot for residents and visitors alike who seek a wide variety of outdoor recreational experiences as well as entrepreneurs looking for a great place to grow a recreation based business. (Browne)

30) p. 9-3; lines 15-17: Existing Parks and Recreation facilities and services are responsive to an increasing resident population, and must also serve an increasing visitor population as Whatcom County increasingly becomes more and more a regional and world class recreation destination. (Browne)

31) p. 9-2; lines 8-11: Recreation has always played an important role in the quality of life for Whatcom County residents. Choices to play recreate abound with three national wilderness areas, a national forest, one national park, two national recreation areas, three state parks and multitude of county and local parks and trails all located within the County. (Brenner)

32) p. 9-3; lines 27-33: A joint planning effort between Whatcom County Parks and Recreation Department and Whatcom County Planning & Development Services Department ensures that Parks & Recreation capital facilities improvement projects that are identified in the CPROS Plan, are consistent with Whatcom County Comprehensive Plan Parks & Recreation Level of Service (LOS) standards (adopted in WCCP Chapter 4), along with a six year financing plan for improvement projects, including senior centers, addressed as part of the WCCP Capital Facilities Element. (Brenner)

33) p. 9-3; lines 35-39: Whatcom County Parks and Recreation Department plays an essential role in providing recreation senior services and facilities to county residents and visitors, and in the long range planning that is needed to accommodate future parks, senior centers, recreation and open space needs in the county during the next 20 years of growth that this chapter of the WCCP seeks to guide and support. (Brenner)
34) p. 9-4; lines 6-15: This chapter supports fulfillment of several Growth Management Act (GMA) goals, including: Goal #9, Open Space and Recreation, GMA Goal #12, Public Facilities and Services, and Goal # 13, Historic Preservation by directly addressing parks, senior centers and recreation services and facility needs. Habitat and other open space resources are briefly considered in this chapter, but are more completely addressed in the land use and environment chapters of this plan, in Chapter 2 and Chapter 11, respectively. Similarly, this chapter addresses Section H, Open Space/Greenbelt Corridors of the County-wide Planning Policies (CWPP). It also partially addresses CWPP Policy K (1) by identifying needs for recreation facilities, including senior centers. (Brenner)

35) p. 9-4; lines 28-32: This chapter is coordinated and consistent with other GMA Comprehensive Plan elements such as the Land Use element which includes Open Space & Environment; Capital Facilities (including senior centers); Transportation; and Economics. It is responsive to, informs, and relies on the Whatcom County Parks, Recreation, and Open Space (CPROS Plan). (Brenner)

36) p. 9-5; lines 37-40: The following policies and design standards apply to the acquisition and/or development of regional parks, multi-use camping areas, trail systems, specialized facilities, senior centers, and shoreline access areas (Maps 9-1 and 9-2). (Brenner)

37) p. 9-6; Policy 9A-2: Because of the unique features of the site, location within the county is not too as important although they must have as good road access. (Browne)

38) p. 9-6; Policy 9A-6: If possible, regional parks should be located on an existing or proposed trail route and ideally should enhance countywide trail system connectivity. (Browne)

39) p. 9-7; Policy 9B-2: Because camping parks will attract many non-county residents, they should be recognized for their tourism value but at the same time county residents should not subsidize the cost of camping. Camping fees should pay for camp-site expenses. (Brenner)

40) p. 9-8; lines 13-16: While essentially all trails are suitable for foot traffic, bicyclists and horseback riders find many trails not adequately maintained or built to appropriate construction standards. Poorly built or maintained trails are less enjoyable to travel and can induce damage to the environment and safety hazards. (Brenner)

41) p. 9-8; lines 41-43: The difficulties in obtaining continuous access through private lands is a major issue in trail development that can discourage citizens-residents, planners, and administrators from pursuing what might otherwise be a worthwhile project. (Brenner)
42) p. 9-9; lines 10-13: An existing statute (RCW 4.24.210) offers some protections to landowners from liability where they allow public access to their land without charge. Where access is denied, alternatives **should needs to** be considered. (Brenner)

43) p. 9-10; Policy 9C-1: Trails should be **interesting and** attractive. Trails which follow natural water courses, pass significant natural resources, traverse interesting scenery, or cross areas of outstanding beauty provide interesting and enjoyable experiences for the trail user. (Brenner)

44) p. 9-10; Policy 9C-4: The wet climate of Whatcom County may preclude extensive multi-use of some trails or require seasonal limitations **on their use**. Trail routes should take into account soil conditions, steep slopes, surface drainage, and other physical limitations that could impact the areas from over-use. (Brenner)

45) p. 9-11; Policy 9C-8: Hiking trails should reach areas of natural beauty with the purpose of permitting the hiker to seek areas of solitude and get away from the built environment, especially **noise pollution**. (Browne)

46) p. 9-11; Policy 9C-17: Promote the integration of trails within subdivisions, planned unit developments and other development proposals that provide internal circulation and connect to nearby recreational opportunities and **ideally enhance** countywide trail system connectivity. (Browne)

47) p. 9-12; Policy 9C-23: Provide bike lanes or wide shoulders where appropriate for **trail corridor connection** in conjunction with major road improvements. (Donovan)

48) p. 9-13; Policy 9C-25: Hertz North Lake Whatcom Trail Extension - Develop and implement a plan to either acquire Rights of Way for a trail corridor along the abandoned RR R/W between the existing North Shore Trail and Blue Canyon Road or **pursue consider** an alternative route to link these points. (Brenner)

49) p. 9-15; **Restore Section:** **Recreation Resource Management Areas**

These open space areas are identified as large undeveloped parcels of land having unique or attractive natural features. Often they will also contain extensive trail systems. They lack distinct boundaries and are intended to emphasize open space and recreation values. The land may or may not be in public ownership. It is not intended for Whatcom County to acquire these parcels of land but rather to secure conservation and access easements to ensure that public access is maintained and unique scenic areas preserved. (Browne)
49a) **Restore Goal 9F:** Identify large undeveloped parcels of land with unique or attractive features and with the cooperation/coordination of public agencies and private landowners provide conservation opportunities and, where possible, public access. (Browne)

49b) **Restore Policy 9F-1:** Thoroughly study each of the Recreation Resource Management Areas (RRMA) identified in the *Comprehensive Park and Recreation Open Space Plan* to identify their unique features, scenic quality and open space value. Studies should then be made to determine how these qualities can be preserved for future generations. (Browne)

49c) **Restore Policy 9F-2:** Trail systems within the RRMA should be used for non-motorized trail activities only. (Browne)

49d) **Restore Policy 9F-3:** While Whatcom County will probably not own the land within the RRMA, it should take on a major management role to ensure that its recreation and open space value is maintained. (Browne)

49e) **Restore Policy 9F-4:** A special advisory committee should be formed of users and land owners of the RRMA. Their role will be to inventory, plan and prepare recommendations regarding the management of these areas. (Browne)

49f) **New Policy 9F-5:** Demonstrate respect for private property rights throughout the process by recognizing that any participation by private landowners must be on a completely voluntary basis. (Browne)

50) p. 9-18; Policy 9H-4: Expand the Plantation Rifle Range to meet the needs of citizens residents, interested organizations, and law enforcement agencies. (Brenner)

51) p. 9-20; Policy 9I-9: Galbraith/Lookout Mt. - Develop and implement a plan cooperatively to acquire Rights of Way for trail corridors and for the purchase or lease of additional park acreage, along with pursuit of formal usage and mitigation agreements with private individuals or corporate land owners, to preserve or expand the recreational value for residents and tourists with reasonably limited impact on local resident and the environment. (Brenner)

52) p. 9-21; Policy 9J-5: Consider the establishment of park impact fees based on the Growth Management Act. (Brenner)

53) p. 9-21; **New Policy 9J-6:** Experiment with novel public-private partnerships to provide facilities that will provide a quality experience to draw tourists to Whatcom County's parks. Some examples would be privately operated zip-line facilities and strategically located seasonal food trucks. Part or all of the "rent" provided could be by the provision of privately funded public use facilities such as toilets and shuttle buses used to service these private facilities. (Browne)
Public hearing on County Council preliminary draft of Comprehensive Plan Chapter 2, Land Use

ATTACHMENT:

Preliminary draft, Comprehensive Plan Chapter 2, Land Use

Related paperwork can be found at:
www.co.whatcom.wa.us/2346/Comprehensive-Plan-Update-Process

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

The Whatcom County Council will hold a public hearing on May 3, 2016, regarding the periodic update of the Whatcom County Comprehensive Plan, Chapter 2, Land Use (AB2016-047B). This hearing will give the public an opportunity to provide comments to the County Council relating specifically to Chapter 2.

The Council is conducting the Whatcom County Comprehensive Plan and urban growth area (UGA) review as required by the Growth Management Act under RCW 36.70A.130. It is anticipated that the County Council will adopt an ordinance amending the Whatcom County Comprehensive Plan and UGAs by the end of June 2016.

COMMITTEE ACTION:

2/9/2016: Briefed and discussed. Approved motions to preliminarily accept recommendations for the Urban Growth Areas (UGAs)
2/23/2016: Briefed and discussed
3/22/2016: Briefly discussed. Committee voted to affirm previous decision to support the proposed Birch Bay UGA
3/29/2016: Discussed and provided preliminary direction
4/5/2016: Discussed and provided preliminary direction
4/19/2016: Comments Received
4/19/2016: Discussed and provided preliminary direction

COUNCIL ACTION:

Related County Contract #: Related File Numbers: AB2016-047 Ordinance or Resolution Number: Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
Chapter Two
Land Use

Introduction
The fundamental precepts of this chapter and the Whatcom County Comprehensive Plan are to comply with the Growth Management Act (GMA), adhere to the County-wide Planning Policies and implement the Vision for Whatcom County—as defined through the Whatcom 2031 visioning process.

*** VISION ***
Whatcom County is a place where urban growth is concentrated in urban areas, where there is a distinct boundary between urban and rural uses, where agricultural use is encouraged, and where resource lands and water resources are protected, and where land use changes are brought about through incentive programs. Rural areas are peaceful and quiet with less traffic and congestion than in urban areas. There is low-density development with open spaces allowing for privacy. A sense of community is retained and local control is exercised—input is considered in land use decisions.

Chapter Organization
The Land Use chapter and map include a set of adopted land use designations which combine the predicted needs of future populations with the availability of land and the desires of residents. These needs and desires are expressed through the goals, and policies, and actions included below as well as through implementation of the land use map. This chapter is divided into sections that address:

- Overall Land Use
- Urban Growth Areas (UGAs)
- Rural Lands
- Urban Growth Area Reserves
- Special Study Areas
- Comprehensive Plan Designations
- Open Space
- Essential Public Facilities; and
- Adult Businesses
- Historic and Cultural Resources

Process
Each subsection of this chapter describes the process used in creating that section.
GMA Goals and County-Wide Planning Policies, and Community Value Statements

The Land Use chapter supports many of the GMA goals. The land use plan is based on a vision of Whatcom County that concentrates growth in urban areas but recognizes the need for economic diversity across the country. This chapter has been coordinated with all other chapters in the plan. Natural resource industries are encouraged and property rights and the permitting process are addressed.

County-Wide Planning Policies (CWPP), found in Appendix C, are supported throughout the Land Use chapter in goals, policies, and actions and in land use designations.

The "Urban Versus Rural Distinctions" and "Urban Growth Areas" sections of the CWPP are addressed by discouraging urban levels of development outside urban growth areas, allowing small cities adequately sized UGAs, accommodating the projected population and calculating needed land area, defining rural areas and drawing distinct boundaries between rural and urban areas, and minimizing impacts on resource lands and environmentally sensitive areas.

The "Contiguous, Orderly Development and Planning in Urban Growth Areas" section of the CWPP is addressed through the urban growth area analysis and identification of areas where timely and adequate services can be provided.

The "Open Space/Greenbelt Corridors" section of the CWPP is addressed and supported in goals and polices in the Open Space section of this chapter and in the designation of Open Space Corridors.

Goal 6 of the Growth Management Act, regarding Property Rights and the "Private Property Rights" section in the CWPP and Visioning Community Value Statements have been addressed by the emphasis on incentives including transfer of development rights rather than downzoning. The Fiscal Impact section of the CWPP has been addressed by providing urban growth areas in the county, providing for economic development opportunities in the eastern portion of the county; and addressing fiscal impact in interlocal agreements with cities.

The Citizen Participation goals of both the Growth Management Act and the County-Wide Planning Policies have been addressed in the development of this chapter through Whatcom County: The Next Generation Visioning Process (see Appendix C), the Whatcom 2031 Visioning process, citizen committee participation, town hall meetings, and public hearings. Also, specific goals and policies sections give direction for property owner notification and the establishment of on-going citizen committee input.

The Land Use chapter also incidentally addresses and is coordinated with many others of the County-Wide Planning Policies.
Overall Land Use

Introduction

Purpose

The purpose of this section is to provide a broad, general direction for land use policy in Whatcom County. It is the foundation upon which all of the subsections of the Land Use chapter are based. It sets direction for the subsections and provides a mechanism of measurement for consistency for readers.

Process

The Land Use chapter was developed to address future land use in Whatcom County in accordance with Section 36.70A.070 of the Growth Management Act. It represents the county’s policy plan for growth over the next twenty years. The Land Use chapter implements many of the goals and objectives in the other plan chapters through adopted land use designations and other action recommendations.

The Land Use chapter was also developed in accordance with the County-Wide Planning Policies and the Whatcom County: The Next Generations and Whatcom 2031 Visioning recommendations and community value statements, and was integrated with the other plan chapters to ensure consistency throughout the comprehensive plan. The Land Use chapter considers the general distribution and location of land uses, the appropriate intensity and density of land uses given current development trends, and the provision of public services.

The root of the Land Use chapter is the Whatcom County: The Next Generations Visioning Recommended Land Use Alternative. An appointed group of citizens designed and implemented a public process to give people the opportunity to express their views, criticisms, and concerns. Through an extensive series of surveys and town hall meetings, a set of value statements for Whatcom County were drafted. These statements and the overall county vision are being re-evaluated as part of the Whatcom 2031 visioning workshops that occurred in the fall of 2008 and subsequent comprehensive plan update. The final Preferred Land Use Alternative, based on citizen input gathered throughout the Whatcom 2031 process during Phase I, was a conceptual depiction of the community vision which guided the development of the Land Use chapter.

GMA Requirements

Section 36.70A.070 of the Growth Management Act requires that the comprehensive plan of a county include a land use element which designates proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry,
recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. It is required to include population densities, building intensities, and projections of future population growth. Building intensity can be described in terms of such variables as lot coverage, building height, and the spacing between buildings and property lines and between buildings and other structures. The GMA also states that the goals and policies of the Shoreline Management Program are considered elements of the Comprehensive Plan (RCW 36.70A.480).

Background Summary

Most of the non-federal land in unincorporated Whatcom County is dedicated to forestry and agricultural uses. The next largest category of land use is residential. Much smaller areas of the county are dedicated to industrial, commercial, and other uses.

The goal of growth management is to provide sufficient land area with adequate facilities and utilities either presently available or economically feasible to accommodate future growth. This means having an adequate distribution of land to provide housing, services, jobs, and resource land for the expected population. Whatcom County has almost 790 square miles of area outside of National Park and National Forest, which will accommodate the expected increase in population of 56,755 people over the 20-year planning period in Whatcom County. However, this growth must be accommodated in ways that achieve desired land use goals.

An adequate supply of serviced industrial and commercial land must also be provided to accommodate the projected increase in employment. It is expected that an increase of approximately 33,188 new non-agricultural related jobs will be created in the next twenty years.

A key need for meeting land demands to generate family wage employment is land that is "ready to go" for industrial development. Most potential industrial employers seeking to locate in Whatcom County require large tracts of land where the infrastructure and site improvements are already in place. This is a major missing element of the industrial land supply.

It is important to assess the demand and supply of land planned and zoned for various types of uses to meet the economic needs of the county, as well as utilize this information to guide policy decisions regarding land use. The multiplicity of values reflected in the vision statements must all be considered, in addition to the competing goals and policies in other chapters of the comprehensive plan. Having adequate residential lands must include adequate provision of services, and it means densities that meet the mandates of the Growth Management Act to prevent urban sprawl as well as reflecting the desires of Whatcom County residents.

Industrial lands should be provided in areas that have access to transportation routes and adequate infrastructure and can meet the demands of market trends.
Commercial areas should also be located so as to provide the kinds of goods and services that meet the needs of local residents with consideration given to market-driven forces. Sufficient urban land must be provided to accommodate growth. Rural areas with a range of densities must also be available. All of this needs to be done in light of those aspects of the county which are most valued: water quality, productive agricultural land, economic development in rural areas, distinct boundaries between rural and urban areas, and predictability in land use plans.

**Issues, Goals, and Policies**

Issues for this section were drawn from those identified in the Growth Management Act and public participation. Whatcom County: Next Generations Visioning Process and reinforced during the Whatcom 2031 visioning process. Numerous meetings, surveys/questionnaires and other methods were used to identify what was important to people in Whatcom County.

**Accommodating Growth**

The Growth Management Act requires, and the Vision statement Community Values Statements encourages, concentrating growth into urban growth areas. This allows for efficient provision of services and preservation of rural areas as quiet, open spaces where development pressures are not such that extraordinary regulations must be imposed. A distinct boundary is needed between rural and urban areas, discouraging sprawl, maintaining desired rural lifestyles, and conserving agricultural land.

**Goal 2A:** Ensure designation provision of sufficient land, water and densities to accommodate the growth needs of Whatcom County and protect the local economy, rural lifestyle, habitat, fish, and wildlife, which are the cornerstone qualities that make the county a desirable place to live.

<table>
<thead>
<tr>
<th>Policy 2A-1:</th>
<th>Concentrate urban levels of development within designated urban growth areas.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy 2A-2:</td>
<td>Draw a distinct boundary between urban and rural uses.</td>
</tr>
<tr>
<td>Policy 2A-3:</td>
<td>Provide a range of land uses designations that which considers locational and market factors as well as required quantities of land.</td>
</tr>
<tr>
<td>Policy 2A-4:</td>
<td>Designate land uses that reflect the best use of the land.</td>
</tr>
<tr>
<td>Policy 2A-5:</td>
<td>Provide predictability to property owners in land use designation.</td>
</tr>
</tbody>
</table>

*Whatcom County Comprehensive Plan*
Policy 2A-6: Allow appropriate development in existing small self-contained communities through the use of the "Rural Community" land use designation.

Policy 2A-7: Establish sufficient levels of developable residential, commercial, and industrial lands informed by approved population and economic forecasts, inventory of existing use, land capacity outside of critical areas and buffers, cost of infrastructure, legally available water, and goals and policies of all chapters of this plan. Provide sufficient and appropriately located residential, commercial, and industrial lands.

Policy 2A-8: Include business/industry parks, tourist/resort areas, and allowance for existing crossroads commercial areas within urban growth areas or limited areas of more intensive rural development.

Policy 2A-9: Retain existing rural and heavy industrial areas in the northwestern region of the county within urban growth areas or limited areas of more intensive rural development.

Policy 2A-10: Recognize the importance of tourism and its influence on the need for land for various types of development.

Policy 2A-11: Ensure that the development potential of contiguous lands in common ownership is not compromised when urban growth boundaries and/or LAMIRD boundaries are designated. This should be accomplished without expanding UGA boundaries beyond that ownership and without bridging natural divisions of urban/rural land uses such as roads, rivers, and other natural features.

Policy 2A-12: Adoption of residential, industrial, and commercial comprehensive plan or zoning designations in rural areas must comply with the criteria for "limited areas of more intensive rural development" in the Growth Management Act (RCW 36.70A.070(5)).

Policy 2A-13: Allow for adequate economic development to provide economic sustainability, adequate employment opportunities, and services in and for the rural areas.
Policy 2A-14: Strive to establish by December 2017 a clear, predictable, and fair process for allowing expansion of urban growth areas that considers reasonable measures to mitigate the impacts of growth. This process should include:

- Convening a multi-stakeholder work group, including the Cities, tasked with:
  
  - Reviewing the current TDR and PDR programs.
  
  - Identifying political, financial, and regulatory barriers to effective TDR and PDR programs.
  
  - Identifying opportunities and solutions for creating a workable TDR program.
  
  - Identifying mechanisms to create a PDR fund that could be used to protect important agricultural and rural lands.
  
  - Recommending policy and regulatory amendments necessary to implement the above policy.
  
  - Identifying proposed sending areas in critical areas, the Agricultural Zone, and the Rural Study Areas.
  
  - Identifying receiving areas.
  
  - Identifying other factors and/or growth management tools.

Based upon the findings of the multi-stakeholder work group, consider strategies that could require purchase, transfer or otherwise incentivize removal of potential development rights from rural or resource lands in exchange for UGA expansions and other upzones.

Resort Communities and Master Planned Resorts

The County's resort areas are important to the economic viability of the County's tourist industry and provide numerous and varied recreational opportunities for county residents and visitors. Historically important resort areas include Birch Bay, Point Roberts, the Semiahmoo area, and the Mount Baker winter recreational area. Resort communities provide recreational opportunities for residents of the surrounding areas.
Goal 2B: Encourage the continued viability of existing resort communities and allow the development of new Master Planned Resorts in the future.

Policy 2B-1: Permit through the planned unit development process master planned resorts in settings of significant natural amenities within urban growth areas.

Policy 2B-2: New large-scale resort development in rural areas outside of UGAs and outside established resort areas, should only be permitted as Master Planned Resorts and only when substantially in compliance with these policies and with RCW 36.70A.360.

Policy 2B-3: Work with property owners in the resort communities to develop an understanding of the unique needs of these areas and evaluate land use regulations for their responsiveness to these needs.

Policy 2B-4: New resort development and Master Planned Resorts should be developed consistent with the development regulations established for critical areas.

Policy 2B-5: No new urban land uses should be allowed in the vicinity of Master Planned Resorts, except in areas otherwise designated as urban growth areas under the Comprehensive Plan.

Policy 2B-6: Capital facilities, utilities, and services, including those related to sewer, water, storm water, security, fire suppression, and emergency medical, provided on-site shall be limited to meeting the needs of the master planned resort. Such facilities, utilities, and services may be provided to a master planned resort by outside service providers, including municipalities and special purpose districts, provided that all costs associated with service extensions and capacity increases directly attributable to the master planned resort are fully borne by the resort. A master planned resort and service providers may enter into agreements for shared capital facilities and utilities, provided that such facilities and utilities serve only the master planned resort or urban growth areas.

Policy 2B-7: Master Planned Resorts should only include other residential uses within its boundaries if residential uses are integrated into and support the on-site recreational nature of the resorts. The density of such residential uses should be consistent with
density requirements of the zoning code, planned unit development regulations.

Reason for change: Planned unit developments are only allowed within UGAs (WCC 20.85.020). Since this policy applies to both UGAs and areas outside UGAs, it should reference the zoning code regulations.

Policy 2B-8: Master Planned Resorts should only be approved when it can be demonstrated that on-site and off-site impacts to public services and infrastructure have been fully considered and mitigated.

Policy 2B-9: Master Planned Resorts should not be located on designated agricultural lands. Master Planned Resorts should not be located on forestry resource lands designated under the Comprehensive Plan.

Capital Facilities

There should be a relationship between provision of services and land use designations. Levels of service need to be set that will assure adequate services within realistic financing capabilities. This needs to be balanced against the amount of funding which taxpayers are willing to support.

Goal 2C: Channel growth to areas where adequate services can be provided.

Policy 2C-1: Coordinate capital facilities and land use planning.

Policy 2C-2: Support the comprehensive plan with capital facility plans that facilitate urban growth in UGAs at acceptable urban levels of service.

Policy 2C-3: Preclude urban development within a UGA until public services and facilities are available.

Policy 2C-4: Prior to modifying growth allocations or UGA boundaries, ensure that capital facility plans address the following elements:

- Provide a 20-year facility plan to serve urban growth within the UGA boundaries.
- Provide financial plans addressing at least a 6-year period with funding sources.
- Address existing un-served areas as well as new UGA expansion areas.
Policy 2C-5: Where public facility and service plans are not consistent with the Comprehensive Plan, allow for reconciliation of the public facility and service gaps as part of the 7-Year Review scheduled for completion in 2011. Reconciliation steps will include:

- Consistency Analysis. The County and cities will review capital facility plans for consistency with the results of the most recent 10-Year UGA Review process and current comprehensive plans. Capital facility plan consistency means demonstrating the ability to serve the proposed growth levels, growth boundaries, and land use patterns established in the Whatcom County Comprehensive Plan.

- Government-and-Special-District-Coordination. The County will coordinate with city, special district, and other service providers to ensure amendments to capital facility plans support the Comprehensive Plan.

- Public Participation. The County Comprehensive Plan update process will be based on a public participation program that addresses citizen input on the key issues associated with the update.

- Amendment. Only those portions of capital facility plans in conflict with the Comprehensive Plan are required to be amended. Local issues of concern or changed conditions may be addressed.

- Refined Growth Levels and Boundaries. Where the planning process results in refined recommendations for growth levels, growth boundaries, land uses or other essential features, corresponding capital facility plan amendments will be considered in conjunction with the 7-Year Review process.

Reason for Change: In the 2009 UGA review, policies were placed in the comprehensive plan relating to "reconciliation" of the capital facility plans with the land use plans. One of the main reasons that reconciliation policies were adopted was that the GMA had different deadlines for conducting the UGA review and updating the remainder of the comp plan. The GMA has since been amended to delay the comp plan update requirement from 2011 to 2016 and to require the next UGA update by 2016. Because of the changes to the GMA, the land use and capital facilities planning efforts are being considered at the same time and no longer require a "reconciliation" process.
Regulations

It is very important to Whatcom County citizens to maintain local control over land use decisions. At the same time some people want to see regulations streamlined and reduced. Regulations should be clear, concise, and predictable with enough flexibility to allow for reasonable and efficient decision-making. Regulations should be enforced. People would like to see an Promote and maintain incentive programs to encourage land to be used in ways that meet community goals.

Goal 2D: Refine the regulatory system to ensure accomplishment of desired land use goals in a fair and equitable manner.

Policy 2D-1: Eliminate unnecessary regulations.
Policy 2D-2: Eliminate regulations that could be more effectively achieved through incentive or education programs.
Policy 2D-3: Streamline development regulations to eliminate unnecessary time delays.
Policy 2D-4: Coordinate permitting requirements among jurisdictions to minimize duplication and delays.
Policy 2D-5: Provide enforcement of regulations.
Policy 2D-6: Review and update the Whatcom County Shoreline Management Program in accordance with the schedule in the Shoreline Management Act (RCW 90.58.080), as the State issues new guidelines. Updates should improve the integration of the Shoreline Program with Growth Management and with the Cherry Point Aquatic Reserve Management Plan in order to provide predictability and consistency in regulation, and eliminate regulatory redundancy.

Reason for Change: The Whatcom County Shoreline Management Program applies to the marine waters adjacent to Cherry Point area and to the uplands within 200’ of the shoreline. The Cherry Point Aquatic Reserve Management Plan, which is a state plan, applies to state owned aquatic lands adjacent to the Cherry Point area (except the areas subject to aquatic leases). It makes sense to consider the state plans for these aquatic lands as the Whatcom County Shoreline Management Plan applies to these same aquatic lands.

Policy 2D-7: Incompatible uses will be discouraged adjacent to public use airports to preserve the safety and efficient use of these airports. Incompatible uses are land uses that:
  • Could be impacted by airplane noise;
- Could create or be impacted by airplane accidents; or
- Create height hazards that could adversely impact aircraft that are taking off or landing.

Policy 2D-8: Require disclosure of potential airport noise impacts to people who are buying or obtaining a permit on property within one mile of a public use airport.

Policy 2D-9: Land uses that are incompatible with the operation of the Bellingham International Airport or Lynden Airport should be discouraged when Whatcom County evaluates conditional use permits and rezones. Specifically, Whatcom County should follow the process set forth below when considering whether proposed conditional use permits and rezones would allow incompatible land uses:

- Notify the applicable airport representative of the proposed conditional use permit or rezone. Consider comments submitted by the airport representative relating to compatibility of the proposed land use with the operation of the airport; and

- Determine whether the proposed conditional use or rezone is within zone 1 (runway protection zone), zone 2 (inner approach/Departure zone), zone 3 (inner turning zone), zone 4 (outer approach/Departure zone), zone 5 (sideline zone), or zone 6 (traffic pattern zone) as shown in the Safety Compatibility Zone Examples from the California Airport Land Use Planning Handbook (Shutt Moen Associates, January 2002, p. 9-38). Safety compatibility zone “example 1” will be applied to the Lynden Airport and safety compatibility zone “example 3” will be applied by the Bellingham International Airport; and

- Compare any proposed or potential land uses within zones 1 through 6 with the Basic Safety Compatibility Qualities and the Safety Compatibility Criteria Guidelines in the California Airport Land Use Planning Handbook (Shutt Moen Associates, January 2002, pp. 9-44, 9-45 and 9-47) and identify incompatible land uses.

- The above provisions of Policy 2D-9 do not apply to property owned by the airport. However, airport owners should assess the compatibility of land uses proposed on airport property with operation of the airport.
Policy 2D-10: Discourage tall structures around public use airports that hamper the efficient and safe use of navigable airspace. Specifically, discourage structures from exceeding the height of the imaginary surfaces defined in Federal Aviation Regulations (FAR) Part 77 around airports that have mapped such imaginary surfaces (airports that have mapped Part 77 imaginary surfaces are shown in Appendix I of the Whatcom County Comprehensive Plan).

Goal 2E: Encourage both a stewardship ethic and respect for cultural resources and natural systems and processes as well as and support individual responsibility to achieve community values.

Policy 2E-1: Provide education on the assets of the community and offer incentives for individual citizens to take responsibility to protect those assets.

Goal 2F: Make use of incentive programs that can effectively give a high priority to the use of a comprehensive incentive program to encourage achievement of land use goals.

Policy 2F-1: Develop a set of incentives, including economic, which encourages property owners to achieve land use goals.

Policy 2F-2: Base incentive programs on suggestions from citizens, government officials, and experts in the field.

Policy 2F-3: Revise regulations to include incentive programs.

Policy 2F-4: Review and adopt, where appropriate, incentive programs such as cluster density bonuses in urban growth areas, purchase of development rights, transfer of development rights, and tax deferrals.

Policy 2F-5: Monetary compensation as an economic incentive shall be based only on market value at the time of compensation, not on "possible" future value of the land.

Policy 2F-6: Monitor incentive programs on a five-year basis to ensure the comprehensive plan goals are being achieved. Develop an alternate approach if necessary.

Policy 2F-7: Establish a transferrable development rights (TDR) sending area in the Drayton Harbor Watershed.
Rationale for Change: This policy has been modified and moved to Chapter 11, Environment.

Public Participation in Decision-Making

People in Whatcom County want to be involved in government decision making. They want government to be responsive; they want to be personally notified of changes; they want their input considered. People also want to see more issues subject to a vote.

Goal 2G: Encourage citizen participation in the decision-making process.

Policy 2G-1: Examine and improve methods to notify affected property owners of proposed land use changes.

Policy 2G-2: Ensure early and continuous public involvement in planning decisions through development and implementation of public participation plans for large-scale, long-range planning activities.

Property Rights

Property rights are an important issue in Whatcom County. People want to use their land as they wish—land can be used as desired as long as it doesn't conflict with the rights of others. It is not necessary for the preservation of property rights and protection of the environment and resources to conflict with one another. People are looking for ways to achieve all of these things. They understand that it is important to protect the community's general interest.

Goal 2H: Preserve private property rights while recognizing the importance of the rights of the community, including protecting the natural environment and conserving resources.

Policy 2H-1: Review and retain regulations that serve to protect the public welfare, health, and safety.

Policy 2H-2: Establish incentive programs such as cluster density bonuses in urban growth areas, purchase of development rights and voluntary, workable transfers of development rights, where appropriate, to compensate property owners when-if rights are unduly infringed-upon.

Policy 2H-3: Provide information to the public as to government's role and responsibility in relation to property rights.
Diverse Cultural Composition

It is recognized that Whatcom County is becoming more diverse and people understand that accepting this diversity is important.

Goal 2J: Encourage individuals to honor and respect cultural diversity in our community.

Policy 2J-1: Encourage the preservation of cultural resources.

Policy 2J-2: Ensure that land use policies are not discriminatory.

Policy 2J-3: Cooperate with Tribal governments to ensure local traditions are respected in all land-use decisions.

Policy 2J-4: Protect culturally and spiritually significant places from non-essential development that is viewed as incompatible by the affected community.

Flooding

Flooding of rivers and streams in Whatcom County is a natural event due to the combination of climate, geology, and topography present in the region. Two major floods occurred in 1989 and 1990 along the Nooksack River, with damage estimates running over $20 million for 1990 alone. The cities of Nooksack, Everson, Sumas, and Ferndale are often flooded by the Nooksack. A major study and plan for managing flood hazards on the lower Nooksack, entitled the Lower Nooksack River Comprehensive Flood Hazard Management Plan, was completed in October 1999. Flood damage can also occur along smaller streams in Whatcom County, especially on those streams associated with alluvial fans.

The majority of the Nooksack River floodplain is currently used for agricultural purposes. Residential density within the floodplain is low; however, several major transportation routes cross the floodplain and may have been temporarily closed during periods of flooding. Increased building development within the floodplain, and especially within the floodway where flood water velocity can be great enough to sweep away structures, could heighten the existing level of flood hazards along the Nooksack. Development on alluvial fans can also increase flood hazards. Chapter 11: Environment, contains more detailed discussion of flood issues, as well as goals and policies for managing flood hazards in Whatcom County.

Goal 2K: Discourage development in areas prone to flooding.

Policy 2K-1: Limit lands in one-hundred year floodplains to low-intensity land uses such as open space corridors or agriculture.
Policy 2K-2: Use the *Lower Nooksack River Comprehensive Flood Hazard Management Plan* as a basis to balance land use and flooding.

Policy 2K-3: Prohibit expansion of urban growth areas into floodplains, except where allowed under the GMA, and consider danger to individuals related to flooding when designating land use in other areas.

Policy 2K-4: Encourage multi-purpose problem solving relative to flooding, aquifer recharge, improved water quality, water for human consumption, and fish habitat. Consider the purchase of land along the Nooksack River for flood water storage that could be utilized by cities and water providers.

Policy 2K-5: Development in flood prone areas must comply with adopted regulations to mitigate identified flood hazards.

**Regions of Whatcom County**

Not all parts of Whatcom County have the same available resources and land use options. A one-size-fits-all approach to comprehensive planning may not adequately serve the needs of different regions of the county.

Whatcom County is a large and diverse county. People living in different parts of the county have different priorities and understanding of what constitutes rural and urban lifestyles. It is important to citizens to emphasize these regional differences.

**Goal 2L:** Recognize the important regional differences within Whatcom County.

Policy 2L-1: Use the subarea planning process, where appropriate, to identify and support distinctions among different areas of the county.

Policy 2L-2: Retain and periodically review the adopted Subarea Plans (Lummi Island, Cherry Point-Ferndale, Urban Fringe, Birch Bay Community Plan, Foothills, and Point Roberts). Subarea Plans represent a long history of plan development in Whatcom County and provided the foundation for the county’s first Growth Management comprehensive plan adopted in 1997:

1. Utilize a process which ensures consistency between the Whatcom County Comprehensive Plan and subarea plans. The subarea plan review process should include the following steps:

   a. Consistency Analysis. The County should review subarea plans based on the priority order in subsection
"2" for gaps, overlaps, or inconsistencies. Topics include, but are not limited to, plan boundaries, growth forecasts, land uses, capital facilities and services, horizon year, and other appropriate issues.

b. Regional and Local Government Coordination. The County should consult and coordinate with cities where city-associated UGAs are included in subarea plan boundaries.

c. Public Participation. Each subarea plan update process will be based on a public participation program that addresses citizen input on the key issues associated with the subarea plan update.

d. Subarea Plan Amendment. Only those portions of existing subarea plans in conflict with the Comprehensive Plan are required to be amended. Local issues of concern or changed conditions may be addressed.

e. Comprehensive Plan Revisions. Where the subarea plan process recommends growth levels, growth boundaries, or other essential features, Comprehensive Plan amendments will be considered in conjunction with the subarea plan update process. Land capacity analysis may also be updated if appropriate.

2. Prioritize review of subarea plans. Subarea plans should be reviewed in the following order.

a. Post-GMA Subarea Plans addressing UGAs. These subarea plans should be reviewed and amended, if necessary, during Whatcom County’s periodic review of the comprehensive or repealed. Subarea plans addressing UGAs associated with a city should be coordinated with the city’s comprehensive plan update process.

b. Post-GMA Subarea Plans addressing Rural Areas. These subarea plans should be subject to a consistency review. If significant inconsistencies are found, these should be considered for potential update during Whatcom County’s periodic review of the comprehensive plan or repealed. Minor updates
may be considered through the County’s docket process in subsequent years.

c. Pre-GMA Subarea Plans. These should be repealed or updated in accordance with County department work programs or the docketing process. Priority criteria may be used to determine the order of update. Example criteria include:

i. whether update is needed for health, safety, or welfare concerns;

ii. whether there is a city-associated UGA included in the subarea plan boundaries – in which case, the subarea plan update could be timed to be developed in association with or following city comprehensive plan update process;

iii. whether the subarea plan would benefit from broader policy concepts to be completed in advance or in tandem, such as agricultural land protection measures;

iv. whether a significant policy objective would be met by amending the plan.

In the event there is an inconsistency between a Subarea Plan and the Whatcom County Comprehensive Plan, the Whatcom County Comprehensive Plan shall prevail.

Policy 2L-3: Emphasize forestry uses with some provision for rural and agricultural uses in the south and southeastern regions of the county.

Policy 2L-4: Support the rural economic base by permitting natural resource based industries, cottage industries, forestry, fishing and agriculture in rural areas, as well as commercial and industrial activity contained within designated Rural Communities.

Policy 2L-5: Emphasize agriculture in the north central regions of the county.

Fish and Wildlife

Whatcom County has historically enjoyed abundant and diverse fish and wildlife populations. However, the combined effects of habitat reduction or degradation, fish harvest, hydropower development, hatchery management practices, and variations in natural conditions are now causing the decline of some of these
populations. Maintaining healthy fish and wildlife populations is a vital goal in maintaining the quality of life in Whatcom County. Chapter 11: Environment, contains additional discussion of fish and wildlife issues, as well as goals and policies regarding fish and wildlife habitat protection and management.

**Goal 2M:** Protect and encourage restoration of habitat for fish and wildlife populations including adequate in-stream flows.

**Policy 2M-1:** Ensure that new land uses do not degrade habitat of threatened and endangered species.

**Policy 2M-2:** Ensure that existing land uses do not cause further degradation of habitat for threatened and endangered species.

**Policy 2M-3:** Develop educational tools and incentives to encourage existing land uses to restore degraded habitat to properly functioning conditions, especially for threatened and endangered species.

**Policy 2M-4:** Place a note on all permits issued by the County for clearing or development activity within ¼ mile of the documented habitat of threatened or endangered species, as shown on the County Fish Distribution Map, shall include notice to alerting the property owner of the presence of these species.

**Policy 2M-5:** Require subdivisions and short plats to be designed in a manner to protect fish habitat and water quality when a fish bearing stream or river passes through the site.

**Policy 2M-6** Engage the Wildlife Advisory Committee to develop recommendations of critical habitat and species protection areas, and for a system to monitor the status of fish and wildlife habitat function.

**Policy 2M-7** Engage in efforts to better define ground water resources and connection to surface water, current water usage, water rights, adequate in-stream flows, and policy barriers that create conflicts between these things.
Urban Growth Areas

Introduction

This section presents policies, map designations and rationale for the urban growth areas for Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, Sumas, Birch Bay, Columbia Valley, and Cherry Point. Map 2-18 shows designated urban growth areas.

Purpose

The Growth Management Act requires the designation of urban growth areas (RCW 36.70A.110). These areas are to include cities and other areas characterized by urban growth or adjacent to such areas, and are to be designed to accommodate the projected population growth for twenty years. Any growth that occurs outside the areas cannot be urban in nature. The Act further specifies that urban growth should, first, be located in areas that already have adequate existing public facilities and service capacity and, second, in areas where such services if not already available, can be served adequately by a combination of both existing public facilities and services and any additional public facilities and services that are provided by either public or private sources.

The purpose of this section is to establish areas within the County where growth will be directed. The boundaries, as defined, are an attempt to concentrate growth and provide urban areas in accordance with expected growth needs while ensuring the county’s identified values to preserve private property rights and reduce unnecessary regulations.

Process

Planning staff worked with representatives from each city through the Growth Management Coordinating Council to develop the methodologies, policies, forecasts and allocations for each urban area. Each city was asked to submit a proposed Urban Growth Area, along with growth allocation requests, for the County to consider. Following receipt of those requests, the County Council held a public hearing before developing a response to city proposals and final action.

Urban Growth Areas—Background Summary

Each city provided information in their comprehensive plans, in work sessions with planning staff, and at public hearings and work sessions before the County Council to provide the data and assumptions used as a guide in setting Urban Growth Area boundaries. The comprehensive plans for each city and the written and oral input provided by them at the public hearings and work sessions serve as background for establishing UGAs. The cities worked with Whatcom County staff to develop a single methodology for analysis of the urban land capacity within the County. Such variables as, average population per household, occupancy, residential and
employment densities, infrastructure requirements, natural systems and critical
areas constraints, ownership and development trends, and appropriate market
factors to assure adequate supply and affordable housing were considered.

Urban Growth Areas—Issues, Goals, and Policies

Overall

The Growth Management Act assigns the responsibility of designating urban growth
areas to counties. Growth is to be encouraged within urban growth areas and
discouraged outside them. Urban Growth Areas are set in accordance with the
policies established in Chapter 36.70A RCW and applicable county-wide
planning policies. The County should work with cities to ensure that comprehensive
plans are coordinated and consistent. Specific consideration is given to approved
comprehensive plans for the municipalities and their supporting justification.
Modifications have been incorporated into this plan during the 10-year UGA review
based upon several criteria:

- The need to assure logical service boundaries,
- The need to avoid isolated pockets or abnormally irregular boundaries,
- Consideration of land needs and capacity analysis of residential, commercial
  and industrial needs within urban areas, and
- Identification of special needs with respect to unique non-city industrial sites
  (such as Cherry Point), and County areas for which the County will actively
  support incorporation as appropriate (such as Birch Bay, or Columbia Valley).

County-Wide Planning Policies set guidelines for designating city urban growth
areas including:

- Small cities’ UGAs shall be of an adequate size to allow them to become
  viable economic centers.
- The size of cities’ UGAs shall be consistent with their ability to provide
  services.
- UGAs shall include contiguous areas with urban characteristics and zoning.
- Sufficient land shall be provided within UGAs to accommodate the 20-year
  urban growth projection, plus a reasonable land supply market factor.
- Setting of UGAs shall minimize impacts on agricultural land, forestry, mineral
  resources, watersheds, water resources, and critical areas. Cities should
  absorb additional population at appropriate urban densities before expanding

Whatcom County Comprehensive Plan 2-21
into areas where growth would adversely impact critical areas or resource lands.

- Short-Term Planning Areas (STPA's) are used as a tool for facilitating provision of urban levels of services and to prevent sprawl within the Urban Growth Area (UGA).

Areas within the STPA’s have provided the minimum level of urban facilities and services, including sanitary sewer, water service, police protection, fire protection and emergency medical services, parks and recreation programs, solid waste management, electric service, land use controls, communication facilities and public schools, to support urban levels of development. A full range of services would add urban public transit, natural gas, storm drainage facilities, street lighting, libraries, local parks, local recreation facilities and services, and health services. The Short-Term Planning Area (STPA) is designed to promote urban levels of density and cost-effective provision of services and avoid sprawl. The STPA will be adopted as a zoning overlay and can be reviewed and changed anytime during the year. It would not require an amendment to the Comprehensive Plan.

Reason for change: Prior to 2009, UGAs were divided into long term planning areas (LTPAs) and short term planning areas (STPAs). STPAs could be annexed and public water & sewer could be provided for urban development. LTPAs could not be annexed and public water & sewer could not be provided for urban development. In the 2009 UGA review, the County Council rezoned LTPAs to STPAs, so there are no LTPAs remaining (Ordinance 2009-071).

In deciding appropriate ways to manage land within urban growth areas, there are some overriding guidelines suggested in the Growth Management Act and County-Wide Planning Policies.

GMA requires counties to include areas and densities sufficient to permit the urban growth that is projected to occur in the county for the succeeding twenty-year period. Urban growth should be first located in areas already characterized by urban growth that have existing public facility and service capacity to serve such development, second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources.

County-Wide Planning Policies require establishment of interlocal agreements between the county and cities to manage development within urban growth areas until annexation takes place. Factors to be addressed in these agreements include a mechanism to compensate jurisdictions that suffer revenue losses without attendant reductions in service delivery demands, and mitigation for activities related to development. It should be assured that utilities can be delivered at urban levels of service within city urban growth areas.
Timing of required improvements and who pays for these improvements within urban growth areas are issues to be addressed between the county and cities. This is particularly difficult when costly transportation improvements are required within an urban growth area prior to annexation by a city. Transportation planning for Whatcom County assumes that costs and installation of the improvements would be completed by the city associated with the urban growth area. In the case of Bellingham where some growth will continue to occur prior to annexation, this may need to be negotiated.

Areas within designated urban growth areas which are not yet ready for urban levels of density can become a problem if they are allowed to develop at low densities, because a suburban land use pattern can become established that will disrupt later in-filling at urban densities. Other areas have environmental constraints such as flood plains and sensitive watersheds which would dictate using lower densities.

County-Wide Planning Policies call for the county to become a government of rural areas that encourages growth to occur primarily within cities and designated Urban Growth Areas.

Outside urban growth areas, the presence of urban levels of services can put financial pressure on rural areas to develop more densely than desired. County-Wide Planning Policies restrict cities from delivering urban levels of water and sewer service for urban uses outside urban growth areas.

The Growth Management Act requires that the County plan for a 20-year population growth that is within the range projected by OFM unless the County has studies to prove that a different figure is justified. The current 2029 OFM projection for Whatcom County ranges from a Low projection of 216,300 people to a Medium projection of 258,448 people and a High projection of 318,832 people. The County’s population projection of 247,755 is within OFM’s range and therefore requires no further justification. Due to the imprecise nature of growth forecasts, and due to the fact that Whatcom County will within two years (by 2011) review and update the comprehensive plan, the growth allocations are expected to remain the same for the 2029 to 2031 planning horizon years.

**Goal 2N:** Establish Within Urban Growth Areas. Boundaries outside present city limits, within which the County will maintain jurisdiction until annexation or incorporation of the property. During this interim period the following policies shall be in place to assure that the purposes of this plan and growth management are in fact accomplished.

**Policy 2N-1:** Establish urban growth areas for cities, first, by determining the capacity of the existing city limits to accommodate growth in the
20 year planning period. If it is determined that additional land
is needed to accommodate the projected allocated growth, or to
meet other goals of the GMA, then include contiguous areas
which have urban characteristics; and, finally, by including
other suitable areas that demonstrate the ability to provide
adequate public facilities and services at urban levels of service
to accommodate growth.

Policy 2N-2: Re-evaluate UGA boundaries when significant changes in city
land uses are proposed.

Policy 2N-3: Consider cities and UGAs Short Term Planning Areas as receiving
areas for development rights transferred from sending areas.

Policy 2N-4: Ensure that cities or other service providers do not extend sewer
or urban levels of water service to serve new–areas of urban
densities-outside urban growth areas except when necessary to
protect basic public health and safety and the environment and
when such services are financially supportable at zoned
densities and do not permit urban development unless
emergency or health hazards exist.

Reason for change: The above language better reflects the GMA provisions relating
to extension of urban services outside of UGAs (RCW 36.70A.110(4)).

Policy 2N-5: Protect resource lands by controlling or buffering adjacent uses
and encouraging increased densities within existing city
boundaries before expanding into county resource lands.

Policy 2N-6: Encourage provision of serviced industrial sites by cities.

Policy 2N-7: Consider mixed-use zoning, where appropriate, to encourage
walkability. Encourage interlocal agreements to be in place prior
to annexation to address issues such as timing, logical service
areas, and economic balance between commercial, industrial,
residential and other lands within the UGA.

Reason for change: Mixed use zoning may facilitate the ability to walk between
residential and commercial areas. Interlocal agreements are addressed under Goal
2R and associated policies below.

Goal 2P: Encourage Bellingham to establish new residential
developments at densities averaging six to twenty-four
units per net residential acre; encourage Ferndale to
establish new residential developments at densities

Whatcom County Comprehensive Plan

2-24
averaging five to ten units per net residential acre; encourage Lynden to establish new residential developments at densities averaging five to ten units per net residential acre; and encourage remaining smaller cities to establish new residential development at average densities of four units per net residential acre, while respecting unique characteristics associated with each city.

Whatcom County seeks to support and encourage the cities in efforts to increase residential densities within their jurisdictions throughout the planning period, as a way to increase vitality, reduce the cost of services, manage outward growth, and protect the environment. The County encourages cities to approve new residential developments at city-wide average net densities as shown below, while respecting unique characteristics of each city:

- Bellingham – six to 24 units per net acre;
- Ferndale – six to 10 units per net acre;
- Lynden – six to 10 units per net acre;
- Blaine – four to six units per net acre;
- Everson - four to six units per net acre;
- Nooksack - four to six units per net acre; and
- Sumas - four to six units per net acre.

The County should approve new residential developments at overall average net densities as shown below, while respecting unique characteristics of each community:

- Birch Bay - five to ten units per net acre; and
- Columbia Valley - four to six units per net acre.

Policy 2P-1: Encourage cities to adopt and implement policies and development regulations that promote urban densities. Ensure that cities have adopted mechanisms which will encourage densities at desired levels.

Policy 2P-2: Consider natural limitations on the development capacity of land, such as critical aquifer recharge areas or floodplains, and other characteristics unique to each city, such as seasonal population or adjacent county urban zoning, in designating urban growth areas and densities.
Policy 2P-3: Encourage in-filling to occur in existing areas with urban characteristics in a manner which is more harmonious with existing neighborhood character.

Policy 2P-4: Encourage housing to develop with the greatest possible mix of household incomes by utilizing such techniques as lot clustering, varied lot sizes, small scale multi-family dwellings, and responsible reductions in infrastructure requirements for subdivisions.

Goal 2Q: **Ensure that development in the Birch Bay and Columbia Valley Unincorporated Residential/Recreational Urban Growth Areas not associated with a City is of an urban level and proceeds in a logical and efficient manner.**

Policy 2Q-1: Establish urban standards for development within Unincorporated Residential/Recreational Urban Growth Areas.

Reason for change: The County has already established development standards that apply in urban areas. The Birch Bay UGA was covered under the Western Washington Phase II Municipal Stormwater Permit (which became effective August 1, 2013) and this will necessitate changes in the future to the stormwater rules for Birch Bay (see Ordinance 2013-050). These changes are already required by state and federal rules.

Policy 2Q-12: Ensure that service providers do not extend sewer or urban levels of water service to serve new areas of urban densities outside urban growth areas except when necessary to protect basic public health and safety and the environment and when such services are financially supportable at zoned densities and do not permit urban development unless emergency or health hazards exist.

Reason for change: The above language better reflects the GMA provisions relating to extension of urban services outside of UGAs (RCW 36.70A.110(4)).

Policy 2Q-23: Establish interlocal agreements with each Work with urban service providers located within Unincorporated Residential/Recreational Urban Growth Areas, if appropriate, to coordinate urban service and facility planning with land use planning, which include provisions that address coordination and timing of service extensions.

Policy 2Q-4: Provide planning assistance to Unincorporated Residential/Recreational Urban Growth Areas for the purpose of
developing and implementing Comprehensive Community Plans to further define future uses and facilitate orderly urban development.

Policy 2Q-35: Encourage the establishment of an advisory committee for the Birch Bay and Columbia Valley each Unincorporated Residential/Recreational Urban Growth Areas to provide a mechanism to interface with the County regarding their respective community development issues.

Policy 2Q-4: Provide planning assistance to citizens of the Birch Bay and Columbia Valley Urban Growth Areas for the purpose of developing and implementing Subarea or Community Plans to further define future uses and facilitate orderly urban development.

Policy 2Q-56: Encourage and assist the citizens of Birch Bay and Columbia Valley Unincorporated Residential/Recreational Urban Growth Areas with incorporation requirements when appropriate.

Goal 2R: Establish an interlocal agreement with each city which sets out general guidelines to address revenue sharing, the provision of services, management of growth, annexation, delivery of services, protection of critical areas, and designation of open space within urban growth areas.

Policy 2R-1: Include in interlocal agreements, a clear, predictable, and fair formula for revenue sharing agreements which compensates jurisdictions that suffer revenue loss without attendant reduction in service demands as a result of annexation.

Policy 2R-2: Establish procedures for development project review within urban growth areas which protect the interests of both the city and the county. Generally, city development standards and adopted levels of service should be applied within urban growth areas.

Reason for change: Cities generally do not extend public water and sewer outside city limits. When public water and sewer is not available in residential areas, County zoning in UGAs requires a minimum density of one dwelling per 10 acres (see Policy 2R-4 below). It may not be appropriate to require urban development standards for non-urban development.
Policy 2R-3: Responsibility for construction of capital facilities, including transportation facilities to accommodate urban levels of growth, generally, should be assigned to cities. In some cases, timing may require installation of these improvements prior to annexation. In these cases, interlocal agreements should address allocations of costs and revenues between cities and the county.

Policy 2R-4: Limit development within urban growth areas with no municipal sewer and water service through zoning at a density no greater than one unit per ten acres.

Policy 2R-5: Ensure that cities have done an adequate job of planning for development within urban growth areas and have coordinated this planning with the county including Coordinate with cities on UGA planning, facilitating urban development, balancing commercial, industrial and residential lands in the UGA, timing of annexations, service extensions and linkage of greenbelts and open space.

Policy 2R-6: Use the existing geographical information system and encourage its use and coordinate with the existing geographical information system by the cities and the county to provide a consistent and economical data base for making land use decisions.

**Goal 2S:**

**Ensure adequate land supply is provided to accommodate twenty years of growth within urban growth areas.**

Policy 2S-1: Review all urban growth areas at least every eighteen years or in accordance with the Growth Management Act adopted policies in city comprehensive plans. Coordinate with cities to determine the population and employment growth projected to occur within the urban growth areas, and revise the urban growth area boundaries, if necessary, to ensure they are appropriately sized to accommodate the projected growth within the planning period.

Policy 2S-2: Ensure that land use plans provide for development at urban densities within the 20-year planning period.

Policy 2S-3: Facilitate phasing of development within urban growth areas as follows:
- Require at least ten acre minimum lot sizes within unincorporated portions of urban growth areas until public
facilities and services are provided to serve such development at urban levels of service.

- Recognizing that UGAs are sized to accommodate urban growth over a 20-year period and that all land within UGAs will not be required to meet urban land needs immediately, allow Agriculture and Rural Forestry zoning designations, on an interim basis, within UGAs. These zones function as holding districts that will allow continued resource land uses in the near term while protecting these areas from suburban sprawl. It is anticipated that they will be rezoned to allow phased urban development within the 20-year planning period when public facilities and services can be provided at urban levels of service.

Policy 2S-4: Coordinate with cities to maintain a land capacity analysis methodology that is consistently applied to all urban growth areas, including a common definition of net developable land, upon which planned net densities are based. When determining urban land needs, assume that urban densities will be developed within UGAs over the 20-year planning period.

Reason for change: Planned net densities are set forth in Goal 2P.

Policy 2S-5: Annually monitor population growth and publish a report no later than November 1 of each year that analyzes population growth trends over five years in comparison with the adopted population growth projections, land capacity by compiling annual reports from the cities on development activity, and comparing that data with adopted growth projections for the urban growth areas. If the trend over five years indicates that population growth in urban growth areas is significantly higher than adopted projections, coordinate with the cities to consider appropriate action. Actions may include amending growth projections, or amending urban growth area densities or boundaries, if, over several years, the data indicate that growth is occurring at a significantly different rate than adopted projections.

Reason for change: Coordinated monitoring required in policies 2S-5 and 2DD-1.

Goal 2T: Establish Urban Growth Areas within which annexations and urban levels of development can occur and outside of which urban levels of development will not occur. This is intended to be a
sprawl-preventing measure where a need exists to promote phased development from the urban core outward, where final plans for urban services are not yet in place, and where joint planning at the development regulation level is appropriate. This will assure both conformance and consistency for future plans and developments.

Reason for change: Prior to 2009, UGAs were divided into long term planning areas (LTPAs) and short term planning areas (STPAs). STPAs could be annexed and public water & sewer could be provided for urban development. LTPAs could not be annexed and public water & sewer could not be provided for urban development. In the 2009 UGA review, the County Council rezoned LTPAs to STPAs, so there are no LTPAs remaining (Ordinance 2009-071). Therefore, STPAs are no longer needed.

Policy 2T-1: A Short Term Planning Area is a zoning overlay designation and is modified through the rezoning process as provided in Title 20. Initial designation or subsequent modification of Short Term Planning Area boundaries may be made when the following criteria have been satisfied:

- The County and the City have agreed on a joint plan or are working toward agreement upon a city/county interlocal agreement for land use and development standards; and

- The County and the water and/or sewer service provider; if an Unincorporated Residential/Recreational Urban Growth Area, have entered into an interlocal agreement; and

- The land to be included within the revised Short Term Planning Area has planned facilities available or facilities capable of being made available in time to serve development within the new Short Term Planning Area at the time development occurs; and

- The City and County have agreed on annexation issues identified in Policy 2N7, Goal 2Q, Policy 2Q-1, Policy 2Q-3, and Policy 2Q-5 above; and

- The Short Term Planning Area adjacent to the vicinity proposed for inclusion is meeting UGA density objectives and there is a demonstrated need for additional land in the local area; and

- The City has annexed to the STPA, or the Unincorporated Residential/Recreational Urban Growth Area has infilled up to the LTPA and extension of the boundary is necessary to accommodate provision of urban services; or
• The planning area extension is otherwise consistent with the policies of this Comprehensive Plan; and
• The City, or the primary utility service providers(s) in the case of Unincorporated Residential/Recreation Urban Growth Areas, has corrected the deficiency which created the need for the Short-Term Planning Area; and
• In any event, that adequate capacity in public facilities exists or is projected within ten years to serve the new area; and
• Short-Term Planning Areas would be moved by zoning action consistent with the Comprehensive Plan.

Policy 2T-12: Land within a UGA that is not served by public water and sewer but outside a Short-Term Planning Area shall retain its current zoning until a new joint plan is identified and the Short Term Planning Area is moved, but with will have the following additional limitations on development which shall be included in the County development regulations:

• No sewer shall be extended outside a Short-Term Planning Area. Water lines shall not be extended to serve urban levels of development outside a Short-Term Planning Area. Exceptions may be made in cases where human health is threatened as determined by the County Health and Human Services Department (the use of interties for emergency purposes will be allowed to the extent that other needed approvals are given; (2) where vested rights currently exist—the city/district will provide the County detailed maps specifying the location and nature of the vested rights; (3) to help meet regional supply needs, as discussed under the CWSP, so long as the purveyor has sufficient quantities of water to meet needs in its entire UGA as determined by the purveyor and agreed to by the County.

• All development in urban growth areas shall be done in a manner which will not preclude development at urban levels of density when the area is annexed into the city.

• No residential development shall occur at a gross density greater than one dwelling unit per ten acres.

• All residential land divisions will be developed as cluster subdivisions. All clustered lots will be grouped together in one cluster. Clustered lots will be as small as possible in order to maintain a large reserve tract available for future
urban development. Wells, sewage disposal systems, and easements associated with these facilities may be placed on the reserve tract only if it is not feasible to place them within the boundaries of the clustered lots.

- When the site is rezoned to short-term planning area and public water and sewer serve the site, the reserve tract of a cluster subdivision may be developed with urban densities allowed in the zoning district.

- If the clustered lots are served by wells, sewage disposal facilities and/or associated easements that are located on the reserve tract, then the clustered lots will be required to hook up to public water and sewer when the reserve tract is developed with urban densities. The intent of this provision is to ensure that the reserve tract can be developed to its fullest potential, and such development will not be restricted by the existence of wells, sewage disposal facilities and easements associated with these facilities.

Policy 2T-3: Land which exhibits severe environmental constraints for on-site septic systems may be included within a Short Term Planning Area, to allow for the provision of sewer to reduce or eliminate on-site sewage system-related environmental impacts, if all of the following conditions exist;

- The land area is contiguous to existing city limits.
- The underlying zoning is urban and the land is located in an Urban Growth Area.
- The land has been designated as an area of special concern pursuant to WCC 24.05.230 due to extenuating environmental constraints and/or failing on-site septic systems have been identified as a significant source of non-point pollution as part of the development of a Closure Response Strategy Report for a Shellfish Protection District.
- Continued reliance on on-site sewage systems for existing development density and future low-density development within the subject area, would not provide adequate protection of adjacent critical areas from significant environmental impacts from on-site sewage systems.
- Where a Local Improvement District for necessary urban levels of service has been established.
- Where interlocal agreements have been established between the County and the water and/or service provider.
Bellingham

Bellingham’s Urban Growth Area (UGA) was first established in 1997 as a result of a lengthy public involvement process. Three geographical areas comprise the City’s UGA: Bellingham’s Northern UGA, the Geneva/Watershed Resource Protection UGA, and the Yew Street UGA. Together, these areas make up approximately 5,595 acres.

Background

In 1984, Whatcom County developed the Urban Fringe Subarea Plan (UFS Plan) applicable to approximately 20,000 acres located immediately north, west and east of Bellingham’s city limits. Slater and Smith roads are generally this area’s northern boundary. Mission Road is the eastern boundary and the Lummi Indian Reservation forms the western boundary. Recognizing that uncoordinated and unplanned growth poses a threat to the local environment and sustainable economic development, Bellingham and Whatcom County began a process in early 1990 to update the land use section of the Urban Fringe Subarea Plan. In September 1997, the Whatcom County Council adopted an updated plan. This Plan was subsequently amended in 1999, 2004, 2008 and 2009. The next Urban Fringe Plan update will and now only includes the entire-Bellingham UGA.

Between 2000 and 2008, Whatcom County grew by 24,174 people, or 14.5%. During that same period of time, the City and its UGA grew by 11,345 or 14.5%. Bellingham and its UGA received 47% of the county’s total growth during this time period.

Urban Fringe Subarea Plan

The UFS Plan provides the policy framework for addressing the impacts and opportunities of growth in Bellingham’s UGA. It addresses County zoning designations, comparable City zoning upon annexation, land uses, development standards and Transfer of Development Rights from the Lake Whatcom Watershed to receiving areas in the UGA. The Plan addresses a number of important objectives related to plan development, public participation, land use, housing, density, the natural environment, open space, parks, recreational opportunities, transportation, utilities and other public services. Plan updates will be made in the context of the Growth Management Act planning goals, the Countywide Planning Policies, the UGA goals and policies of the Whatcom County Comprehensive Plan and Bellingham’s Comprehensive Plan.

2011 Update

Bellingham is, and will continue to be, the primary population and employment center for Whatcom County. In order to avoid tightening the land supply around this population center and putting additional pressure on rural development, the
City of Bellingham is requested to return as part of their required comprehensive plan and development regulation update in 2011 with a proposal for how they would accommodate a total of approximately 116,200 people, either through infill, changes in densities within the city and Urban Growth Area, or expansion.

**Goal 2U:** Evaluate every eighteen years or as necessary Bellingham’s Urban Growth Area to determine if the UGA is sufficient in size to accommodate twenty year growth projections, provide an adequate supply of affordable housing, industrial, commercial and recreational development and recognize historical development patterns and commitments for service.

**Policy 2U-1** Consider new data, research and public participation when conducting the UGA review.

**Policy 2U-2:** Periodically update procedures for joint city/county review of development proposals in the UGA prior to annexation.

**Reason for change:** The County and City have an existing interlocal agreement that has established procedures for development review in the UGA.

**Policy 2U-3:** Work with Bellingham to identify and establish a system of neighborhood parks, greenbelts and open space to serve the urban growth area as it develops.

**Policy 2U-4:** Establish an agreement with Bellingham to share costs of and revenues from improvements within the UGA.

**Reason for change:** The County and City have an existing interlocal agreement that addresses certain capital facility improvement costs.

**Policy 2U-5:** Review and update the interlocal agreement with Bellingham, prior to expiration of the current interlocal agreement, as needed; to provide for:

- Coordinated growth management and capital facility planning.
• timing and provision of utility services and other urban services;

• timing and procedures to be used for review of adequate land supply;

• timing of annexations;

• revenue sharing formulas prior to and after annexation;

• development standards and regulations;

• joint City/County review of development proposals in the UGA;

• affordable housing; and

• transfer of development rights within the City of Bellingham.

Policy 2U-6: Whatcom County and Bellingham should continue to coordinate protection and development within the Lake Whatcom Watershed.

Policy 2U-7: Whatcom County and Bellingham should designate receiving areas within the City of Bellingham and its UGA for Transfer of Development Rights from the Lake Whatcom Watershed.

Policy 2U-8: The City and Whatcom County should designate appropriate zoning and residential densities in Bellingham’s UGA consistent with Whatcom County’s Comprehensive Plan and Bellingham’s Comprehensive Plan as amended.

Policy 2U-9: Joint planning in Bellingham’s UGA should include joint review of development proposals. City design and development regulations should be required in Bellingham’s UGA.

Reason for change: The County and City have an existing interlocal agreement that addresses growth management planning and development review in the UGA. This interlocal agreement also addresses development standards in the UGA. The City will recommend City standards to apply in the UGA, and the County will review these standards and consider adoption.

Policy 2U-910: Annexation should be considered prior to or concurrently with the extension of City sewer and water and prior to urban development. Annexations should be a logical extension of the city boundaries and not create unincorporated islands.
Policy 2U-1011: The Geneva and Hillsdale areas, located within the Lake Whatcom Watershed, are designated urban growth areas in order to allow the City of Bellingham to annex these areas. The City has a long-term interest in the water quality of Lake Whatcom because the City is responsible for providing Bellingham with safe drinking water from the Lake. Whatcom County and the community also have long-term interests in the watershed based upon the special environmental sensitivity of the Lake Whatcom Watershed as a drinking water source and the Total Maximum Daily Load (TMDL) findings requiring a reduction of phosphorus inputs into the lake. Therefore, only non-urban densities should be allowed in that portion of the Urban Growth Area within the watershed. The City of Bellingham has expressed interest in exploring the possibility of annexing those areas. To allow sufficient time for those exploratory discussions to occur and for Bellingham to pursue annexation of the areas under all annexation processes available to it, the watershed UGAs will remain in the Bellingham UGA until December 2012, or until the City of Bellingham formally notifies the County that they do not intend to annex the areas, whichever is sooner.

Policy 2U-12: In the 2011 comprehensive plan update, evaluate the feasibility of changing zoning from General Commercial to Light Impact Industrial in the Bellingham Urban Growth Area in the vicinity of Interstate 5, north of the Bellingham International Airport.

Reason for change: Bellingham and Whatcom County will consider land use changes in the 2016 comprehensive plan update.
Whatcom County Comprehensive Plan

Map UGA-1

- Bellingham Urban Growth Area

- Incorporated City
- Urban Growth Area
- Urban Growth Area Reserve

Whatcom County Comprehensive Plan
Blaine

Blaine is the northwestern-most city in Whatcom County, and is home to 4,667 people. The city is divided by Drayton Harbor into two parts: central Blaine and the Semiahmoo area to the west. These two areas are distinctly different areas of Blaine. The central area is a traditional northwestern city with a vibrant downtown surrounded by neighborhoods of single family houses. The central area includes an extension of largely undeveloped, incorporated land about 3 miles out H Street. The Resort at Semiahmoo is located in west Blaine.

Both the County and the City of Blaine are concerned about water quality in Drayton Harbor. Drayton Harbor has a rich history as a shellfish resource. Studies have shown that fecal coliform levels in Drayton Harbor are high and have led to the closure of shellfish harvesting beds. Harvest has been restricted due to fecal pollution since 1952 with closures beginning in 1988. In 1995 the Drayton Harbor Shellfish Protection District was established. Drayton Harbor was entirely closed to commercial shellfish harvest in 1999. In 2004, 575 acres were upgraded to conditionally approved with closures occurring after heavy rainfall. Currently the conditionally approved portion is closed from November through February. Several water bodies in the watershed are on the 303(d) list, including California and Dakota Creeks. In 2007, the County adopted an update to the Drayton Harbor Shellfish Protection District Recovery Plan. This plan reflects the success of reopening some areas for shellfish harvesting in 2004 and outlines future plans for Drayton Harbor restoration. In 2014, the City initiated a three-year project intended to identify point and non-point sources of pollution and take corrective action. The study targets Cain Creek, which also contributes pollutants to the Harbor through tidal flushing from Semiahmoo Bay. Land uses throughout the watershed contribute to water quality in the Harbor and efforts by both the County and the City are necessary to manage water quality.

The unincorporated UGA around Blaine was originally designated in 1997. It was larger then but all that remains today was there originally. The 1997 plan states that the area to the south along Drayton Harbor connecting the two sides of Blaine was included in the UGA:

"...because of its location sandwiched between the western and eastern expanses of the Blaine city limits which, at this time, is only connected by water. It is also included because of the urban level of zoning historically assigned by the county (UR4)...Blaine seeks control of this area to coordinate transportation planning and ensure water quality protection and coordinated shoreline management."

Other areas included in the UGA were largely due to the area’s adjacency to the existing city limits or for ease of provision of services.
The concerns that Blaine expressed in 1997 about protecting Drayton Harbor remain as studies show that fecal coliform levels in the harbor are harmful to the shellfish populations causing a decline in quality and closing of the harbor to shellfish harvesting in 1999. In 2007, the county adopted the update to the Drayton Harbor Shellfish Protection District Recovery Plan. This plan reflects the success of re-opening some areas for shellfish harvesting in 2004 and outlines future plans for Drayton Harbor Restoration. Continued urbanization of the harbor remains a concern for those working to restore it and protect the portions of the harbor that have been able to revitalize under a coordinated effort.

The City of Blaine provides public sewer, water, stormwater, and police services. Public schools for the area are operated and maintained by the Blaine School District. Fire protection services are provided by North Whatcom Fire and Rescue (Fire District # 21).

Public facilities issues in the UGA are primarily concerned with the provision of an urban level of fire and emergency medical services. Fire District 21 does not indicate in their Capital Facilities Plan a set of response times for the Birch Bay UGA or the Blaine UGA separately. It does indicate the response time trends in “urban areas of its service area” in Exhibit 11. This table shows that the district is only meeting their 8-minute standard for Urban response 65% of the time in 2008. The district indicates that 90% of the time for their urban areas they reach the scene of a priority one incident in a little over 11 minutes.

The Blaine General Sewer Plan, updated in 2005, would need to be updated to reflect the new, contracted UGA. The plan does not have an extensive plan for much of the unincorporated UGA, but it does have some areas in the east UGA adjacent to the city planned for future sewer extension. The City does not extend sewer outside of the City limits without annexation unless there is a demonstrated threat to public health that can only be remedied by the City sewer extension.

Finally, the Blaine School District does not have an adopted capital facilities plan for their service area which includes both Blaine and Birch Bay. As their enrollment is declining, they are frequently modifying remodeling and construction plans to correspond to projections and needs. They were unable to pass their most recent bond attempt, causing the school board to halt any efforts toward new construction in at least the next 2 years.

Reason for change: Additional service provider information will be in the Whatcom County 20-Year Capital Facilities Plan and, where available, individual service provider plans.

**Areas included in the UGA - (Map UGA-2)**

As part of the 2009 UGA Update, portions of the Blaine UGA were removed to place Blaine’s land supply in closer relationshipproximity to its projected population
growth. The unincorporated UGA was reduced from 3,315 acres to 476 acres. Only
the eastern portion of the unincorporated UGA and a small area south of the city
remains in the UGA. The rest of the UGA has reverted to a Rural designation.

**Goal 2V:** *Provide a sufficient Urban Growth Area for Blaine to
accommodate future growth needs, ensure an adequate
housing, commercial and industrial land supplies, supply
and meet Growth Management Act and county land use
goals.*

**Policy 2V-1:** Work cooperatively with Blaine to increase critical area
protection and water quality controls sufficient to protect
shellfish harvesting and marine resources in Drayton Harbor.

**Policy 2V-2:** *Encourage* Ensure that Blaine adopts measures to implement in-
fill policies in the proposed Blaine Comprehensive Plan.

**Policy 2V-3:** Readjust the Urban Growth Area as urban services are
planned made available and need is demonstrated.

**Policy 2V-4:** Ensure that adequate capital facilities can be provided to the
Blaine Urban Growth Area.

**Policy 2V-5:** Review and update the interlocal agreement with Blaine, prior to
expiration of the current interlocal agreement as needed, to
provide for:

- Coordinated growth management and capital facility
  planning;
- a project review process for development within Blaine’s
  UGA that ensures consistency with Blaine’s
  Comprehensive Plan and development regulations and
  standards.

**Reason for change:** Development in the UGA is subject to Whatcom County
Comprehensive Plan, development regulations and development standards until
annexation occurs.

- County adoption and maintenance of 10-acres zoning for
  the UGA which would allow urban densities to develop
  only with extension of city water and sewer; in
  conjunction with annexation or a commitment to annex
  within a very specific timeline and under very specific
  conditions.

**Reason for change:** The County already has zoning that requires 10 acre densities
in the Blaine UGA until public water and sewer are extended.
• identification of needed capital improvements and establishment of funding mechanisms; how they will be paid for;
• timing and procedures to be used for review of adequate land supply; and
• consistency with the Coordinated Water System Plan.
Blaine Urban Growth Area

- Incorporated City
- Urban Growth Area
Everson

Everson urban growth area is located in centralwestern Whatcom County, northeast of Bellingham. The City and its UGA serve the surrounding area as a commercial, retail and industrial center. The entire UGA is accessible by two major state highways, SR 544 and SR 9, that connects the city to the Canadian border and to points further south. The UGA is also accessible by Burlington Northern railway passes through the eastern portion of the UGA.

Flood prone areas, preservation of agricultural resource land, appropriate use or re-use of adjacent mineral resource lands and provision of adequate urban level services, are among the factors considered in determining the City of Everson Urban Growth Area boundary.

The City is bisected by the Nooksack River, which periodically floods and inundates parts of downtown Everson. Lying to the south of Everson are mineral resource lands and several active gravel mines.

Everson UGA is also adjacent to agricultural lands. County goals include working cooperatively with the City of Everson to enhance or maintain the county's agricultural land base.

The City of Everson provides public sewer, water, stormwater, and police services, while public schools for the area are operated and maintained by the Nooksack Valley School District. Fire protection services are provided by Fire District # 1. The City of Everson has an approved 2005 Water System Plan indicating that the city has adequate water to meet water system demands through 2022. With conservation and re-distribution measures, the City Planner has indicated that water supply and storage capacity is sufficient to meet demand for the next 20 years.

The City of Everson is challenged by a number of urban service issues that must be considered when establishing geographic boundaries to accommodate future urban growth. The City does not have a Comprehensive Sewer Plan, and City of Everson 2004 Comprehensive Plan, Capital Facility Element indicates that the City will exceed sewage treatment capacity in 2014. However, recent analysis shows that the capacity may be adequate for a period of 8–12 years. Expansion of the treatment plant will be necessary in the future to meet the needs of projected growth for the 20-year planning period. City of Everson and City of Nooksack share costs in operating the Everson Sewage Treatment Plant, and have plans to begin a cooperative effort to develop a comprehensive sewer plan that will address future needs at least through the 20-year planning period.

Fire District #1 does not currently have a capital facilities plan. Although the Nooksack School District serving Everson, Nooksack and Sumas does not have a
Capital Facilities Plan, capacity analysis indicates that the District is able to provide sufficient capacity for the 20-year planning period.

Reason for change: Additional service provider information will be in the Whatcom County 20-Year Capital Facilities Plan and, where available, individual service provider plans.

The urban growth area for Everson is intended to provide sufficient land area to accommodate future urban growth with adequate public services, while minimizing impacts to resource lands and critical areas. County goals encourage Everson to develop residentially zoned areas at average net densities of four to six units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure and open space.

Areas included in the UGA - (Map UGA-3)

East
This area, located east and south of the existing city limits, straddles State Route 9 and adjacent rail access, and drops below the southern boundary of City of Nooksack. The proposed uses for this area are industrial to the east and residential to the west of SR 9.

North
An area northwest of Everson is included in the UGA to allow expansion of the existing Everson Riverside Park.

West
The most likely place for future development is in the upland areas located west of the city limits, adjacent to existing residential development, and with a public school in close proximity. Proposed future zoning for this area includes a mix of uses including industrial, commercial, and residential. Current agricultural zoning in portions of the UGA serve as holding districts until rezoned for urban uses in the future.

Reason for change: County Comprehensive Plan Policy 2S-3 already recognizes that Agriculture zones function as holding districts within UGAs.

South
An area to the south of the existing city limits is in the UGA. This land is outside of the floodplain and adjacent to existing residential and industrial uses.

Goal 2W: Provide an Urban Growth Area Boundary for Everson which accommodates future growth needs and recognizes constraints imposed by Nooksack River

Whatcom County Comprehensive Plan 2-44
floodling and adjacent designated agriculture and mineral resource lands mining issues.

Policy 2W-1: Work with Everson to adopt measures to limit development in floodplains.

Policy 2W-2: Recognize adjacent mineral resource lands as potential urban development areas and work with Everson and land owners to develop an environmentally safe plan to facilitate this conversion.

Policy 2W-3: Avoid new land uses that are an identified threat to groundwater quality within the delineated wellhead protection area of the Everson wellfield.

Policy 2W-4: Review and update the interlocal agreement with Everson, prior to expiration of the current interlocal agreements—need, to provide for:

- Coordinated growth management and capital facility planning;
- identification of needed capital facility improvements and funding mechanisms; establishment of how they will be paid for;
- timing and procedures to be used for review of adequate land supply;
- consistency with the Coordinated Water System Plan;
- cooperation regarding conversion of mineral resource lands; and
- recognize opportunities for future growth to the west of the existing city.

Reason for change: Land west of the existing city has already been designated as UGA, where annexation and development are allowed. To the west of the UGA are Agricultural and Rural lands, which are not slated for urban development. The existing interlocal agreement specifies a process for joint city/county planning, but does not specify the location of future UGA expansions.

- limitation of development on floodplain on parcel adjacent the former golf course.

Reason for change: The GMA already contains significant restrictions on UGA expansions into floodplains (RCW 36.70A.110(8)). Additionally, Policy 2W-1 addresses development in the floodplain. Finally, property in the floodplain is already regulated in a uniform manner by the flood regulations.
- long term measures to assure compatibility with resource lands.
Ferndale

County goals encourage Ferndale to develop residentially zoned areas at overall average net densities of five-six to ten units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slope, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure, and open space.

Issues in defining the Ferndale Urban Growth Area include protection of wetlands, provision of serviced industrial land, inclusion of sufficient adjacent land with planned services to accommodate projected urban growth, and urban levels of development or urban zoning, and proximity to the Bellingham UGA and proximity to the North Bellingham Rural Neighborhood.

The Grandview Industrial area Park is included in the urban growth area. This inclusion supports the policies in the Economics chapter of this plan to provide a sufficient supply of serviced industrial land.

Ferndale will provide most of the urban governmental services within the Urban Growth Area, including public sewer, water, stormwater and police services, except for fire protection and schools. Public schools for the area are operated and maintained by the Ferndale School District. Fire protection services are provided by Fire District # 7. The City of Ferndale Comprehensive Sewer Plan, adopted by the City in 2011, includes improvements to the wastewater treatment plant to serve planned growth over the 20-year planning period. The City of Ferndale 2006 Water System Plan indicates that the city has adequate water rights and contracts to meet water system demands to the end of its 2026 planning period. The Ferndale School District has a capital facilities plan, which has been adopted by Whatcom County.

Fire District 7 serves the City of Ferndale. The Whatcom County Fire District No. 7 Capital Facilities Plan, adopted by the District in 2011, indicates that the District currently meets the level of service standard for the Ferndale UGA. Additionally, the Plan indicates that, with proposed capital facility and staffing improvements, the District will meet the level of service standard over the 20-year planning period.

Reason for change: Additional service provider information will be in the Whatcom County 20-Year Capital Facilities Plan and, where available, individual service provider plans.

Areas included in the UGA - (Map UGA-4)

North

The Urban Growth Area extends north to include the commercial/industrial area around the Grandview Road / I-5 Interchange. Land - A certain area between the Grandview industrial area and the Ferndale city center is designated Urban Growth Area Reserve, as this area has been identified as may be a logical extension of the Urban Growth Area in the future.
Reason for change: The City of Ferndale adopted Ordinance # 1619 to annex 144 acres in the Grandview area, including all the commercial zoned land, in Dec. 2010.

West
Areas west of the city are included in the UGA, as these areas are generally located in proximity to existing water lines, sewer lines, city streets and/or schools.

East
There are only limited areas to the east that are included within the Urban Growth Area. Existing large lot development patterns to the east make the extension of efficient public facilities and services to this area more difficult.

South
Land southeast of the City, near the intersection of I-5 and Slater Rd., is included in the UGA to accommodate commercial development. The State, Whatcom Council of Governments, Whatcom County, City of Ferndale, City of Bellingham, Lummi Nation, and Port of Bellingham are coordinating long-range transportation improvements in the Slater Rd. area. Very little land area to the south has been included in the urban growth area.

Goal 2X:
Provide a sufficient Urban Growth Area for Ferndale to accommodate future growth needs, meet Ferndale’s long-term vision retain existing character and attain Growth Management Act and county land use goals.

Policy 2X-1:
Support City of Ferndale planning efforts for in-fill development within the existing city limits and development of its UGA.

Policy 2X-2:
Ensure that adequate capital facilities can be provided to the Grandview Industrial area within a timely fashion to accommodate development of the area.

Policy 2X-3:
Establish a revenue sharing agreement which fairly compensates the county if a loss of revenue from the Grandview Industrial Area exceeds reduction in associated costs.

Policy 2X-4:
Encourage Ferndale to work towards development of a "wetland bank" to mitigate impacts of development on scattered wetland areas within the city.

Policy 2X-5:
Review and update the interlocal agreement with Ferndale, prior to expiration of the current interlocal agreement as needed, to provide for:

• Coordinated growth management and capital facility planning;
• policies regarding utility service outside the UGA;
• identification of needed capital facility improvements and funding mechanisms; establishment of how they will be paid for;
• zoning designations and density within the UGA;
• coordination with the county of greenbelts and open space;
• timing and procedures to be used for review of adequate land supply; and
• consistency with the Coordinated Water System Plan.
- Ferndale Urban Growth Area

- Incorporated City
- Urban Growth Area
- Urban Growth Area Reserve
Lyden

County goals encourage Lyden to develop residentially zoned areas at average net densities of five to six to ten units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure, and open space.

Issues in defining the Lyden Urban Growth Area include preservation of agricultural resource lands and accommodating projected urban growth over the planning period, uses allowed within county zoning designations. Lyden is surrounded by agricultural resource lands. The Growth Management Act requires cities to protect adjacent resource lands through the adoption of buffers or the regulation of uses.

The city of Lyden provides public water, sewer, stormwater, police and fire protection services, most of the urban governmental services, except for schools. The city has a General Sewer Plan completed in 2007 that will meet the needs of growth over the 20-year period. The City of Lyden 2008 Water System Plan indicates that the city has adequate water to meet water system demands to the end of its 2026 planning period. However, the City of Lyden and the Washington State Department of Ecology have an existing dispute over the city’s water rights. The city has entered into a memorandum of agreement (MOA) with Ecology to address long-standing water right issues. The Lynden School District also serves the area, has a capital facilities plan, which has been adopted by Whatcom County. Fire protection facilities are provided by the City of Lyden and are included in their Capital Facilities Plan.

Reason for change: Additional service provider information will be in the Whatcom County 20-Year Capital Facilities Plan and, where available, individual service provider plans.

The Lyden Urban Growth Area has been designated to provide a sufficient land supply for Lyden and minimize impact on adjacent agricultural resource land.

Areas included in UGA - (Map UGA-5)

North

A tract of land in the northwest area of Lyden has been included in the UGA. While this is prime agricultural land, it is logically located for service provision and is necessary to adequately accommodate Lyden’s growth needs through the 20-year planning period. The City of Lyden has been the lead in developing the Pepin Creek realignment project in the UGA for the last 10 to 15 years. This has involved coordination with the County, WSDOT, WDFW, DOE, North Lyden Watershed Improvement District and other impacted shareholders. This project would realign deep road-side ditches along Benson Road and Double Ditch Road into a single
stream channel roughly centered between the two. The project is intended to address flooding, fish habitat, and roadside drainage that impacts water quality and creates narrow roadways without adequate shoulders. It will also provide a new trail corridor and provide space in the existing right-of-ways for bike and pedestrian movements. Double-Ditch Creek and Benson creek, which flow through drainage ditches in this area, have been identified by the Department of Fish and Wildlife as anadromous creeks. If this area develops in the future, the City and County should work with the State to address drainage and flooding issues and protect or restore fish habitat in these creeks.

West
A large amount of land located west of Lynden is included to facilitate industrial and commercial growth for the City of Lynden and accommodate a city stormwater detention facility.

South
There are several relatively smaller areas south of Lynden in the UGA.

Goal 2Y: ProvideDesignate an Urban Growth Area for Lynden of sufficient size to accommodate provide for future growth, protect the existing character of Lynden, and minimize impact on county resource lands.

Policy 2Y-1: Review county zoning regulations to ensure that conditional uses in the agricultural zone do not discourage the development of such uses within the City of Lynden.

Reason for change: This policy was originally adopted in the 1997 Comprehensive Plan. The County previously narrowed the range of conditional uses allowed in the Agriculture zone in 2001 (Ordinance 2001-020). The proposed amendment would address any future proposals to modify the conditional use provisions in the Agriculture zone.

Policy 2Y-2: Require Work with Lynden to develop propose long term measures to assure compatibility of adjacent uses to mineral and designated agricultural resource lands.

Reason for change: The proposed modification would provide a collaborative approach to ensure compatibility between urban development and designated agricultural resource lands.

Policy 2Y-3: Review and update the interlocal agreement with Lynden, prior to expiration of the current interlocal agreements as needed, to provide for:
• Coordinated growth management and capital facility planning;
  • restrict extension of urban levels of service to the urban growth areas;
  • identification of needed capital facility improvements and establishment of funding mechanisms; how they will be paid for;
  • zoning designations and density within the UGA;
  • timing and procedures to be used for review of adequate land supply; and
  • consistency with the Coordinated Water System Plan and demonstration of sufficient water rights for current and projected needs.

Policy 2Y-4: Land uses that are incompatible with the operation of the Lynden Airport should be discouraged when rezoning land in the Urban Growth Area west of Benson Rd. and south of Badger Rd. Specifically, Whatcom County should follow the process set forth below when considering whether a proposed rezone discourages incompatible land uses:

• Determine whether any land in the proposed rezone is within zone 1 (runway protection zone), zone 2 (inner approach/departure zone), or zone 3 (inner turning zone) as shown on Safety Compatibility Zone Example 1 from the California Airport Land Use Planning Handbook (Shutt Moen Associates, January 2002, p. 9-38).

• Compare the land uses allowed by the proposed zoning with the Basic Safety Compatibility Qualities for zones 1, 2, and 3 and the Safety Compatibility Criteria Guidelines for zones 1, 2, and 3 in the California Airport Land Use Planning Handbook (Shutt Moen Associates, January 2002, pp. 9-44 and 9-47) and identify incompatible land uses.

• Determine whether land in zone 1, 2 or 3 is proposed for a zoning district that allows residential land uses, schools, day care centers, hospitals, nursing homes, or above ground bulk fuel storage.

• Unless no alternatives are feasible, require residential land uses, schools, day care centers, hospitals, and nursing homes to be clustered or otherwise located outside of zones 1, 2 and 3 and require above ground bulk fuel storage to be located outside of zones 1, 2 and 3. The intent is to preserve as much open space as possible in zones 1, 2 and 3.
Policy 2Y-5: Land uses that are incompatible with the operation of the Lynden Airport should be discouraged if expansion of the Urban Growth Area west of Benson Rd. and south of Badger Rd. is considered. Specifically, the Lynden Urban Growth Area should not be expanded in this area unless it can be demonstrated that:

- Residential land uses, schools, day care centers, hospitals, nursing homes, and above ground bulk fuel storage would be clustered or otherwise located outside zone 2 (inner approach/departure zone), zone 3 (inner turning zone), and zone 4 (outer approach/departure zone) as shown on Safety Compatibility Zone Example 1 from the California Airport Land Use Planning Handbook (Shutt Moen Associates, January 2002, p. 9-38).

Policy 2Y-6: A parcel added to the Lynden UGA in the 2009 10-year UGA review (located in section 15, T40N, R3E, W.M.) is within the 100-year flood plain of the Nooksack River, and its addition to the UGA and subsequent uses are subject to the restrictions of RCW 36.70A.110(8). Its addition to the UGA is conditioned upon and subject to the extinguishment of all development rights on the property, and it may not be annexed by the City of Lynden until those rights have been extinguished. Further, the uses of the property must remain consistent with the exemptions in RCW 36.70A.110(8), excepting property from the general prohibition against additions to UGAs in floodplains.

Reason for change: The City of Lynden annexed the property that is the subject of Policy 2-Y6 in March 2015. This annexation included a covenant extinguishing residential development rights on the property. Therefore, Policy 2-Y6 should be removed from the Whatcom County Comprehensive Plan.
Nooksack

The Nooksack urban growth area is located in centralwestern Whatcom County, northeast of Bellingham. The UGA is located immediately to the east and northeast of the City of Everson, and is served by a major state highway, SR 9 that connects the City to the Canadian border and to points further south with City of Sumas, extending north to the Canadian border. From points south, Burlington Northern railway passes through the town center, on the way to Canada.

The Community’s expressed vision is to maintain an atmosphere of safe and friendly family living in a small town rural setting, while protecting and enjoying the natural environment and agricultural lands of the surrounding area, and promoting development of new jobs and businesses. (City of Nooksack, Comprehensive Plan; 2004).

Flood prone areas, preservation of agricultural resource land, appropriate use or reuse of adjacent mineral resource lands, and provision of adequate urban level services, are among the factors considered in designating the City of Nooksack Urban Growth Area boundary. The Nooksack UGA is located entirely within the Sumas River watershed, with portions of the City’s eastern boundary following the Sumas River as it flows north toward Sumas and British Columbia, Canada. Nooksack is surrounded on all sides by physical constraints that present challenges to development. West of the city limits is the Nooksack River floodplain with a history of recurrent flooding, and east of the city are the Sumas River, Breckenridge Creek, and Swift Creek, all of which are prone to flooding. Mineral resource designated lands with active mining operations are located northeast of the city limits. The Nooksack UGA includes has also been identified as an area with high aquifer recharge susceptibility, protected by City and County critical areas regulations.

Nooksack UGA is surrounded by agricultural land, or rural land identified with agricultural protection—soils on nearly all sides. County goals include working cooperatively with the City of Nooksack to enhance or maintain the county’s agricultural land base.

The City of Nooksack is challenged by a number of urban level service issues that must be considered when establishing geographic boundaries to accommodate future urban growth. The City of Nooksack collects and transmits wastewater to City of Everson’s Sewage Treatment Plant for treatment. Both cities provide funding for operation and maintenance of Everson’s sewer treatment facility. The City of Everson’s treatment facility is not planned to accommodate the projected growth of both cities at this time, although it is expected to have sufficient capacity for the next 13 to 15 years. Neither city has a Comprehensive Sewer Plan adopted, but efforts are beginning to have a plan that will meet future needs through the 20-year planning period.
The City of Nooksack has a Water System that provides water to the City and a portion of the UGA. Plan approved by DOH on February 22, 2006. The Plan covers the 20-year planning period through 2022. The City of Nooksack purchases water from the City of Sumas, providing 199 acre feet of water annually to Nooksack per the terms of a mutual supply agreement between Sumas and Nooksack and the Nooksack Valley Water Association (NVWA). Sumas has water rights to provide City of Nooksack with adequate supply necessary to support projected growth. Public schools for the area are operated and maintained by the Nooksack Valley School District. Fire protection services are provided by Fire District # 1.

Fire District 1 serves Everson and Nooksack. The Fire District does not have a Capital Facilities plan.

The Nooksack Valley School District serves Everson, Nooksack and Sumas. The School District does not have a Capital Facilities Plan, although capacity analysis indicates that the District is able to provide sufficient capacity for the 20-year planning period.

Reason for change: Additional service provider information will be in the Whatcom County 20-Year Capital Facilities Plan and, where available, individual service provider plans.

The urban growth area for Nooksack is intended to provide sufficient land area to accommodate future urban growth with adequate public services, while minimizing impacts to resource lands and critical areas. County goals encourage Nooksack to develop residentially zoned areas at average net densities of four to six units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure and open space.

Areas included in the UGA - (Map UGA-6)

North

Land northwest of the existing city limits, north of Tom Rd., has been included in the Urban Growth Area. This land is mostly located outside the floodplain and, after annexation, is planned for future industrial development.

East

Land east of the existing city limits and north of Breckenridge Creek has been included in the Urban Growth Area. This land is mostly located outside floodplains, and upon annexation Nooksack has indicated a willingness to provide urban services. This area currently contains the Nooksack Elementary School and an adjacent cemetery, both of which are considered public uses. The majority of the remaining area is planned for residential development.
South
Land south of the existing city limits and east of SR 9 has been included in the Urban Growth Area. This land, formerly in the Everson Urban Growth Area, is planned for future residential and commercial development.

West
Land west of the existing city limits, adjacent to the Nooksack Valley Middle School, has been included in the Urban Growth Area. This land is located within the floodplain and, after annexation, is planned for ball fields.

Goal 2Z: Provide an Urban Growth Area Boundary for Nooksack which accommodates future growth needs and recognizes constraints imposed by Nooksack and Sumas River flooding, and adjacent designated agriculture agricultural—uses, and mineral resource lands/mining issues.

Policy 2Z-1: Work with Nooksack to adopt measures to limit development in floodplains.

Policy 2Z-2: Encourage Nooksack to review land use proposals for available agricultural and flood prone lands for designation in open space type—uses.

Reason for change: The City of Nooksack reviewed zoning in 2013 and shifted some land within the City into a new “Open Space/Agriculture” zone.

Policy 2Z-23: Encourage Nooksack to pursue multi-family development and to adopt measures to develop within the existing city limits at increased densities.

Policy 2Z-34: Ensure Nooksack can provide adequate urban services to accommodate projected population growth within the urban growth area.

Policy 2Z-45: Review and update the interlocal agreement with Nooksack, prior to expiration of the current interlocal agreements, as needed, to provide for:

- Coordinated growth management and capital facility planning;
- Identification of needed capital facility improvements and funding mechanisms; adequate sources of funding;
- Timing and procedures to be used for review of adequacy of land supply; and
- Consistency with the Coordinated Water System Plan.
• periodic reexamination of flood prone and agricultural areas;
• measures for protection of adjacent resource lands through control of incompatible uses and/or buffers; and;
• long term measures to assure compatibility with resource lands.
Sumas

The Sumas urban growth area is located in north central Whatcom County along the USA-Canada international border, with the communities of Everson and Nooksack to the southwest. The UGA is served by two state highways (SR 9 and SR 547) connecting the City to the Canadian border and extending to points further south and east. The Community's vision for the UGA is to take advantage of its location and function as an international border crossing to capitalize on commercial and retail economic opportunities presented by border traffic. The City has also expressed an interest in becoming a regional industrial center. The UGA is served by Burlington Northern railway.

Flood prone areas, preservation of agricultural resource land, and provision of adequate urban services, are among many factors considered in designating the City of Sumas Urban Growth Area boundary. The UGA and surrounding area consists of gently sloping terrain, tributary streams and creeks draining into the meandering northward flowing Sumas River. The UGA is also surrounded by designated agricultural land with agricultural protection soils on all sides. County goals include working cooperatively with the City of Sumas to enhance or maintain the county's agricultural land base.

Urban level service capacities must be considered when establishing geographic boundaries to accommodate future urban growth. The City of Sumas has a Water System that serves the City Plan (WSP) that was approved in 2000. This Plan covers the 1998 to 2018 planning period with a projected population of 1,625, which is slightly less than what the County has allocated for urban growth during the 20-year planning period. State law requires municipal systems to update WSP's every 6 years, and City of Sumas is currently in the process of updating its Plan. The City of Sumas owns and operates seven wells in two major well fields that provide a significant quantity of water within recognized water rights. City of Sumas supplies wholesale water to the Sumas Rural Water Association (SRWA), the Nooksack Valley Water Association and the City of Nooksack. Although not covered in the 2000 Plan, preliminary analysis indicates that the combined storage of 1,000,000 gallons is sufficient to meet the need of the combined systems for the 20-year planning period.

City of Sumas collects and transports wastewater across the USA-Canada border for treatment in the City of Abbotsford, British Columbia, Canada, on a contractual basis. This agreement extends through the year 2028. Although the City of Sumas does not have a Comprehensive Sewer Plan, it appears that the City has sufficient capacity to meet the growth allocated within the 20-year planning period.

Public schools for the area are operated and maintained by the Nooksack Valley School District. Fire protection services are provided by Fire District # 14.
Fire District 14 serves Sumas by contract. The Fire District has indicated that it currently can provide urban level of service to Sumas.

The Nooksack School District serves Everson, Nooksack, and Sumas. The School District does not have a Capital Facilities Plan, although capacity analysis indicates that the District is able to provide sufficient capacity for the 20-year planning period.

Reason for change: Additional service provider information will be in the Whatcom County 20-Year Capital Facilities Plan and, where available, individual service provider plans.

The urban growth area for Sumas is intended to provide sufficient land area to accommodate future urban growth with adequate public services, while minimizing impacts to resource lands and critical areas. County goals encourage Sumas to develop residentially zoned areas at average net densities of four to six units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure and open space.

**Areas included in the UGA - (Map UGA-7)**

An area south of Sumas and east of SR9 has been designated urban growth area to accommodate future growth needs.

**Goal 2AA:** Provide an Urban Growth Area Boundary for Sumas which accommodates future growth needs and recognizes the unique constraints imposed by flooding of the Sumas River and the Nooksack River and designated Agriculture lands.

**Policy 2AA-1:** Ensure Sumas can provide adequate urban services within the urban growth area.

**Policy 2AA-2:** Work with Sumas to adopt measures to limit development in floodplains.

**Policy 2AA-3:** Encourage Sumas to increase densities for areas located outside the floodplain.

**Policy 2AA-4:** Avoid new land uses that are an identified threat to groundwater quality within the delineated wellhead protection area of the Sumas City wellfield and May Road wellfield.

**Policy 2AA-5:** Review and update the interlocal agreement with Sumas, prior to expiration of the current interlocal agreement, to provide
for: Negotiate and adopt an interlocal agreement which provides for:

- Coordinated growth management and capital facility planning;
- restriction of extension of urban levels of service outside the urban growth area; 
- identification of needed capital facility improvements and funding mechanisms; establishment of how they will be paid for;
- timing and procedures to be used for review of adequate supply; 
- consistency with the Coordinated Water System Plan; 
- protection of groundwater quality within the wellhead protection areas of the Sumas wellfields; 
- re-examination of the densities outside the floodplain to see if they can be increased; and;
- long term measures to assure compatibility with resource lands.
- Sumas Urban Growth Area

- Incorporated City
- Urban Growth Area
- Urban Growth Area Reserve

Whatcom County Comprehensive Plan
Birch Bay and Columbia Valley Urban Growth Areas

Unincorporated, Residential/Recreational, Urban Growth Areas, and Recreational Subdivisions

Birch Bay, Sudden Valley, and the Columbia Valley/Kendall area. The Birch Bay UGA and Columbia Valley UGA are unincorporated areas with sizable populations and substantial amounts of existing, residential/recreational development. These areas are characterized by a mix of permanent residents, recreational units and/or second home use, which reflects both the population growth that has occurred in the unincorporated areas of Whatcom County and the resort/recreational nature of these areas.

Birch Bay UGA

Birch is a resort community which has historically been a second-home resort area with a trend toward permanent, often retirement homes. A high proportion are still second homes. According to the 2000 U.S. Census, approximately 51% of the housing units in the Birch Bay Census Designated Place are vacant or seasonally occupied. The community, however, feels that the trend is shifting to more permanent residents because of the attractiveness of the Birch Bay area and the cost of housing in other areas of the county, increases. The 2000 census counted 5,094 housing units in the Birch Bay Census Designated Place, including recreational units and RV sites.

During the 2009 UGA update, land was removed from the Birch Bay UGA. The land removed from the UGA was put into a Rural Comprehensive Plan designation and re-zoned from urban densities to Rural one dwelling/ten acres.

Water and sewer are provided by Birch Bay Water and Sewer and Water District which has a network of water lines throughout most of the district. Birch Bay Water and Sewer District has the capability of providing sewer service to the entire urban growth area, but the present sewer system covers a much smaller geographic area than the water distribution system. The sewer service area also includes land which was removed from the Birch Bay Urban Growth Area, or is included in the Blaine Urban Growth Area.

The district purchases water under a contractual agreement from the City of Blaine. In April 2002, the District entered into a 30 year contract with the City of Blaine to purchase water adequate to serve the District's projected need for water through 20322022. The District continues to work closely with Blaine as the need for water changes given with updates to the population projections. The District also has a pending application for groundwater rights to a well drilled by the District, and an application to transfer water from the Nooksack River, by means of a contract with Whatcom County PUD 1, to supply the longer term needs of the community.
In 2002, between 2001 and 2003, a citizen group developed a Community Plan for the Birch Bay Urban Growth Area and surrounding rural area. The Birch Bay Community Plan, as revised, was adopted as a Subarea of the Whatcom County Comprehensive Plan in 2004 and provides more detailed background information and policy direction regarding growth and development within Birch Bay. Where there are conflicts between the Birch Bay Community Plan and the Whatcom County Comprehensive Plan, the County Comprehensive Plan shall prevail.

In 1992, an attempt was made to incorporate Birch Bay; however, it was defeated by the voters. In 2008, the county completed an incorporation feasibility study for the Birch Bay UGA which identified the issues with and benefits of incorporating. It concluded that Birch Bay incorporation was financially feasible given the community’s tax base and service needs. The community has not made another attempt to incorporate as of 2015.

**Columbia Valley/Kendall UGA**

Located in the northeast region of the developed portion of the county, the Columbia Valley UGA is the most populous area in the eastern part of Whatcom County.

The Columbia Valley area, like many other areas in Whatcom County, was originally developed to cater to a seasonal population, primarily Canadians who are allowed to spend up to six months per year in the United States. 2000 U.S. Census data indicates that approximately 32% of the existing housing was either seasonal or vacant. However, this area has become attractive for permanent residents and has transitioned to a higher percentage of year-round residents. The lots are affordable and the current and projected development will provide an available work force for economic development.

Columbia Valley includes two large subdivisions, Paradise Lakes and Peaceful Valley, which are located along both sides of Kendall Road (SR547). The UGA also includes several lakes, a wetland complex along Kendall Creek, and some undeveloped land. The Columbia Valley was originally designated as an urban growth area in 1999. Between 2000 and 2013, the population of the UGA has increased by approximately 30%, more than 50%. Additionally, the population increases in the summer because of the recreational units in the UGA.

Paradise Lakes has public roads and continues to utilize septic systems for sewage disposal. The Columbia Valley Water District (formerly Evergreen Water-Sewer District) provides public water service to residential and camper lots within the Paradise Lakes divisions. Peaceful Valley has private roads and a water and sewer system managed by Water District 13.

Public transit service is provided to the Columbia Valley/Kendall area by the Whatcom Transportation Authority (WTA). Local east-county law enforcement is
provided by a full-time resident Sheriff’s Deputy that is based out of Kendall the East Whatcom Regional Resource Center. The small town of Kendall, located outside of the UGA, has a commercial district, fire station, and an elementary school.

**Sudden Valley Recreational Subdivision**

Sudden Valley was established in the early 1970s as a recreation/resort area located in the Lake Whatcom Watershed. But over the last thirty years it has developed into an Urban Residential area. Sudden Valley has private paved roads, all underground utilities (electricity, gas, cable and telephone), and a public water and sewer system provided by Lake Whatcom Water and Sewer District. Fire District #2, strategically located in Sudden Valley, provides fire and ambulance service. Sudden Valley’s 1,724 total acres originally included 4,648 platted single-family lots/condominiums, a limited commercial area, community facilities, a marina, and a golf course. Of the 1,545 acres, 835 acres of open space and 140 acres of golf course (63%) are community association owned. The remaining 749 acres (43%) are private property. 2000 US Census data indicates that approximately 26% of the existing housing in Sudden Valley is either seasonal or vacant.

Sudden Valley contributes to a high volume of vehicle trips on Lake Whatcom Boulevard and Lake Louise Road. Right-of-way and alignment studies have been proposed for the 6-year TIP to study alternatives, cost and location relative to addressing the growing volume of vehicular trips on Lake Whatcom Boulevard and Lake Louise Road. Public transportation services are provided by the Whatcom Transportation Authority (WTA).

Sudden Valley lies within the Lake Whatcom Watershed where limiting development has been identified as desirable. The Sudden Valley Community Association (SVCA) has a Board of Directors mandated lot consolidation program with a targeted density reduction of 1,400 lots, reducing the total lots for development from 4,648 to 3,248. To date approximately 75% (1,047 lots) have been placed into density reduction of which 452 are voluntary private lot consolidation. SVCA funding has been set aside to purchase additional lots for density reduction. In accordance with the 2000 Lake Whatcom Management Program, the County and lake Whatcom Water and Sewer District have also assisted Sudden Valley with their density reduction program through several joint agreements and exchanges of property and restrictive covenants. To date, the SVCA, County, and Lake Whatcom Water and Sewer District have acquired 115 undeveloped lots in Sudden Valley at annual tax foreclosure auctions. The Lot Consolidation Covenant to Bind process has, also, increased voluntary private lot consolidation. The County Council has exempted Sudden Valley from the Lake Whatcom Transfer of Development Rights (TDR) program because Sudden Valley’s density reduction plan meets the intent of the TDR program.
Since 1985, Sudden Valley has mandated the use of appropriate stormwater best management practices through standards for individual stormwater detention for all new construction. Any new building permits on existing lots must be able to demonstrate that stormwater detention is included on the plan as a pre-condition to issuance of a permit. Sudden Valley is also subject to additional regulatory protections that apply to the Lake Whatcom watershed under the Water Resource Protection Overlay District, Stormwater Special District, and Water Resource Special Management Area requirements. Under the provisions of these special districts, potential impacts from impervious surfaces, stormwater runoff, and clearing activities are required to be addressed on-site.

Sudden Valley has implemented a 10-year Forest And Wildlife Stewardship (FAWS) plan with the State of Washington Department of Natural Resources (DNR). This plan provides environmental education and guidance to the Sudden Valley community, on a continuing basis, to assure sound environmental health and safety for plants, animals, and residents with an emphasis on properly managing flora and fauna indigenous to the region.

Reason for change: Sudden Valley text has been modified and moved to the Lake Whatcom section of Chapter 11, Environment.

Goal 2BB: Recognize Birch Bay and the Columbia Valley area as county urban growth areas, not associated with existing cities.

Policy 2BB-1: Work with the Birch Bay Water and Sewer District to foster water and sewer plans that are coordinated and consistent with the Whatcom County Comprehensive Plan. Work with Birch Bay Water and Sewer District and the City of Blaine to resolve any issues of jurisdiction, amend the District service area boundaries to be consistent with the revised Urban Growth Area and establish policies for provision of water service to portions of the District that were removed from the UGA.

Policy 2BB-2: Work with North Whatcom Fire and Rescue, the Blaine School District, the Washington Department of Transportation and other interested parties to foster capital facility plans for the Birch Bay UGA that are coordinated and consistent with the Whatcom County Comprehensive Plan. Work with Birch Bay Water and Sewer District and the City of Blaine to resolve any issues of jurisdiction.

Policy 2BB-3: Recognize the resort nature of Birch Bay, including the significant second home factor when analyzing land supply for urban growth area boundaries. Recognize the recreational

Whatcom County Comprehensive Plan
nature of a portion of the Columbia Valley UGA when analyzing land supply for urban growth area boundaries.

Policy 2BB-4: Birch Bay is unique with its traditional cottages on small lots that enhance the character of the area. In order to facilitate continuation of this traditional character, encourage small lot single family development in the Birch Bay UGA. Propose amendments to the Resort Commercial zoning district, applicable only to single family dwellings, that increase density to between 10 and 20 dwelling units/acre, reduce setbacks, and require pervious surfaces for driveways or other methods of stormwater infiltration.

Policy 2BB-5: Encourage incorporation of Birch Bay when financial viability can be achieved without including the Cherry Point Industrial Area within proposed city boundaries.

Policy 2BB-6: Recognize the impacts of tourist development on local residents in the Birch Bay, Sudden Valley, and Columbia Valley UGAs and provide for mitigation of those impacts.

Policy 2BB-7: Work with Water District 13 and the Columbia Valley Water District to foster water and sewer plans that are coordinated and consistent with the Whatcom County Comprehensive Plan.

Policy 2BB-8: Work with Fire District 14, the Mount Baker School District, the Washington Department of Transportation and other interested parties to foster capital facility plans for the Columbia Valley UGA that are coordinated and consistent with the Whatcom County Comprehensive Plan, all parties to resolve infrastructure and public service issues so that the Columbia Valley UGA can develop to its fullest potential. Capital facility plans should provide the information required by RCW 36.70A.070(3).

Policy 2BB-9: Study the Columbia Valley UGA to identify the factors necessary to create an economically viable city, the implications of such development within the County overall, and make recommendations as to how and when incorporation should be initiated.

Policy 2BB-10: Require unplatted areas in the Columbia Valley UGA to obtain "ability to serve" letters from schools, fire districts, and water and sewer service providers and demonstrate adequate road capacity in order to receive county approval for new subdivisions.
Policy 2BB-119: For new subdivisions, encourage the use of clustering with adequate setbacks along Kendall Creek, Kendall and Sprague lakes, and wetlands to avoid environmental degradation of surface waters, to enhance/restore fish habitat relative to complying with listings under the Endangered Species Act, where they might apply, and to protect the aquifer underlying the Columbia Valley.

Policy 2BB-1210: For existing lots in the Columbia Valley UGA, encourage the use of appropriate stormwater best management practices and connection to public sewer to protect surface waters and the aquifer. Any new building permits on existing lots must be able to demonstrate that the water service is available to provide adequate water as a precondition to the issuance of a permit.

Policy 2BB-1311: Encourage use of low impact development (LID) standards in the Columbia Valley UGA.

Policy 2BB-1412: Recognize the need for light impact industrial land uses within the Columbia Valley Urban Growth Area. Consider establishing a light impact industrial zone located on the north side of Limestone Road in accordance with the policies of the Foothills Subarea Plan.

Policy 2BB-1513: Recognize the Columbia Valley UGA as a developing urban community with potential to establish a viable town center, which includes commercial uses, a variety of residential housing types, and institutional uses.

Policy 2BB-14: Facilitate meeting the unique needs of Sudden Valley due to its location within the Lake Whatcom Watershed.

Reason for change: Sudden Valley policies have been moved to the Lake Whatcom section of Chapter 11, Environment.

Policy 2BB-15: Recognize the existing parcelization and the commitment for development of the remaining multi-family parcels in Sudden Valley.

Reason for change: Sudden Valley policies have been moved to the Lake Whatcom section of Chapter 11, Environment.

Policy 2BB-16: Work with the Community Association towards achievement of the density reduction target of 1,400 lots within Sudden Valley.
Reason for change: Sudden Valley policies have been moved to the Lake Whatcom section of Chapter 11, Environment.

Policy 2BB-17: If the county acquires lots through tax foreclosure, consider selling them as non-buildable lots.

Reason for change: Sudden Valley policies have been moved to the Lake Whatcom section of Chapter 11, Environment.

Policy 2BB-18: Support Lake Whatcom Water and Sewer District’s effort to maintain adequate sewer capacity and control stormwater run-off in keeping with appropriate environmental controls and the Sudden Valley Community Association’s density reduction goal.

Reason for change: Sudden Valley policies have been moved to the Lake Whatcom section of Chapter 11, Environment.

Policy 2BB-19: Explore alternatives for traffic impact mitigation including:
- enhanced bus service to Sudden Valley;
- consideration of some additional commercial and limited light industrial development within existing Neighborhood Commercial and Resort Commercial zones to create a fuller service community to limit shopping and journey to work trips.

Reason for change: Policy concerning enhanced bus service to Sudden Valley modified and moved to Chapter 6, Transportation. The second bullet on additional commercial and light industrial development was deleted, as Sudden Valley is now a Rural Community Type I LAMIRD and subject to limitations in Policy 2JJ-1 through 8.

Policy 2BB-20: Recognize Sudden Valley as a “Recreational Subdivision”.

Reason for change: Sudden Valley is no longer designated as a Recreational Subdivision in the Comprehensive Plan.

Policy 2BB-21: Work with all parties to maintain, and appropriately plan for infrastructure, public services, and stormwater retention so that Sudden Valley can develop to its appropriate potential.

Reason for change: Sudden Valley policies have been moved to the Lake Whatcom section of Chapter 11, Environment.

Whatcom County Comprehensive Plan 2-72
-Birch Bay Urban Growth Area

- Incorporated City
- Urban Growth Area
Columbia Valley Urban Growth Area

- Urban Growth Area
- Urban Growth Area Reserve
Major Industrial Urban Growth Area / Port Industrial

Cherry Point

The Cherry Point Urban Growth Area (UGA) contains approximately 7,000 acres of industrial land. The land has long been planned and designated by Whatcom County for industrial development and is currently the site of three major industrial facilities including two oil refineries and an aluminum smelter. Together, these three existing industrial developments industries own/occupy about 4,400 acres of the total Cherry Point industrial lands. In addition to existing industry, the planning and permitting for a new 1,100 acre bulk commodities shipping port in the Cherry Point UGA is nearly complete. The four major industrial areas (three existing and one proposed) together would consume about 5,200 acres of the heavy industrial land in the Cherry Point UGA or about 74 percent of the heavy industrial area. Land consumption at Cherry Point has been about 1,000 acres per facility on the average which includes sufficient land to avoid wetlands and provide buffer areas. Based on this consumption figure, there is only sufficient remaining land in the Cherry Point industrial area to support two additional industrial complexes of the character of those presently located there.

Because of the special characteristics of Cherry Point, this area has regional significance for the siting of large industrial or related facilities. Because of the large acreage demands of the types of industries likely to locate there, the remaining undeveloped acreage at Cherry Point will likely be absorbed during the 20 year planning period.

The Cherry Point shoreline also has great importance to the fisheries and ecology of Northern Puget Sound because it provides essential spawning habitat for what once was the largest herring stock in Washington State. This herring stock has supported important commercial fisheries in the past and provides forage for salmonids and other important marine species. In 2010, the DNR recognized the need to "protect the significant environmental resource of aquatic lands at Cherry Point" (CPAR Management Plan p. 1), completed the Cherry Point Environmental Aquatic Reserve Management Plan, and designated the Cherry Point Aquatic Reserve to ensure long-term environmental protection of the area. In September 2003, the DNR accepted the recommendation that Cherry Point be further evaluated for Aquatic Reserve status. A supplemental EIS is currently being prepared for the proposed reserve. It is expected that the final supplemental EIS will be published in spring of 2005. The proposed reserve extends from the southern boundary of Birch Bay State Park to the northern border of the Lummi Indian Nation Reservation. The site excludes three existing aquatic land leases (BP, Intalco, ConocoPhillips 66 shipping piers) and one proposed aquatic land lease (Gateway Pacific Terminal site).

The overall purpose of the Cherry Point Aquatic Reserve (AR) is to ensure long-term environmental protection for local habitats and species (CPAR MP p. 1). Specific goals include protection and recovery (as applicable) of Cherry Point herring,

Whatcom County Comprehensive Plan 2- 75
Nooksack Chinook salmon, ground fish, marine mammals, seabird/duck and shorebird communities, Dungeness crab, and submerged native aquatic vegetation (CPAR MP p. 2). Another goal is to cooperate with other stakeholders “to minimize and reduce identified impacts of human activities on the species and habitats within the Reserve” (CPAR MP p. 2).

The Management Plan acknowledges that the existing industries, complying with laws and regulations, do not conflict with the Aquatic Reserve although their activities may pose risks for the Aquatic Reserve. Indeed, the industries’ need for buffer space and their compliance with shoreline management requirements means that much of the Aquatic Reserve shoreline is in substantially natural riparian vegetation and bluff processes proceed without interference. Existing industries can serve the Aquatic Reserve’s objectives so long as they are managed according to the Plan and so long as the lessees actively work to further goals for the Reserve (CPAR MP p. 2).

The County and industrial users have long recognized that the Cherry Point area exhibits a unique set of characteristics that makes land there not only locally but regionally important for the siting of major industrial developments especially where deep water access for shipping is a critical locational factor. These characteristics were articulated in the Overall Economic Development Plan (OEDP) for Whatcom County adopted by the Whatcom County Council of Governments in May, 1993, and in the 1997 Property Counselors Report on supply and demand for industrial land in Whatcom County and at Cherry Point, the 2002 Greater Whatcom Comprehensive Economic Development Strategy, and the 2003 Whatcom County Industrial Land Study, and the 2015 Whatcom County Comprehensive Economic Development Strategy.

The characteristics that make Cherry Point unique as a site for major industrial development include the following:

Port Access – The marine waters off Cherry Point provide deep water access for shipping. Deep water access for shipping was a major siting consideration for the three major industries currently located at Cherry Point and for the two industrial/shipping facilities currently being proposed.

Rail Access – Cherry Point is served by a branch line of the Burlington Northern mainline serving western Washington from Blaine to Portland. Rail service is considered to be vital to statewide as well as local interests for the competitive movement of freight. Rail service is particularly important in relation to water borne commerce. The Cherry Point area has the rail access to support marine terminals and industrial users in the area. The BP refinery at Cherry Point uses the railroad to ship calcined coke to U.S. markets and to other port facilities for transshipment to foreign markets. Both the BP and Phillips 66 refineries receive crude oil shipments by rail.
Proximity to Canada, Alaska and Foreign Ports - Cherry Point occupies a unique location for the siting of industry because of its close proximity to Canada and because of its shorter travel distance than other regional port facilities for shipping to Alaska and to other Pacific Rim locations. The Cherry Point industrial area benefits from proximity to Canada, as trade between the U.S. and Canada grows in response to the lifting of trade barriers under the Free Trade Agreement of 1989. Canadian exports to the U.S. are expected to increase and Canadian firms exporting to the U.S. are expected to seek locations in the U.S. as a way of improving access to U.S. markets. The City of Sumas is already experiencing an influx of Canadian industries seeking to improve access to U.S. markets. Additionally, just as other port facilities in Washington are constrained by lack of extensive upland areas to support major industrial development, Canadian port facilities are likewise constrained. There are limited expansion sites available at Roberts Banks and in the Vancouver Harbor, and development sites further up the Fraser River are constrained by limitations on vessel draft. Marine terminals at Cherry Point could serve a portion of the potential growth in Canadian marine cargo.

Presence of Necessary Utilities and Infrastructure

Cherry Point has been a major industrial area in Whatcom County since the 1960’s. The BP oil refinery, ConocoPhillips Oil Refinery and the Alcoa Aluminum Plant have all been operating at Cherry Point for more than thirty years. The Phillips 66 Ferndale Refinery was constructed in 1954, the Alcoa Intalco Works Aluminum Smelter in 1966, and the BP Cherry Point Refinery in 1971. The infrastructure to support these industries and future industrial users at Cherry Point is in place and includes the following:

Electric Power: Electric Power is available from three providers in the Cherry Point area: Puget Sound Energy, Public Utility District #1 (PUD #1), and Bonneville Power Administration.

Puget Sound Energy owns two electrical generating facilities at Cherry Point. The electricity generated by these two facilities can be transmitted outside the region into the grid for supply to Puget’s customers or some of it can be consumed by Cherry Point customers through interties with the PUD #1. Puget Sound Energy also acquires power from outside the region and transmits it via their transmission grid into Cherry Point. The BP Cherry Point Refinery purchases electrical supply on the market and pays Puget Sound Energy to transmit the power and operate distribution systems to provide that power to the refinery.

PUD #1 purchases electricity from the Bonneville Power Administration and takes ownership of that power at the Bonneville substation in Bellingham and then transmits it over its transmission line to Cherry Point to serve the Phillips 66 Ferndale Refinery.
PUD #1 and Puget Sound Energy have interties at Cherry Point allowing the transmission of power in and out of Cherry Point depending on the amount of power generated and consumed at Cherry Point. The Bonneville Power Administration supplies power directly to the Alcoa Intalco Works aluminum production facility.

One of these providers, Puget Sound Energy, has a combustion turbine generating facility located in the Cherry Point industrial area. An additional cogeneration facility is proposed at the BP Refinery. The high cost of electrical power has been a problem for Cherry Point industrial users over the past few years. The proposed cogeneration facility could help stabilize the supply of electricity.

Water: Whatcom County Public Utility District #1 currently provides industrial process water to all major industrial facilities at Cherry Point and has contracts in place to provide process water to properties that are currently undeveloped. Two major undeveloped parcels and provides potable water to the BP refinery. PUD # 1 also operates a small system to provide potable water to one industry (Praxair). Birch Bay Water and Sewer District provides potable water to the BP Cherry Point Refinery. The other industries operate their own water treatment facilities and treat process water to provide potable water for their facilities.

Sewer: Sewer service is not typically required for large industrial developments. Most of the existing industrial users provide their own on-site sewage treatment and waste water treatment. Sewer service for domestic wastewater is provided to the BP Refinery by the Birch Bay Water and Sewer District. If and when sewer service should become necessary for other industries, service could be provided on a contractual basis with the Birch Bay Water and Sewer District, which borders the Cherry Point industrial area on the north.

Natural Gas: Natural gas is currently available at Cherry Point.

All-weather Roads: Grandview and Slater Roads, the major east-west connectors between Cherry Point and Interstate-5, provides all-weather road access to Cherry Point.

The industries currently located at Cherry Point are a substantial part of the economic base of Whatcom County and the region and the economic welfare of the county is strongly tied to the health of these industries and their ability to flourish and expand as opportunities present themselves. These industries need to be protected from the inappropriate encroachment of incompatible uses; particularly residential uses that could affect their ability to expand. The best means for protecting these industries from incompatible adjoining uses and to assure their continued regulatory conformity is to maintain the industrial land use designation of these lands and adjoining properties currently designated for industrial development. The Cherry Point industrial lands have been designated for industrial development and as a direct result of the industrial designation, incompatible and inappropriate residential development has been curtailed.
Goal 2CC: Maintain Cherry Point as an unincorporated urban growth area based on its unique location and characteristics and its significant contribution to the overall industrial land supply and Whatcom County’s tax base.

Policy 2CC-1: Designate Cherry Point as a major industrial Urban Growth Area to accommodate major users that need to be located away from concentrated urban residential areas and that can manage their activities in such a way that they do not conflict with the goals of the Aquatic Reserve Management Plan.

Policy 2CC-2: Ensure that developments in the Cherry Point UGA maintain management plans to accomplish the goals of the Aquatic Reserve Management Plan.

Policy 2CC-3: Assure that Cherry Point’s unique features of large parcelization, port access, and transportation availability are maintained and protected from incompatible development.

Policy: 2CC-43: Require the master planning of each large parcel in advance of any development or subdivision at Cherry Point.

Policy: 2CC-54: Require the designation and site plan for a major user (generally 40 acres or more) before the development of accessory or supporting uses to assure that accessory or supporting uses are compatible with and will not interfere with the major industrial user.

Policy: 2CC-65: Specify 160 acres as a minimum area for planning, prior to the commitment of a parcel for a major user (40 acres or more, singularly or as a cluster or group).

Policy: 2CC-76: Permit support activities, warehousing, shipping, machine repair and service, educational services, food service and conveniences, to locate on a parcel only after the completion of a master plan, and the identification and site plan approval for the major user.

Policy 2CC-87: Resist inclusion of Exclude Cherry Point as part of any future incorporation of Birch Bay.

- to protect interests of the property owner in terms of taxation and urban regulations;
- to preclude urbanism near "smokestack" industries;
- to preserve county government tax base.
Policy 2CC-98: Continue to work with service providers that serve Cherry Point to ensure the delivery of services and to allow it to develop to its fullest potential.

Policy 2CC-109: It is the policy of Whatcom County to limit the number of piers at Cherry Point by establishing a development moratorium. Notwithstanding the above, this moratorium shall not affect, nor otherwise apply to, any proposed pier that Whatcom County approved under its Shoreline Management Program prior to adoption of the moratorium.

Policy 2CC-1110: RCW 36.70A.365 requires the implementation of Traffic Demand Management (TDM) programs for the designating of a Major Industrial Urban Growth Area. Any employer in the Cherry Point Urban Growth Area that employs one hundred or more full-time employees at a single worksite who begin their regular work day between 6:00 am and 9:00 am on weekdays for at least twelve continuous months during the year are required to meet the TDM requirements of WCC 16.24.

Policy 2CC-12: Work with the Cherry Point industries to maximize public access to the Cherry Point beaches without compromising industrial security.
- Cherry Point Urban Growth Area

[Map of Whatcom County showing Cherry Point Urban Growth Area]
Rural Lands

Introduction

Purpose

The purpose of the Rural Lands section is to provide direction for land use decisions in the rural areas of Whatcom County.

GMA Requirements

The state Growth Management Act (GMA) requires counties to include a Rural element in their comprehensive plan in accordance with RCW 36.70A.070. GMA defines rural lands as those that are located outside urban growth areas and which do not include designated agriculture, forestry, or mineral resource lands of long-term commercial significance. Agriculture, forestry and mineral resource lands are addressed separately in Chapter 8: Resource Lands.

GMA requires counties to provide for a variety of rural densities and uses in its rural areas, and to adopt measures to protect the rural character of the area, as established by the county. The GMA (RCW 36.70A.030(15)) defines “rural character” as “patterns of land use and development established by a county in the rural element of its comprehensive plan:

- In which open space, the natural landscape, and vegetation predominate over the built environment;
- That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- That provide visual landscapes that are traditionally found in rural areas and communities;
- That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- That generally do not require the extension of urban government services; and
- That are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.”

GMA allows counties to designate “limited areas of more intensive rural development” (LAMIRDs) where more intensive uses have been established within their rural areas. Counties making such designations must adopt measures to minimize and contain the existing areas or uses of more intensive rural development. In its findings preceding the GMA, the legislature states that rural counties must have flexibility to create opportunities for business development and must have the flexibility to retain existing businesses and allow them to expand.

Whatcom County Comprehensive Plan 2-82
Rural Character and Lifestyle

Rural Whatcom County is the portion of the County not planned for either urban or resource use and its character differs from that of the County’s urban and resource areas. While agriculture and forestry are practiced in the rural areas, it is generally on a smaller scale than in the resource areas that are set aside specifically for those purposes. The rural areas provide an important buffer between urban areas and resource lands, and the character of the rural areas is differentiated from the urban areas by less intensive uses and densities, and greater predominance of vegetation, wildlife habitat, and open space.

Small unincorporated communities have existed in the rural areas for many decades but have not become urban centers. Land uses in these communities are more intensive than those in the surrounding rural areas, and provide rural residents places to shop, eat, play, etc., and access public services such as schools, libraries, and post offices without having to travel to cities. The businesses in these communities are important contributors to the economy of Whatcom County. Even outside these settlements, residents of the rural areas have established home occupations, cottage industries, and small-scale businesses that are an important part of the County’s traditional rural economy.

Historically, rural Whatcom County has been a place of great variety. Residential densities vary greatly from homes on 10 or 20 acre lots to lots smaller than one acre in the rural communities and neighborhoods that have been established over the years. The scale and intensity of rural businesses varies from the home occupations, cottage industries, and resource-based industries to the more intensive commercial and manufacturing uses, though the County’s largest commercial and industrial uses have been established in the urban areas.

Whatcom County’s rural lifestyle is one where residents enjoy views of a green landscape dotted by homes and barns, and have an appreciation for clean water and air. Residents can work and shop in small rural communities, or earn a living on their own rural lands, but these enterprises do not detract from the overall sense of openness and predominance of the landscape in the rural area. Rural Whatcom County has long been a place to raise children with the values of hard work and responsible stewardship of the land, and where residents can grow food and livestock for themselves or for market. While rural property owners do not expect to be provided with urban-level services, they enjoy a quality of life and sense of self-sufficiency not ordinarily found in the urban areas.

In the rural element of this chapter, Whatcom County establishes policy consistent with the findings of the legislature and with the above vision of rural character and lifestyle that will:

- Help preserve rural-based economies and tradition lifestyles,
- Encourage the economic prosperity of rural residents
- Foster opportunities for small-scale, rural-based employment and self
  employment,
- Permit the operation of rural-based agriculture, commercial, recreational, and
  tourist businesses that are consistent with existing and planned land use
  patterns,
- Be compatible with the use of the land by wildlife and for fish and wildlife
  habitat,
- Foster the private stewardship of the land and preservation of open space, and
- Enhance the rural sense of community and quality of life.

**Goal 2DD:** *Retain the character and lifestyle of rural Whatcom County.*

**Policy 2DD-1:** Concentrate growth in urban areas per the population
projections in Chapter 1 of this plan, and recognize rural lands
as an important transition area between urban areas and
resource areas. As part of the population growth monitoring
report required in Policy 2S-5, compare non-urban population
growth trends with the adopted non-urban population growth
projection. If the trend over five years indicates that non-urban
growth is significantly higher than by February 1 of each year
the department will publish a report that monitors residential
development activity outside the urban growth areas during the
previous year and compares that data with the adopted
population growth projection for those areas. If it is apparent
that growth occurring outside the urban growth areas is
inconsistent with adopted projections, the County shall take
action to address the discrepancy. Actions may include changing
the allocation of the projected population growth during the
comprehensive plan update required per RCW 36.70A.130(1), or
changing development regulations to limit growth outside the
urban growth areas. In addition, as the County and cities review
the capacity for growth in the urban growth areas, the county
should coordinate with the cities to ensure that policies are in
place that are consistent with encouraging growth in the urban
areas and reducing demand for development in rural areas.

**Reason for change:** Coordinate monitoring required in policies 2S-5 and 2DD-1.

**Policy 2DD-2:** Protect the character of the rural area through the County's
development regulations. In addition to the policies of this plan
that provide measures governing rural development, the
following County's key development regulations are
incorporated into this plan by reference to assure that the plan
contains measures to protect rural character:
A. Measures to contain or otherwise control rural development
and reduce the inappropriate conversion of undeveloped land
into sprawling, low-density development:

1. Limit the expansion of areas of more intensive
development and higher rural densities through Policies
2A-8, 2A-9, 2DD-1, 2DD-8, 2GG-2, 2GG-3, 2JJ-1 through
8, 2KK 1 and 2, 2LL-1 through 4, and 2MM-1 through 4 of
this plan.

2. Provide options to reserve areas of land suitable for
agriculture, forestry, or open space through lots
clustering in the following Zoning Code provisions,
adopted herein by reference:

   a. WCC 20.32.305, .310, and .320, Lot clustering,
      Residential Rural District;
   b. WCC 20.34.305, .310, and .320, Lot clustering, Rural
      Residential Island District;
   c. WCC 20.36.305, .310, and .320, Lot clustering, Rural
      District;
   d. WCC 20.71.350, .351, and .352, Lot clustering,

3. Prohibit short subdivisions outside of urban growth areas
and limited areas of more intensive rural development
that would require extension of public sewer except for
health or safety reasons through the following Whatcom
County Land Division regulations adopted herein by
reference:

   a. WCC 21.04.090, Sewage Disposal, Short
      Subdivisions.
   b. WCC 21.05.090 Sewage Disposal, Preliminary Long
      Subdivisions.

B. Measures to assure visual compatibility of rural development
with the surrounding rural area:

   1. Ensure that the visual landscapes traditionally found in
rural areas and communities are preserved through
limitations on structural coverage of lots in the following
Zoning Code provisions, adopted herein by reference:

   a. WCC 20.32.450 Lot coverage, Residential Rural
      District;
2. Require that lots developed under the lot clustering option be designed and located to be compatible with valuable or unique natural features as well as physical constraints of the site through standards provided in the following Zoning Code provisions, adopted herein by reference:

   a. WCC 20.32.310 Lot clustering design standards, Residential Rural District;
   b. WCC 20.34.310 Lot clustering design standards, Rural Residential-Island District;
   c. WCC 20.36.310 Lot clustering design standards, Rural District;

3. Protect the aesthetic assets of the rural areas and soften the impact of structures through landscape buffers and setback requirements provided in the following Zoning Code provisions, adopted herein by reference:

   a. WCC 20.80.200 Setback requirements;
   b. WCC 20.80.300 Landscaping.

4. In the Point Roberts Rural Community, regulated visual aspects of development through the standards in the following Zoning Code provisions, adopted herein by reference:

   a. WCC 20.72.350 Building setbacks/buffer areas, Point Roberts Special District;
   b. WCC 20.72.651 Facility design, Point Roberts Special District;
   c. WCC 20.72.653 Tree canopy retention, Point Roberts Special District;
   d. WCC 20.72.654 Site design/view corridors, Point Roberts Special District.

C. Measures to protect critical areas and surface and groundwater resources:

1. Protect the functions and values of critical areas (geologically hazardous areas, frequently flooded areas, critical aquifer recharge areas, wetlands, and habitat conservation areas) and the ecological
processes that sustain them, through WCC 16.16 Critical Areas provisions, adopted herein by reference.

2. Minimize the adverse effects of discharges from on-site sewage systems on ground and surface waters through WCC 24.05, adopted herein by reference.


4. Protect surface and ground water resources through stormwater management standards established in the County's Development Standards per WCC 20.80.630 through .636, WCC 20.51 and 12.08.035 referenced in the following Zoning Code provision, adopted herein by reference:

   a. 20.32.656 Drainage, Residential Rural District;
   b. 20.34.659 Drainage, Rural Residential-Island
      District;
   c. 20.36.656 Drainage, Rural District;
   d. 20.37.655 Drainage, Point Roberts Transitional
      District;
   e. 20.44.652 Drainage, Recreation and Open Space
      District;
   f. 20.59.704 Drainage, Rural General Commercial
      District;
   g. 20.60.655 Drainage, Neighborhood Commercial
      District;
   h. 20.61.704 Drainage, Small Town Commercial
      District;
   i. 20.63.654 Drainage, Tourist Commercial District;
   j. 20.64.655 Drainage, Resort Commercial District;
   k. 20.67.653 Drainage, General Manufacturing
      District;
   l. 20.69.655 Drainage, Rural Industrial and
      Manufacturing District.

5. Assure that subdivisions meet requirements for critical areas, shoreline management, and stormwater management through the standards in the following Whatcom County Land Division regulations, adopted herein by reference:
a. WCC 21.04.034 Application Procedures, Short subdivisions.

b. WCC 21.05.037 Hearing Examiner Notice Hearing and Decision, Preliminary Long Subdivisions.

6. Limit water withdrawals resulting from land division through the standards in the following Whatcom County Land Division regulations, adopted herein by reference:

   a. WCC 21.04.090 Water supply, Short Subdivisions.

   b. WCC 21.05.080 Water supply, Preliminary Long Subdivisions.

7. Regulate groundwater withdrawals by requiring purveyors of public water systems and private water system applicants to comply with Washington State Department of Ecology water right requirements per WCC 24.11.050, adopted herein by reference.

8. Require evidence of an adequate water supply prior to issuance of any building permit, per WCC 24.11.060, adopted herein by reference.

9. Determine adequacy of water supply for building permit applications proposing to use a well, spring, or surface water, per WCC 24.11.090, .100, .110, .120, .130, .160, and .170, adopted herein by reference.

10. Limit phosphorus entering Lake Whatcom through WCC 20.51 Lake Whatcom Watershed Overlay District and Lake Whatcom and Lake Samish due to the application of commercial fertilizers to residential laws and public properties through WCC 16.32, adopted herein by reference.

11. Protect vital drinking water, sensitive habitats, and recreational resources within the Department of Ecology’s designated Western Washington Phase II Municipal Stormwater Permit area and the Lake Whatcom watershed by prohibiting illicit discharges to the county’s stormwater collection system through WCC 16.36 Illicit Discharge Detection and Elimination Program, adopted herein by reference.
12. Maintain standards for clearing activity in highly valued water resource areas, environmentally sensitive areas, or areas where natural conditions are so unstable that clearing activity in the area can result in hazardous conditions per WCC 20.80.735 Water Resource Special Management Area, adopted herein by reference.

D. Measures to protect against conflicts with the use of agricultural, forest, and mineral resource lands:

1. Ensure separation of new residences from agricultural and forestry uses through setback requirements in the following Zoning Code provisions, adopted herein by reference:

   a. WCC 20.80.255 Agricultural District, Supplementary Requirements;
   b. WCC 20.80.256 Forestry districts, Supplementary Requirements;
   c. WCC 20.80.258 All districts, Supplementary Requirements.

2. Ensure separation of businesses from agricultural uses through setback requirements in the following Zoning Code provisions, adopted herein by reference:

   a. WCC 20.59.600 Buffer area, Rural General Commercial District;
   b. WCC 20.60.550 Buffer area, Neighborhood Commercial District;
   c. WCC 20.61.600 Buffer area, Small Town Commercial District;
   d. WCC 20.63.600 Buffer area, Tourist Commercial District;
   e. WCC 20.64.550 Buffer area, Resort Commercial District;
   f. WCC 20.67.550 Buffer area, General Manufacturing District;
   g. WCC 20.69.550 Buffer area, Rural Industrial and Manufacturing District.

3. Require that all discretionary project permits within one half mile of areas designated in this plan as Rural, Agriculture, Commercial Forestry, or Rural Forestry, or within 300 feet of areas designated as Mineral Resource
Lands, be subject to disclosure practices in the in the following Whatcom County Code provisions, adopted herein by reference:

a. WCC 20.40.662 Use of Natural Resources, Agriculture District;
b. WCC 20.42.652 Use of Natural Resources, Rural Forestry District;
c. WCC 20.43.662 Use of Natural Resources, Commercial Forestry District;
d. WCC 14.02 Right to Farm;
e. WCC 14.04 Right to Practice Forestry;

Policy 2DD-3: Encourage property owners to conserve forested areas, agricultural land, and open space by utilizing current-use taxation provisions (RCW 84.34).

Policy 2DD-4: Conserve open space, park land, and trails for recreational use, as well as to protect essential habitat such as riparian areas and wetlands.

Policy 2DD-5: Use an "Agriculture Protection Overlay Zone" designation in certain Rural zoned areas as a way to help achieve the goal of conserving and enhancing Whatcom County’s agricultural land base.

Policy 2DD-6: In the "Agriculture Protection Overlay Zone" on parcels 20 acres and larger with Rural 5 acre and Rural 10 acre zoning, require non-agriculturally related development to be clustered where it would not create more conflicts with accepted agricultural practices, on a maximum of 25 percent of the available land with the remainder available for open space and agricultural uses. Development standards shall provide flexibility to achieve development potential in cases of natural limitations.

Policy 2DD-7: Maintain the historic character and cultural roles of each rural area and community.

Policy 2DD-8: Allow more intensive uses in limited areas of more intensive rural development designated consistent with RCW 36.70A.070(5)(d), which provide public and commercial services and employment opportunities. Reduce the inappropriate conversion of undeveloped land into sprawling, low density development in the rural area by establishing clearly defined boundaries for these areas as well as criteria for creating or
Policy 2DD-9:  
Assure economic prosperity for rural areas and allow rural property owners reasonable use of their land by continuing to allow legal nonconforming uses.

Policy 2DD-10:  
Adopt incentive programs, such as purchase of development rights, transfer of development rights, and tax deferrals, to achieve desired land use policies in rural areas and in areas where there are compelling reasons to do so.

Rural Services

Development in rural areas should not receive urban levels of service except where necessary to protect public health, safety, and the environment. Services should be coordinated to ensure that rural areas receive appropriate services including law enforcement protection, fire protection, and emergency services. The Whatcom County Public Works Department maintains county roads. Most of the residential development in rural areas uses individual on-site septic systems. Some drinking water is provided by on-site wells and in other cases it is provided by water districts or water associations.

Goal 2EE:  
Ensure that rural areas are provided with services consistent with the rural character and that development patterns do not encourage an increased service level or degrade water quality.

Policy 2EE-1:  
Recognize domestic water systems, volunteer fire protection, emergency services, law enforcement protection, transportation, public transit services and public utilities typically associated with rural development as appropriate services in designated rural areas. Rural services do not include storm or sanitary sewers.

Policy 2EE-2:  
Coordinate and plan public facilities, services, roads, and utilities to ensure that rural areas have appropriate and adequate rural levels of service necessary to maintain a rural lifestyle. Coordinate with rural service providers to ensure efficient and effective service to rural areas.

Policy 2EE-3:  
Pursue measures through which new development would help pay for increased demands on critical rural services such as fire and emergency service.
Policy 2EE-4: Prohibit extension or expansion of municipal public sewer systems outside urban growth areas or LAMIRDs except where it is necessary to protect public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development.

Policy 2EE-5: Ensure that adequate on-site wells and on-site sewage and septic systems are properly installed, monitored, and maintained. Provide technical assistance to property owners, and require necessary improvements when needed to protect health, safety and environmental quality.

Policy 2EE-6: Promote better land use practices and protect water quality by encouraging landowners and developers to investigate and implement innovative subdivision, septic system designs, and stormwater management.

Policy 2EE-7: Ensure county coordination with service providers to determine if new or infill development will have necessary services. Require concurrent review of new development to ensure adequate level of service at rural standards are available at the time of development.

Policy 2EE-8: Public services and public facilities necessary for rural commercial and industrial uses shall be provided in a manner that does not permit low-density sprawl. Uses may utilize urban services that previously have been made available to the site.

**Rural Employment Opportunities**

Many residents in rural Whatcom County depend on cottage industries, home occupations, small businesses, and natural resource-based jobs for their livelihood. These types of businesses support the local economy and are compatible with the rural lifestyle desired by county residents.

Commercial and industrial uses located within Rural Communities, Rural Tourism, and Rural Business areas are also important contributors to the local economy, providing jobs and services to rural residents.

**Goal 2FF:** Provide employment opportunities in the rural parts of Whatcom County.

**Policy 2FF-1:** Support small businesses, cottage industries, home occupations, resource-based, tourist, recreational, and other appropriate industries in the rural areas of Whatcom County. New rural commercial and industrial uses that are more intensive than
those permitted within rural zones as home occupations or
cottage industries should be located within designated Rural
Communities and Rural Business areas.

Policy 2FF-2: Support resource-based industries that require only rural
services, conserve the natural resource land base, and help
maintain the rural character and lifestyle of the community.
Assure adequate facilities, mitigation and buffers through
development regulations.

Policy 2FF-3: Ensure that business operations do not adversely impact
adjacent residential, agricultural or forest land, or compromise
water quality and quantity.

Policy 2FF-4: Allow home-based occupations, cottage industries and small-
scale tourist and recreational uses throughout the rural area
provided they do not adversely affect the surrounding
residential uses, agricultural uses, forestry uses, or rural
character.

Rural Lands—Land Use

Rural Designation

Lands outside the County’s urban and resource areas include a variety of uses and
densities. Traditionally, Whatcom County’s rural areas have been characterized by a
spectrum of uses ranging from farms and large-lot residential areas to recreational
communities and small towns. The more intensive uses in that spectrum
(commercial/industrial areas and residential areas with densities greater than one
unit per five acres) are contained within the boundaries of Rural Community, Rural
Tourism, or Rural Business designations (LAMIRDs) and Neighborhood designations.
The remainder of the rural areas are designated Rural and contain traditional rural
residential and farm uses as well as small home-based and conditionally-permitted
businesses. The rural character of the lands designated as Rural should not be
compromised by the encroachment of more intensive development. Commercial
and industrial uses in the rural areas not contained within a Rural Community
designation must meet GMA criteria for small-scale tourism or isolated business
uses (RCW 36.70A.070(5)(d)(ii) and (iii).

Portions of the rural area that historically contain larger lots have been zoned for
densities of one dwelling per ten acres. These areas provide for a variety of
densities important to the rural character and shall be retained. Rezones from R10A
to allow higher densities are limited to those R10A areas that are adjacent to
established higher densities.
Goal 2GG: Designate Rural areas to contain a variety of uses and densities while retaining their traditional rural character.

Policy 2GG-1: Provide a variety of residential choices at rural densities which are compatible with the character of each of the rural areas.

Policy 2GG-2: The Rural designation includes areas of traditional rural uses and gross residential densities at or below one unit per five acres. To reduce the inappropriate conversion of undeveloped land into sprawling, low density development in the rural area, more intensive development shall be contained within Rural Community, Rural Tourism, or Rural Business designations, which are limited areas of more intensive rural development (LAMIRDs), and predominantly residential areas with established densities greater than one unit per five acres shall be contained in Rural Neighborhood designations.

Policy 2GG-3: Uses and densities within the Rural designation should reflect established rural character. Rezones within the Rural designation should be consistent with the established rural character and densities. Land in the R10A district may be rezoned to a rural zone that allows a higher density only if:

A. Residential density (the average size of parcels that contained a residence as of January 1, 2013) within 500 feet of the area to be rezoned is less than 7.5 acres.
B. The proposed rezoning area is not in a designated urban growth area reserve, and
C. The proposed rezoning area is not within an area designated as a rural study area in the 2007 Rural Land Study accepted by the County in Resolution 2009-040.

Policy 2GG-4: Minimize potential conflicts of rural residential development near designated natural resource lands to prevent adverse impacts on resource land uses.

Policy 2GG-5: Provide landowners with incentives and options to develop their property at densities that may be less than the underlying zone, when necessary to protect critical areas and high-value resource lands.

Policy 2GG-6: Ensure that flexible development patterns such as cluster subdivisions effectively preserve open space and agricultural land and do not create the need for more intensive rural services.
Policy 2GG-7: Development within Rural designations shall be consistent with rural character as described in this chapter.

**Limited Areas of More Intensive Rural Development (LAMIRDs)**

RCW 36.70A.070(5)(d)(i) through (iii) allows counties to designate limited areas of more intensive development (LAMIRDs) for three types of development patterns in the rural areas:

- **Type I:** "Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas..." Existing development is defined as that which existed on July 1, 1990.

- **Type II:** "The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those...uses, that rely on a rural location and setting..."

- **Type III:** "The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents..."

Areas designated in this plan as Rural Communities are Type I LAMIRDs. Rural Tourism designations are Type II LAMIRDs and Rural Business designations are Type III LAMIRDs.

The purpose of LAMIRDs is to place limits on more intensive development and prevent it from adversely affecting the character of the surrounding rural areas. Rural Communities (Type I LAMIRDs) are areas characterized by more intensive uses at the time Whatcom County began planning under GMA. Rural Tourism designations (Type II LAMIRDS) apply to lots that contain small-scale tourist uses. Rural Business designations apply to lots that contain isolated small-scale business. The criteria listed under Goal 2HH were used to designate Rural Communities and Rural Business areas (the Type I and Type III LAMIRDS) in 2010 and should be used to establish future Rural Tourism and Rural Business designations (Type II and III LAMIRDs) and to evaluate future proposed modifications to Rural Community, Rural Tourism, and Rural Business designations (Type I, II, and III LAMIRDs).

**Goal 2HH:** Establish LAMIRD Designation Criteria

Policy 2HH-1: Rural Community (Type I LAMIRD) designation criteria

A. Location Criteria. Rural Communities may be designated in an area that:
1. Was characterized by existing development more intensive than surrounding rural areas (residential or non-residential) as of July 1, 1990, and
2. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and

B. Additional Location Criteria. The following may serve as additional criteria for Rural Community designation (relative to the specific circumstances of the area, and in combination with each other):
1. The existing (1990) residential built environment was more intensively developed than surrounding areas;
2. Public services are available to serve potential infill, such as adequate potable water and fire protection, transportation facilities, sewage disposal and stormwater control; or
3. The area is planned for more intensive development in a post-GMA local subarea plan.
4. Existing zoning prior to designation as a Rural Community, except existing zoning may not be a sole criterion for designation.

C. Outer Boundary Criteria. For land meeting the criteria described in A and B above, Rural Community boundaries must minimize and contain areas of intensive development and be delineated predominately by the built environment, and shall include:

1. Areas that were intensively developed and characterized by the built environment (including water lines or other utility lines with capacity to serve areas of more intensive uses) on July 1, 1990.
2. Areas that on July 1, 1990 were not intensively developed may be included within Rural Community boundaries if they meet any of the following conditions:
   a. Including the area helps preserve the character of an existing (built) natural neighborhood;
   b. Including the area allows the logical outer boundary to follow a physical boundary such as bodies of water, streets and highways, and land forms and contours;
   c. Including the area (or in limited cases, a portion of the parcel) prevents the logical outer boundary from being abnormally irregular;
d. Including the area is consistent with efficient provision of public facilities and services in a manner that does not permit low-density sprawl;
e. Including the area does not create a new pattern of low-density sprawl.

Policy 2HH-2: Rural Tourism (Type II LAMIRD) designation criteria

A. Location Criteria. Rural Tourism may be designated on land that:

1. Consists of one lot, or more than one lot, and
2. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and
3. Is characterized by the intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those uses, that rely on a rural location and setting, but that do not include new residential development, other than a dwelling unit accessory to the business for use by the owner-manager or caretaker.
4. Does not exceed 20 acres.

B. Additional Criteria The following serve as additional criteria for Rural Tourism designation:

1. The area may include pre-existing residential development, but not new (except for dwelling units accessory to the business for use by the owner-manager or caretaker), and
2. The area may serve more than the local existing & projected rural population, and utility lines with capacity to serve areas of more intensive uses) on July 1, 1990.
3. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl.

Policy 2HH-3: Rural Business (Type III LAMIRD) designation criteria

A. Location Criteria. Rural Business may be designated on land that:
1. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and
2. Consists of a lot or small group of lots that either:

   a. Contain nonresidential uses and is located within a commercial, manufacturing, or industrial zoning district at the time of original county-initiated designation, or
   b. Allow for new development of isolated cottage industries and isolated small scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents.

B. Additional Criteria.

1. A Rural Business designation on a lot or small group of lots containing nonresidential uses shall be separated from other LAMIRD designations, regardless of type, by no less than one-half mile by public road, except where the other LAMIRD is separated by a major physical feature such as a water body, freeway, major road, or other physical feature.

2. In the event that the listed criteria result in the need to choose one proposed designation over another, preference is given to a proposed use that:

   a. Provides the greatest number of job opportunities for rural residents.
   b. Is located at a controlled public road intersection.

Rural Communities

Rural Communities are areas that have historically served as centers of activity and services for surrounding rural areas, or have been established as more intensive rural residential development. In many cases, they are served by public services and facilities, including schools, libraries, post offices, and/or public transportation. These areas are Type I LAMIRDs and include small unincorporated towns and other areas where a concentration of commercial and public uses have been in existence.
since before the adoption of the GMA in 1990. Typically, these are mixed-use areas containing both residential and nonresidential uses developed at a greater intensity than is generally found in outlying rural areas. This more intensive development is contained within the boundaries of the Rural Community designations, preventing the expansion of more intensive uses and densities into the surrounding rural areas. Because undeveloped lots may be included within Rural Community boundaries, infill development is possible, but at an intensity consistent with the development that existed in 1990.

Areas designated as Rural Communities are: Acme, Axton & Guide Meridian, Birch Bay-Lynden & Valley View, Cain Lake, Custer, Deming, Diablo, Emerald Lake, Glacier, Hinotes Corner, Kendall, Lake Samish, Laurel, Lummi Peninsula, Maple Falls, Newhalem, Nugents Corner, Point Roberts, Pole & Guide Meridian, Sandy Point/Sandy Point Heights, Smith & Guide Meridian, Sudden Valley, Van Wyck, and Wiser Lake.

**Goal 2JJ:** Designate areas of more intensive rural development that existed on July 1, 1990 as Rural Communities.

**Policy 2JJ-1:** Areas designated as Rural Communities shall meet the criteria stated in this chapter and the requirements of RCW 36.70A.070(5)(d)(i), which describes limited areas of more intensive rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, including necessary public facilities and public services to serve the limited area.

**Policy 2JJ-2:** Boundaries of Rural Communities shall meet the criteria stated in this chapter, and the requirements of RCW 36.70A.070(5)(d)(iv), which requires limited areas of more intensive rural development to be clearly identifiable and contained within a logical outer boundary delineated predominately by the built environment as it existed on July 1, 1990.

**Policy 2JJ-3:** Additional Rural Communities shall not be designated, nor shall boundaries of Rural Communities be changed unless the area of the proposed addition meets the criteria stated in this chapter, and requirements of RCW 36.70A.070(5)(d). Designated Resource Lands should not be redesignated as Rural Communities.

**Policy 2JJ-4:** Within the Rural Communities, encourage adequate economic development to provide current and future residents' employment needs, and provide rural residents places to shop, eat, and access to public services.
Policy 2JJ-5: Within Rural Communities development or redevelopment in terms of size, scale, use, or intensity shall be consistent with the character of the area on July 1, 1990.

Policy 2JJ-6: Lands inside Rural Community designation boundaries that are within low-density residential zones (one residence per five acres or less density) or resource zones, or are federally owned, should not be re-zoned to allow more intensive uses and densities.

Policy 2JJ-7: Land uses within Rural Communities, except for industrial uses, should be principally designed to serve the existing and projected rural population.

Policy 2JJ-8: Encourage future public participation activities to develop additional planning goals and policies specific to residents' needs and preferences in individual Rural Communities.

Rural Tourism

Whatcom County’s scenic rural areas are enjoyed by residents and tourist alike. Small scale recreation or tourist uses that rely on a rural setting provide income opportunities for rural residents and contribute to the local economy. GMA allows counties to designate new Type II LAMIRDs for new small-scale recreation and tourist uses. The Rural Tourism designation limits and contains such uses, which can be more intensive than surrounding rural uses.

Goal 2KK: Provide opportunities for small-scale recreational or tourist uses in rural areas.

Policy 2KK-1: Lands designated for Rural Tourism shall meet the criteria stated in this chapter, and the requirements of RCW 36.70A.070(5)(d)(ii), which describes limited areas of more intensive rural development consisting of the intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those uses, that rely on a rural location and setting, but that do not include new residential development (other than a dwelling unit accessory to the business for use by the owner-manager or caretaker).

Policy 2KK-2: Designated Resource Lands shall not be redesignated as Rural Tourism.
Rural Business

Many businesses have been established in commercial and industrial zones outside of Rural Community areas. These uses, which are more intensive than those found in surrounding rural areas, provide commercial services and job opportunities for rural residents. The Rural Business designation permits uses to continue while preventing the spread of businesses in sprawl development patterns.

GMA allows counties to designate new Type III LAMIRDs for new isolated small-scale businesses. To ensure that these uses remain isolated and do not lead to strip development, criteria for Rural Business designation include spacing requirements from other Rural Business designations as well as Rural Communities.

The areas designated Rural Business under Type III guidelines are: Birch Bay-Lynden & I-5, Blue Canyon, Guide Meridian Border Crossing, North Lake Samish & I-5, Slater & Elder, Van Zandt, and Welcome.

Goal 2LL: Designate Rural Business areas to limit and contain nonresidential uses.

Policy 2LL-1: All lands designated Rural Business shall meet the Rural Business designation criteria stated in this chapter, and the requirements of RCW 36.70A.070(5)(d)(iii), which describes limited areas of more intensive rural development consisting of the intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses.

Policy 2LL-2: On lots in a Rural Business area where businesses did not exist on July 1, 2012, the new businesses shall be “small-scale” as described in the development regulations. On lots where businesses existed on July 1, 2012, development regulations should not hold the business to a “small-scale” standard.

Policy 2LL-3: Uses in the Rural Business designation need not be principally designed to serve the existing and projected rural population and nonresidential uses, but provide job opportunities for rural residents.

Policy 2LL-4: Designated Resource Lands shall not be redesignated as Rural Business.
Rural Neighborhoods

The GMA does not set a maximum allowed residential density for rural areas. A large majority of the lands designated as Rural are zoned for one residence per five or ten acres, however, a small proportion has been developed under a zoning that allows densities greater than one dwelling per five acres where public water service is available. These areas have their own unique rural character (as compared with the higher densities contained within LAMIRDs) and they serve to provide a needed variety of rural densities. However, it is important to maintain the character of the more traditional rural areas and prevent expansion of these areas of higher rural densities beyond their traditional limits.

This plan recognizes the unique qualities of these established Rural Neighborhoods and contains them within boundaries that reflect the extent of these areas in 2011. Unlike the Rural Communities, these areas are not LAMIRDs.

GOAL 2MM: Designate Rural Neighborhoods to recognize and contain rural areas that have been established with predominantly residential uses with higher densities than surrounding rural areas.

Policy 2MM-1: Areas zoned for densities greater than one dwelling per five acres shall be contained within Rural Neighborhood boundaries. Rural Neighborhood boundaries shall not be expanded beyond those established in 2012, which were drawn to include areas that were developed at higher rural densities in 2011.

Policy 2MM-2: In the Whatcom County Code, the Rural and Rural Residential zoning districts may include Rural Residential Density Overlays that may be applied to areas within the Rural Neighborhood designation where higher density rural residential development has already occurred. The overlay should allow for infill development with lot sizes consistent with those of surrounding lots, where public water service is available. The overlay shall limit eligibility of lots based on the percentage of surrounding lots that were developed in 2011, and shall establish a maximum density that may be achieved using the overlay. The Rural Residential Density Overlays shall not be created or expanded outside of Rural Neighborhoods or into areas where higher density rural development has not occurred; such expansion is not consistent with maintaining the traditional character of the surrounding rural areas.

Policy 2MM-3: Rural Neighborhoods are designated adjacent to Urban Growth Areas only in areas where developed densities exceeded one
dwellings per 2.5 acres in 2011, and there is little potential for efficient urban development in the future.

Policy 2MM-4: Urban governmental services shall not be extended into a Rural Neighborhood unless such extensions are shown to be necessary to protect basic public health and safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development.

Urban Growth Area Reserves

The Whatcom County Comprehensive Plan Land Use Map includes the designation of Urban Growth Area Reserves. Urban Growth Area Reserves means a land use designation that may be applied to those areas which are adjacent and contiguous to either incorporated or unincorporated Urban Growth Areas which appear to be suitable for future inclusion in the respective Urban Growth Area. The purpose of the Urban Growth Area Reserve varies by urban area. Expansion of urban growth into the Reserve area may occur if criteria are met.

Upon establishing an Urban Growth Area Reserve, Whatcom County will establish land use controls intended to reserve the area for future urban densities and development by limiting the potential of the properties to be developed with incompatible uses, densities, or public facilities which would interfere with the likely expansion of urban development in the future. Properties in these areas should generally have land use designations of no more than one unit per ten acres, and uses such as agriculture, forestry, conservation, and low density residential development, may be encouraged provided that the continuation of such uses may not be a basis for preventing future expansion of the Urban Growth Area to the Urban Growth Area Reserve.

General criteria for transferring properties from the Urban Growth Area Reserve to the Urban Growth Area are set forth below:

1. Need for Land Capacity. The need for additional land is necessary to accommodate projected urban growth, as documented in a land capacity analysis due to growth higher than allocated to the urban area or less land capacity than analyzed. A transfer from Urban Growth Area Reserve to Urban Growth Area will not be allowed which would provide capacity to accommodate substantially more than 20 years of urban growth. Additional consideration can be made regarding the mix of housing and employment opportunities that are required to serve the Urban Growth Area which could be accommodated in the Urban Growth Area Reserve and which cannot be accommodated within the Urban Growth Area.

2. Adequate Public Facilities and Services. There are plans and capacity to serve the areas with urban governmental services as set forth in the Growth
Management Act. There is no requirement to extend these services prior to transferring the area from Urban Growth Area Reserve to Urban Growth Area, but the Capital Facility Plans must document the capacity and plans to serve at urban levels of service within the 20-year planning period.

3. **Land Use Plans.** The respective city, or county for unincorporated Urban Growth Areas, have comprehensive plans and land use regulations in place to allow for the transition from Urban Growth Area Reserve to Urban Growth Area. The respective jurisdiction will also have in place development regulations that ensure urban densities are achieved within the existing Urban Growth Area. Urban Growth Area Reserves should be jointly planned between Whatcom County and the respective city.

4. **Natural Resource Lands.** Expansion into the Urban Growth Area Reserve will not allow uses that are incompatible with adjoining natural resource lands unless mitigated through buffers, increased setbacks or other measures as necessary to maintain the productivity of the adjacent resource lands. If the expansion is into lands zoned Agricultural, the city and county shall have an interlocal agreement or regulations in place that implement a program that outlines the respective roles in protecting at least 100,000 acres of agricultural land in Whatcom County.

5. **Environment.** Land use regulations are in place to ensure protection of the environment and sensitive watersheds.

6. **Open Space Corridors.** Continued provisions are made for open space corridors within and between Urban Growth Areas where not otherwise precluded by previous development patterns.

Below are issues, established by urban area that must be addressed in order to authorize areas to be re-designated from Urban Growth Area Reserve to Urban Growth Area.

**Bellingham Urban Area**

The south Yew St. and the south Caitac areas have been designated as Urban Growth Area Reserves. Prior to re-designating the south Yew St. area to UGA, need for additional land capacity must be demonstrated, planning for adequate public facilities and services must be completed, and potential impacts on Lake Padden water quality must be addressed. Prior to re-designating the south Caitac area to UGA, need for additional land capacity must be demonstrated and planning for adequate public facilities and services must be completed.
Lake Padden is considered a sensitive water body because it is designated as impaired by pollution under Clean Water Act standards [303(d) Category 5 Waters]. This area has also not demonstrated the ability to provide adequate public facilities and services within the twenty year planning period. The portion of the Lake Padden Watershed that was previously designated as an Urban Growth Area is designated as an Urban Growth Area Reserve. The Urban Growth Area Reserve should be jointly planned with the city and county in conjunction with Urban Growth Area plans.

Reason for change: The County Planning Commission recommended adding the Yew St. area referenced above (and the south Caltac area) to the Bellingham UGA on October 22, 2015.

Birch Bay Urban Area

There are no areas proposed for Urban Growth Area Reserve adjacent to the Birch Bay Urban Growth Area.

The Birch Bay Community Plan adopted in 2004 used a high growth forecast that does not appear to be warranted over the new twenty year planning period. The community is currently working on a planning process (Birch Bay Watershed Characterization) to identify areas most suitable for development. A portion of the Urban Growth Area along Blaine Road not needed for the growth allocation but within a logical urban boundary is designated as an Urban Growth Area Reserve.

Reason for change: The County has proposed re-designating the UGA Reserve to UGA.

Blaine Urban Area

There are no areas proposed for Urban Growth Area Reserve adjacent to the Blaine Urban Growth Area.

Cherry Point Urban Area

There are no areas proposed for Urban Growth Area Reserve adjacent to the Cherry Point Industrial Urban Growth Area.

Columbia Valley Urban Area

An area on the west side of the UGA has been placed into an Urban Growth Area Reserve. This area is within lands designated as geologically hazardous, and suitability for urban development has not yet been demonstrated.

Everson Urban Area
Land to the north of Everson along Trap Line Road is designated as Urban Growth Area Reserves. This area was previously designated as agricultural lands of long-term commercial significance. The Everson UGA has been reduced in other areas and those lands were put into agricultural lands of long-term commercial significance, thus not causing a reduction in the resource land designations in the Everson area. Holding this area in an Urban Growth Area Reserve through the year 2012 will allow the opportunity for Whatcom County and the City of Everson to work on strategies and plans to ensure protection of at least 100,000 acres of agricultural land in Whatcom County, including acquisition of development rights consistent with WCC 2.160.080(5). The Urban Growth Area Reserve should be jointly planned with the city and county in conjunction with Urban Growth Area plans.

Reason for change: The 100,000 acre goal is already addressed in the general criteria for transferring properties from the Urban Growth Area Reserve to the Urban Growth Area.

Ferndale Urban Area

Lands in the vicinity of Enterprise Rd. and Slater Rd. have been designated as Urban Growth Area Reserves for future employment growth at the request of the City of Ferndale. A portion of the Enterprise UGA Reserve on the northeast side of the Ferndale Urban Growth Areas is within the Drayton Harbor Watershed. The City may utilize this area as a corridor to provide utilities to the Grandview area. The Slater Urban Growth Area Reserve, on the southeast side of Ferndale, is adjacent to and abuts the Bellingham UGA and consultation with the City of Bellingham will be required before this area is designated as Ferndale UGA. Both the Enterprise and Slater Urban Growth Area Reserves includes existing rural and residential uses that must be considered when developing land use plans for these areas. Lands in the Vista/Brown, Thornton, Mtn. View and Douglas Rd. areas have been designated as Urban Growth Area Reserves for future residential growth. These Reserves are logical areas for the city to grow and should be jointly planned with the city and county in conjunction with Urban Growth Area plans.

Lynden Urban Area

There are no areas proposed for Urban Growth Area Reserve adjacent to the Lynden Urban Growth Area.

Growth of Lynden is constrained by agricultural lands. In 2003, Whatcom County designated Target Areas for Purchase of Development Rights following consultation with the City of Lynden. Those Target Areas included lands north of Badger Road and west of the Guide Meridian. Lynden has not proposed expansion into those Target Areas. The city has also requested a moderate amount of growth, and has
implemented significantly higher densities in their land-use plans. Capital facility plans have been developed and implemented based on the assumption of a modest growth level.

A portion of the lands west of Double-Ditch Road have been designated as an Urban Growth Area Reserve, instead of Urban Growth Area as requested by the City. Holding this area in an Urban Growth Area Reserve through the year 2012 will allow the opportunity for Whatcom County and the City of Lynden to work on strategies and plans to ensure protection of at least 100,000 acres of agricultural land in Whatcom County. The Urban Growth Area Reserve should be jointly planned with the city and county in conjunction with Urban Growth Area plans.

Reason for change: The City of Lynden has proposed re-designating the UGA Reserve to UGA.

**Nooksack Urban Area**

An area east of the Sumas River and south of Breckenridge Creek has been designated as an Urban Growth Area Reserve. This area is currently used primarily for agricultural uses, and includes lands that may be flooded and exposed to Naturally Occurring Asbestos (NOA) from a natural landslide adjacent to Swift Creek. Holding this area in an Urban Growth Area Reserve will allow the opportunity for Whatcom County and the City of Nooksack to work on strategies and plans to ensure protection of at least 100,000 acres of agricultural land in Whatcom County. This area will be kept in reserve status until the County has determined that development will not expose future residents and employees to unacceptable risk from naturally occurring asbestos. The Urban Growth Area Reserve should be jointly planned with the city and county in conjunction with Urban Growth Area plans.

Reason for change: The 100,000 acre goal is already addressed in the general criteria for transferring properties from the Urban Growth Area Reserve to the Urban Growth Area.

**Sumas Urban Area**

Growth of Sumas is constrained by agricultural lands. Lands in agricultural use on the south end of Sumas along Hovel Road have been designated as an Urban Growth Area Reserve. While there is sufficient land within the city to accommodate projected growth, there is little surplus, and growth outward may become necessary. This area will be kept in reserve status until the County has determined that development will not expose future residents and employees to unacceptable risk from naturally occurring asbestos. The Urban Growth Area Reserve should be jointly planned with the city and county in conjunction with Urban Growth Area plans.
Special Study Areas

Lake Whatcom

Lake Whatcom is the drinking water source for approximately half of Whatcom County. Recent studies on Lake Whatcom indicate water quality in the lake has declined. Oxygen levels in Lake Whatcom are declining to lower levels, and are declining faster than in the past. In 1997, the Washington State Department of Ecology listed Lake Whatcom as an impaired water body and place Lake Whatcom on the Federal Clean Water Act 303(d) list because of low oxygen levels. The 303(d) listing requires the establishment of a Total Maximum Daily Load (TMDL) that designates loading capacity of the lake such that there will be no measurable change in oxygen levels from natural lake conditions. The TMDL goals will require a variety of planning, pollution prevention, pollution reduction and technical approaches. Meeting the TMDL goals will be required in order to stabilize water quality in Lake Whatcom.

A significant cause of declining oxygen levels has been from residential development in the watershed. Past development permitted by the City of Bellingham and Whatcom County has led to increased phosphorus loading into the lake, which in turn has led to lower oxygen levels in the lake. Past poorly managed forest practices may have led to significant increases in phosphorus loading to the lake.

In November/December 1992, a joint resolution was passed by the Bellingham City Council, Whatcom County Council, and Water District 10 Commissioners, which reaffirmed this position with six general goal statements and a set of specific goal statements in various categories. The specific goal statements for urbanization were the following:

- Prevent water quality degradation associated with development within the watershed;
- Review and recommend changes in zoning and development potential that are compatible with a drinking water reservoir environment;
- In addition to zoning identify and promote other actions to minimize potential for increased development in the watershed (i.e. land trust, development rights, cost incentives, etc.);
- Develop specific standards which reduce the impacts of urbanization, such as minimal lot clearing; clustered development to reduce infrastructure; collection and treatment of stormwater before entering the lake;
- Develop appropriate interlocal agreements with governing agencies to prohibit the potential for additional development once an agreed upon level is set.

The joint resolution included goals for watershed management that extended beyond urbanization. Goals were included for stormwater management, on-site waste systems, conservation, forest management, spill response, hazardous materials transport and handling, data/information management, education/public...
involvement, and other topics. A joint strategy was agreed to for developing specific plans to meet the adopted goals. Eight high priority goals were selected first and plans have been completed and jointly adopted for each of the goals.

In 1998, the City, County, and District 10 formalized their joint commitment to protect and manage the lake through the joint adoption of an interlocal agreement and allocation of funding toward protection and management efforts in the watershed. A five-year program plan was developed for ten program areas. Specific priority was placed on activities related to watershed ownership, stormwater management, and urbanization/land development.

The watershed contains four developed areas: the City of Bellingham, which straddles the upper portion of the northern most basin of the lake; Geneva, which is immediately south and east of Bellingham’s city limits and is part of the city’s urban growth area; Hillsdale, which is immediately north and east of Bellingham’s city limits and is also part of the city’s urban growth areas; and the Sudden Valley Rural Community. In addition, it includes a variety of other zones, including resource, rural, and residential rural zones. Over 75% of the watershed is in Forestry zoning and more than 73% of the current land use is forestry.

In 2003, there were approximately 2,730 existing dwelling units in the Lake Whatcom watershed located outside of the Bellingham UGA. Under the zoning adopted in January 2004, the gross potential build-out in this area is about 6,507 total dwelling units. Therefore, even under the more restrictive zoning adopted in January of 2004, there could be a significant amount of new development in the watershed.

Water and sewer service are provided by Water District 10. Capacity problems in the district’s sewer line, which serves Geneva and Sudden Valley, have caused overflows into the lake in the past. An aggressive program to preclude stormwater infiltration has eliminated the overflow problems to a large extent. In addition, the district has a contractually limited flow capacity to Bellingham. The Lake Louise Road sewage interceptor was constructed in January 2003 to carry waste water from Sudden Valley and Geneva and serves as a complement to the Lake Whatcom Boulevard trunk line. The interceptor was designed to service full build-out of Sudden Valley and Geneva.

There are several pending subdivisions in the area which are being proposed at less than full density but which will increase the overall development level outside of urban areas to a significant degree.

In 2006 the Whatcom County Council approved funding to study reconveyance of DNR managed County Forest Board Lands.

In 2004, the Department of Natural Resources (DNR) Board on Natural Resources adopted the Lake Whatcom Landscape Plan. This plan provides additional

Whatcom County Comprehensive Plan 2-109
protections on state-managed lands within the Lake Whatcom watershed. The plan provides additional protections on streams and potentially unstable slopes not normally included in forest practices in Washington State. If the DNR exchanges land from the watershed the protections provided by the plan would not be applicable to the new owner. Chapter 11: Environment, contains more discussion of Lake Whatcom issues and includes additional goals and policies related to watershed management, stormwater, and water quality.

Goal 2MM: Prioritize the Lake Whatcom area as an area to minimize development, repair existing storm water problems, specifically for phosphorus, and ensure forestry practices do not negatively impact water quality. Provide sufficient funding and support to be successful.

Policy 2MM-1: Work with property owners to find acceptable development solutions at lower overall densities than the present zoning allows.

Policy 2MM-2: Develop a storm drainage utility district or other funding mechanism to deal with the unique problems of development in a drinking water watershed.

Policy 2MM-3: Recognize that all users of Lake Whatcom water have an interest in the resource and should share in the cost of its protection.

Policy 2MM-4: Work cooperatively with the City and Water District 10 to identify, review, and, as appropriate, recommend changes to existing monitoring programs that will address the needs of the various jurisdictions. Place a particular focus on the information needed to evaluate the impacts of additional development in the watershed. Include an analysis of the diversion from the Middle Fork of the Nooksack. Coordinate effort with the Lake Whatcom Management Committee process.

Policy 2MM-5: Evaluate and pursue, as appropriate, the use of incentives to encourage voluntary lot consolidation, transfer or purchase of development rights, current use taxation, and participation in open space conservation programs.

Policy 2MM-6: Do not allow density bonuses within the Lake Whatcom Watershed.

Policy 2MM-7: Work cooperatively with the City and Water District 10 to develop benchmarks to determine the effectiveness of management options; when goals have been achieved; or when additional actions are necessary.
Policy 2MM-8: Continue to develop and refine structural and non-structural best management practices (BMPs), both voluntary and required, to minimize development impacts within the Lake Whatcom watershed.

Policy 2MM-9: Work to keep Whatcom County Forest Board and Forest Purchase lands within the Lake Whatcom watershed in public ownership, and support managing forestry on said lands in a manner that minimizes sediment and phosphorus yields from streams.

Policy 2MM-10: Encourage the location of public services such as schools, libraries, and post offices, within Rural Communities that would likely reduce the vehicle miles traveled within the watershed.

Reason for change: The Lake Whatcom text, goals and policies have been modified and moved to Chapter 11.

Private Parcels Surrounded by National Park or National Forest

There are a number of private parcels in Whatcom County which are completely surrounded by National Forest and National Park land. Some of these have houses built on them, primarily for seasonal use, but most represent mining patents and are used, or have been used, only for mining. The majority of these parcels are located in the Mt. Baker area or the Slate Creek area near the eastern border of the county with their access primarily by Forest Service roads.

When interim zoning was established for Whatcom County in 1972, these parcels along with a majority of the rest of the county were zoned general protection (GP). This zoning allows single-family houses on one-acre lots and a multitude of other uses mostly subject to the conditional use process. As final zoning has been established around the county as part of the subarea planning process, only these exclave parcels and the Lummi Reservation remain under interim zoning.

Reason for change: Interim zoning was replaced with the new Title 20 zoning for these areas in 1999.

Goal: 2NN: Continue to recognize private parcels surrounded by National Park or National Forest as part of Whatcom County's jurisdiction.

Policy 2NN-1: Increase the potential for land exchanges, and other voluntary mechanisms, in order to reduce the checkerboard ownership and jurisdictional patterns within eastern Whatcom County.
Subdivisions on the Lummi Reservation

There are over 2,000 at least 2,086 parcels on the Lummi Reservation, many of which are owned by non-Indians. As Federal policy has changed and tribal lands have been allowed to be removed from trust to fee status, state and county regulations have become applicable. The County has made efforts to work closely with local tribes on land use directions. The requirements of the Growth Management Act cannot be applicable to reservation trust lands, even when a checkerboard pattern has developed. It is the full intent of this County, when possible, to continue working cooperatively with area tribes on land use, watershed planning, utility planning and the coordinated water system plan. Most platted areas have sewer, which is provided by the Lummi Sewer District.

Goal 2PP: Seek resolutions that satisfy the requirements of Growth Management, the needs of the non-tribal residents and the goals of the Lummi Nation.

Policy 2PP-1: Work with the residents and the Lummi Nation to establish adequate water and sewer for the existing platted lots.

Policy 2PP-2: Whatcom County will administer land use policy on fee lands and prohibit discriminatory land use practices.
Comprehensive Plan Designations Map

The Comprehensive Plan designations map (Map 2-18) is intended to provide direction for future land use decisions in Whatcom County. It is officially adopted as part of this document. Because of the scale of the map, specific boundaries are identified on maps in the County Planning and Development Services office.

These descriptors are intended to be general in nature. More specific criteria and explanation may be incorporated into comprehensive plan chapters or subarea plans.

Title: Urban Growth Areas

Purpose: To denote where future urban growth may occur.

Definition: Areas characterized by urban growth that have adequate existing public facility and service capacities; areas characterized by urban growth that can be served adequately by a combination of both existing public facilities and any additional public facilities and services that are provided by either public or private sources; and lands adjacent to areas characterized by urban growth.

Locational Criteria: First urban growth may be located on lands characterized by urban growth that have adequate existing public facility and service capacities; next urban growth may be located on lands characterized by urban growth that can be served adequately by a combination of both existing public facilities and services and any additional public facilities and services that are provided by either public or private sources; and finally urban growth may be located on lands adjacent to areas characterized by urban growth.

Title: Urban Growth Area Reserve

Purpose: To denote lands which appear to be suitable for future inclusion in an adjacent and contiguous Urban Growth Area when the need arises and adequate public facilities and services can be provided, and other issues identified in the comprehensive plan are addressed.

Definition: Areas that are not yet suited for urban growth but are logical areas in which the urban area would likely grow beyond current growth allocations after being properly designated as an Urban Growth Area.
Locational Criteria: Areas adjacent and contiguous to Urban Growth Areas in which urban development would likely occur beyond current growth allocations.

Title: **Major Industrial Area / Port Industrial - Urban Growth Areas**

Purpose: To reserve appropriate areas to attract heavy industrial manufacturing uses and provide employment opportunities while minimizing land use conflicts and off-site impacts.

Definition: Land area for large-scale heavy industry that has a high impact on the surrounding neighborhood and environment.

Locational Criteria: Industry should be located in areas adequate for its use away from residential centers, but within reasonable commuting distance; near transportation facilities and services.

Title: **Master Planned Resort**

Purpose: To recognize and contain resort areas that existed on July 1, 1990, or permit new master planned resort areas that depend on a setting of significant natural amenities.

Definition: Historic or new resort planned development that is self-contained and fully integrated, in a setting of significant natural amenities, with primary focus on destination resort facilities consisting of short-term visitor accommodations associated with a range of developed on-site indoor or outdoor recreational facilities.

Reason for change: Planned unit developments are only allowed within UGAs (WCC 20.85.020), and not within Rural areas.

Locational Criteria: Resorts may be located in urban or rural areas within a setting of significant natural amenities.

Title: **Rural Community (Type I LAMIRD)**

Purpose: To recognize rural development consisting of the infill, development, or redevelopment of commercial, industrial, residential, or mixed uses areas that existed on July 1, 1990 and limit and contain more intensive rural land uses within logical outer boundaries.
Policies on the definition and locational criteria for Rural Communities are found under Goals 2HH and 2JJ in this chapter.

**Title:** Rural Tourism (Type II LAMIRD)

**Purpose:** To recognize small-scale recreational or tourist uses in rural areas, and to limit and contain more intensive rural development on those lots.

Policies on the definition and locational criteria for Rural Tourism designations are found under Goals 2HH and 2KK in this chapter.

**Title:** Rural Business (Type III LAMIRD)

**Purpose:** To recognize development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses, to limit and contain more intensive development on those lots.

Policies on the definition and locational criteria for Rural Business designations are found under Goals 2HH and 2LL in this chapter.

**Title:** Rural Neighborhood

**Purpose:** To recognize and contain rural areas that have been established with predominantly residential uses with higher densities than surrounding rural areas.

Policies on the definition and locational criteria for Rural Neighborhood designations are found under Goal 2MM in this chapter.

**Title:** Rural

**Purpose:** To provide opportunity for a variety of low-density residential development including cluster development with the flexibility to practice farming or forestry, or operate a home occupation or cottage industry; to retain a sense of community. Also to encourage agriculture and forestry activities through the use of incentives.

Policies on the definition and locational criteria for Rural designations are found under Goal 2GG in this chapter.
Title: **Agriculture - Resource Lands**

Purpose: To recognize and promote agriculture in Whatcom County and protect prime agricultural soils and productive agricultural lands from conversion to other uses. To prevent conflicts between residential and agricultural uses.

Definition: Commercial agriculture lands generally located on parcels 40 acres or larger, with one dwelling unit per 40 acres or legal lot of record allowed.

Reason for Change: The Agriculture designation has lots that are smaller than 40 acres. The zoning generally allows a house on an existing legal lot of record.

Locational Criteria: Agriculture designation criteria are set forth in Chapter 8, Resource Lands. Soils identified as prime agricultural soils; large parcels; existing commercial agricultural uses.

Title: **Rural Forestry - Resource Lands**

Purpose: To provide flexibility in use, enabling the landowner to live on the land and practice forestry and forestry-related industry.

Definition: Lands used primarily for growing trees with some low-density residential development.

Locational Criteria: Rural Forestry designation criteria are set forth in Chapter 8, Resource Lands. Lands useful for growing trees for commercial timber production; usually located within public service districts; accessed by private roads built to Whatcom County development standards or public roads; low-density residential development; land parcels generally 20 acres or greater in size; property often in tax deferred status.

Title: **Commercial Forestry - Resource Lands**

Purpose: To provide land base for commercial forestry activities and provide predictability of future land use to forest land owners.

Definition: Land primarily devoted to commercial timber production.

Locational Criteria: Commercial Forestry designation criteria are set forth in Chapter 8, Resource Lands. Land primarily devoted to growing trees for long-term commercial timber production; located outside public service districts such as fire and water; accessed by private or state forest roads; parcels generally 40 acres or larger in size; land in tax deferred status.
Title: Mineral Resource Lands - Resource Lands

Purpose: To ensure a long-term supply of mineral resources and provide predictability in land use.

Definition: Lands of long-term commercial significance for the extraction of minerals.

Locational Criteria: MRL designation criteria are set forth in Chapter 8, Resource Lands. Proven mineral resources of long-term commercial significance, low density rural areas, designated Agricultural lands generally with Non-Prime Farmland Soils and when demonstrated to be of higher value as a mineral resource than as an agricultural resource; and designated Forestry lands of higher value as a mineral resource than as forestry resource.

Title: Public Recreation

Purpose: To provide the public with open space and recreational opportunities; to protect conservation areas.

Definition: Areas with unique scenic or recreational amenities.

Locational Criteria: Parcels owned or managed by public or private agencies for recreational or conservation use.

Title: Special Study Areas

Purpose: To indicate areas where regional planning efforts are a high priority and necessary in order to address important local issues in greater detail.

Definition: Includes the Lake Whatcom Watershed and certain areas within the Lummi Reservation.

Reason for Change: There is no designation on the Whatcom County Comprehensive Plan map called "Special Study Areas."

Open Space

Introduction

Cascade peaks, forested mountains, the Nooksack drainage, farmlands, riparian corridors, lakes, shorelines and islands contain the natural beauty and character of Whatcom County's landscape. This setting contributes greatly to the quality of life enjoyed by county residents who value its elements of environmental quality, scenic beauty and recreational opportunities. Whether thought of as broadly as a
mountain range and the marine waters of the Strait of Georgia, or as narrowly as a
small corridor between two buildings in a town, open spaces are essential
components to the health and well-being of individuals and communities.

Purpose

This section, in keeping with the Growth Management Act, serves to identify and
designate open spaces and open space corridors, and encourage their retention.

Process

This section was originally drafted by Whatcom County Planning Division staff.
Whatcom County and volunteer citizens' committees have already defined and
identified many of the county's unique and important natural areas, open spaces
and corridors, and scenic and natural resource lands. Many of these lands are
included in Whatcom County's Comprehensive Park and Recreation Open Space
Plan (1989) and in Preserving a Way of Life: A Natural Heritage Plan for Whatcom
County (1991). The plans recommend priority lands to include in the county's
general open-space system. Staff reviewed and incorporated existing policies and
recommendations from these documents as well as others such as county subarea
plans, Whatcom County Open Space Policies (1986 Policies, Criteria and Public
Benefit Rating System), and County Wide Planning Policies (1993). These were
excerpted when consistent with the GMA and tailored to information gathered
through the Visioning Process. The first draft was then reviewed by the
Coordinating Committee for consistency with other elements of the draft Whatcom
County Comprehensive Plan and re-drafted.

GMA Requirements

The GMA requires Whatcom County to designate the general location of open space
lands, and to "encourage the retention of open space and development of
recreational opportunities, conserve fish and wildlife habitat, increase access to
natural resource lands and water, and develop parks" (GMA Planning Goal, RCW
36.70A.020 (9)). Map 2-29 shows the distribution of lands currently enrolled under
Whatcom County's open space taxation program (see below).

The act also has a requirement to identify open space corridors within and between
urban growth areas to include "...lands useful for recreation, wildlife habitat, trails,
and connection of critical areas..." (RCW 36.70A.160). This law authorizes the
public purchase of such corridors.

Map 2-310 shows proposed Open Space Corridors for Whatcom County.

Open Space — Background Summary
Whatcom County contains many public open space lands such as county and state parks and state and national forest lands. Whatcom County stewards over 15,000 acres of parkland. Whatcom County Parks and Recreation Department maintains 32 park sites totaling over 4,000 acres. The Washington State Parks Department stewards operate more than 2,400,000 acres of state parks. The Washington State Department of Natural Resources manages stewards over 88,000,000 acres of state forest land in Whatcom County, including two Natural Resource Conservation Areas. These forest lands are generally open to the public for recreational uses, except for seasonal and some special use restrictions. The US Forest Service and the North Cascades National Park manage over 800,000 acres of land in the eastern portion of the county for timber, recreation, wildlife habitat, fisheries production, and wilderness.

Under the provisions of the Open Space Taxation Act (RCW 84.34), Whatcom County may classify will designate as "Open Space" farms, forests, and beneficial open lands upon request by individual land owners when such lands meet adopted criteria and policies. These adopted policies are contained in the policies established in this section. A Public Benefit Rating System that implements the policies rates each application under consideration.

Properties which qualify under the county's Open Space program are granted partial relief from property taxes in exchange for maintaining their land in open space use as defined by state law and county policies. Some open space categories require that a landowner provide public access provisions to the property while other categories do not have this requirement. According to latest Assessor's information, 119,907,112 acres were classified under the County's open space program in 2014. Of the acres, 94% were classified as Open Space Agriculture. Most of the forested areas in Whatcom County, however, are classified as forest lands under RCW 84.33. This law phased out the ad valorem system for taxing timber land. This act was meant to encourage forestry and reforestation of forests for the continued enjoyment of present and future generations. See Map 2-29 for the location of these areas.

With the existence of these areas, it may be hard to believe there is an additional need for open space. Of the open space lands listed above, an estimated 125,000 acres are available near population centers. For privately held open space lands, there can be strong pressures to convert resource lands and rural areas to more urban environments. Additionally, while Whatcom County has more than 130 miles of saltwater shoreline, only about 6% is currently in public ownership and freely accessible to the public. With the county projecting a growing population and expanding development, the opportunity for additional public access is reduced almost every day. According to a November 1993 mail survey analyzed by Hebert Research Incorporated for the Whatcom County Visioning Committee, "Land Use Management/Preservation of Open Space" was the most important issue facing Whatcom County residents over the next twenty years.
Issues, Goals, and Policies

Open Space Areas
Whatcom County residents consider open space and the conservation of farm and timber land to be essential to the quality of life in Whatcom County. As urban growth pressures increase, open space, farms, forests, and shorelines are becoming more valuable to the residents of the county. Loss of open space is perceived by the people of Whatcom County as an adverse impact to the quality of life.

Goal 2QQ: Conserve or enhance important natural, cultural, and scenic resources.

Policy 2QQ-1: Protect and encourage voluntary restoration of streams, stream corridors, wetlands, natural shorelines, fish habitat and aquifers through education and incentive programs. For willing landowners, purchase property or acquire easements for riparian and channel migration zone areas to protect habitat of threatened and endangered species.

Policy 2QQ-2: Protect soil resources.

Policy 2QQ-3: Protect unique or critical wildlife and native plant habitat.

Policy 2QQ-4: Promote conservation principles by example or by offering educational opportunities.

Policy 2QQ-5: Enhance the values of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space lands.

Policy 2QQ-6: Enhance recreation opportunities.

Policy 2QQ-7: Preserve scenic vistas, historic, and archaeological sites.

Open Space Corridors
Retaining open spaces between and within cities and small population centers contributes to the high quality of life in Whatcom County. The need for jurisdictions to coordinate in designating Open Space Corridors in order to preserve the quality of life desired by residents, provide connector trails and public access, protect wildlife habitat, and ensure areas for recreation becomes greater as the population of the county continues to grow and urban areas continue to expand.

Goal 2RR: Identify and protect open space corridors within and between urban growth areas. These corridors should include trails and other lands useful for recreation, while
emphasizing wildlife habitat, and connection of critical areas, where feasible.

Policy 2RR-1: Identify marine, riverine, and other riparian corridors as essential elements of open space corridors.

Policy 2RR-2: Identify contiguous forested landscapes as essential elements of open space corridors.

Policy 2RR-3: Identify tidelands and floodplains as essential elements of open space corridors.

Policy 2RR-4: Identify estuaries, lakes, and rivers as naturally occurring open space corridors.

Policy 2RR-5: Plan greenway corridors within urban growth areas. Ensure development is consistent with these corridors through the permit process and incentive programs.

Policy 2RR-6: Include common open space in which pedestrian and bicycle pathways may be integrated in new developments.

Goal 2SS: Promote coordination among the county, cities, Port of Bellingham, and other appropriate jurisdictions in order to protect linked greenbelts, parks, and open spaces.

Policy 2SS-1: Encourage all jurisdictions to provide adequate neighborhood parks and play areas within safe walking and bicycling distances of residential neighborhoods.

Policy 2SS-2: Link county open space corridors with those of adjacent jurisdictions where viable.

Policy 2SS-3: Encourage separation of urban growth areas through planning, development regulations, open space purchase, conservation easements, and other appropriate mechanisms.

Encouraging Open Space Conservation

A variety of methods act to encourage the retention of open space. These range from regulatory restrictions to incentives and to public purchase. It has been the policy of Whatcom County to create an equitable tax climate for the landowner willing to maintain land as open space, through the use of the Open Space Taxation Act. While the Growth Management Act authorizes the purchase of open space corridors, in many cases incentive-based measures may be more flexible, productive, and desirable.
Public and private conservation organizations such as the Nature Conservancy, the Trust for Public Land, and the Whatcom Land Trust serve important functions such as assisting in negotiating with property owners, providing funding sources, and accepting conservation easements and land donations. Often such organizations can act quickly to provide interim preservation during the time period necessary for government action to occur.

Finally, protection of private property rights has been identified through the Visioning Process as an important issue for Whatcom County residents that needs to be expressed in public policy concerning open space.

**Goal 2TT:** Ensure equity between the public benefit and the private burden while encouraging open space retention.

**Policy 2TT-1:** Retain valuable agriculture and forestry lands by enrollment in Whatcom County’s open space taxation program.

**Policy 2TT-2:** Recognize that some parcels in the open space taxation program, while key components of the open space system, may not be open to the public.

**Policy 2TT-3:** Support the conservation of fish and wildlife habitat through enrollment in Whatcom County’s open space taxation program.

**Policy 2TT-4:** Support the retention of open space and open space corridors through the use of education and incentives, such as purchase or transfer of development rights, density bonuses within UGAs, cluster development, and acquisition of easements.

**Policy 2TT-5:** Avoid inflexible land use regulations by engaging in a proactive program of public investment, landowner incentives, and other actions aimed at preserving open space.

**Policy 2TT-6:** Improve public access to shorelines and other lands using such mechanisms as purchase or transfer of development rights, density bonuses within UGAs, and open space tax status.

**Policy 2TT-7:** Utilize the Conservation Opportunity Matrix developed by the Natural Heritage Task Force in 1990 as a tool for evaluating Evaluate conservation opportunities, comparing conservation alternatives, and developing a list of priority sites.

**Policy 2TT-8:** Make expenditures for public purposes, such as open space, parks or greenbelts, with existing public funds and other sources as appropriate. New local taxes for these purposes should be imposed only upon the vote of the people.
Policy 2TT-9: Support the conservation of unique environmental features through the creative use of cluster subdivisions.

Policy 2TT-10: Support the incorporation of stream greenbelts into subdivision design as common open space and provide incentives for stream buffers greater than those legally required.

Policy 2TT-11: Support the important role of public and private conservation organizations.

Policy 2TT-12: Support public and private land trusts in acquiring conservation easements that provide open space attributes, consistent with the intents of property owners.

Policy 2TT-13: Review the goals of Preserving a Way of Life: A Natural Heritage Plan for Whatcom County, as endorsed by the Whatcom County Council in 1991 and continue to implement those goals which are appropriate, beneficial, consistent with this plan, and within the County's fiscal capabilities.

Policy 2TT-14: Consider an update to Whatcom County Open Space Policies and Criteria and Public Benefit Rating System (as amended in 1995 under Ord. No. 1995-040) to further incentivize voluntary fish and wildlife habitat enhancement and protection on privately owned lands and shorelines.

Open Space Corridors Map

The Open Space Corridors Map (2-310) indicates both areas of interest for acquisition or easements to implement the open space objectives and other areas which will remain private but because of their nature serve as visual or wildlife corridors. This does not imply that all sites will be acquired, nor have their development potential reduced. Property owners may or may not have been contacted regarding potential public access.

Essential Public Facilities

Introduction

Essential public facilities are those facilities that are "typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020" (RCW 36.70A.200, Siting of essential public facilities).
The county has also designated telecommunication towers, water treatment plants, sewer treatment plants, and water storage facilities as essential public facilities.

Reason for change: Regional transit authority facilities as defined in RCW 81.112 were added to the list of essential public facilities by the State legislature in 2010 (Senate Bill 6279). However, regional transit authorities may only be established in two or more contiguous counties each having a population of 400,000 or more (RCW 81.112.030). Therefore, this change to the state statute does not apply to Whatcom County. Instead of adding regional transit authority facilities to the list above, the quotes will simply be removed.

Purpose

This section of the Land Use chapter outlines a recommended—process for identifying essential public facilities, defining locational criteria for such facilities, selecting sites for them, and establishing an appeal mechanism as required by the RCW. The suggested—process emphasizes avoidance of process duplication, considers the long- and short-term impacts of such siting, provides for effective public review and participation, and stresses compatibility with neighboring land uses.

Process

This section was prepared with consideration of information and procedures adopted by other jurisdictions. An Essential Public Facilities Advisory Committee composed of citizen, business, health care and government representatives met in 2001-2002 and recommended modifications to this chapter to refine the process for siting essential public facilities. The original essential public facilities ordinance was adopted in 2004 and has since been amended. The process adapted for use by Whatcom County and recommended herein has been recognized as a model site selection process at the state level.

GMA Goals, and County-Wide Planning Policies and Visioning Community Value Statements

The GMA goal of encouraging citizen participation and coordination is served by this section. This section has been prepared to satisfy that goal while also meeting the intent of the County-Wide Planning Policies (CWPPs), and the general guidelines of the Visioning Community Value Statements. The CWPPs require identification of appropriate land for public facilities, a cooperative and structured process to consider siting of essential public facilities of a regional, or state-wide nature. Visioning Community Value Statements underscore the importance of citizen participation. Adoption of this section and implementation of its goals and policies satisfies Growth Management goals, Visioning Community Value Statements, and County-Wide Planning Policies.
GMA Requirements

RCW 36.70A.200 requires that each county include a process for identifying and siting essential public facilities. The RCW defines essential public facilities as those facilities that are typically difficult to site, such as airports, state education facilities, and state or regional transportation facilities, state and local correction facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities for sex offenders. Additionally, the county has designated telecommunication towers, water treatment plants, sewer treatment plants, and water storage facilities as essential public facilities. This section meets the requirements of the Growth Management Act.

Background Summary

Essential public facilities include those facilities considered difficult to site because of potential adverse effects related to size, bulk, hazardous characteristics, noise, or public health and safety. The Growth Management Act (RCW 36.70A.200) and the Washington Administrative Code (WAC 365-195-550340) indicate that essential public facilities:

- Are typically difficult to site;
- Provide a public service to a public need, including a local service need; and
- Are provided, substantially funded or contracted for by government or subject to public service obligations.

County-Wide Planning Policies (CWPP) stipulate that the county and cities must identify appropriate land for public facilities meeting the needs of the community. Adopted CWPPs require the county and cities to develop a cooperative and structured process, including public involvement at an early stage, to consider siting of public facilities of a regional, or state-wide, or federal nature. Any new facilities or major expansions of existing facilities must conform to these local siting procedures.

Reason for change: County-wide Planning Policy K-2 references regional and state-wide facilities, but not federal facilities.

The CWPPs also address the desirability of shared rights-of-way when not in conflict with wildlife, technical, or public health and safety concerns.

Issues, Goals, and Policies

Siting Essential Public Facilities
Essential public facility siting may not be prohibited by any local plan or regulation; the Growth Management Act, however, empowers local government to determine those plans, policies, and regulations that are most appropriate to county communities.

An equitable distribution of public facilities is important to avoid an unfair concentration of any such facilities within the county. A well-defined appeal process must be part of any siting process. Some essential public facilities, federal facilities for example, must meet multiple levels of siting and permitting approval; coordination is important to avoid unnecessary and costly delays brought about by redundant processes.

**Goal 2UU:** Utilize the established process for siting essential public facilities.

**Policy 2UU-1:** Adhere to the process for essential public facility site selection as outlined in the comprehensive plan and zoning ordinance. This process is summarized as follows:

- An applicant for an essential public facility should consult with the Whatcom County Planning & Development Services Department very early in the process of developing a proposal to determine the siting criteria and County permit requirements for the proposed facility.
- Essential public facilities that are allowed as a permitted use are processed administratively by the Planning & Development Services Department.
- Essential public facilities that require a conditional use permit require a public hearing before the hearing examiner. Notice in the newspaper, notice posted on the site and notice mailed to all property owners within 300’ of the subject site must be accomplished.

**Reason for change:** Notice provisions are set forth in Whatcom County Code 2.33.060 and .070.

- Siting criteria in the comprehensive plan and zoning ordinance will be applied when deciding where to site essential public facilities.

**Policy 2UU-2:** Where possible, use essential public facilities sites jointly for public benefit; trails or open space, for example, could share a corridor or site used primarily for transportation.

**Policy 2UU-3:** The Growth Management Act identifies certain essential public facilities and the County Council has taken legislative action, with the assistance of an essential public facilities advisory
committee, to identify additional essential public facilities. A proponent or government agency shall apply for a comprehensive plan amendment to add a particular land use to the adopted list of essential public facilities. In order to be added to the list of essential public facilities, the applicant must demonstrate that the facility:

- Is typically difficult to site;
- Provides a public service; serves a public need, which may be a local service; need; and
- Is provided, substantially funded or contracted for by government or subject to public service obligations.

Policy 2UU-4: If significant amendments to the essential public facility siting process are proposed in the future, an essential public facilities committee consisting of citizen, business, health care, and government representatives, as appropriate, will be appointed by the County Executive to make recommendations relating to the proposed amendments.

Goal 2VV: Utilize the established siting criteria for essential public facilities.

Policy 2VV-1: Locate essential public facilities that generate traffic equal to or greater than similar-sized residential or commercial development near major transportation corridors.

Policy 2VV-2: Do not site essential public facilities where they would have a probable significant adverse impact on critical areas or designated resource lands—designated as—environmentally sensitive areas or resource lands.

Policy 2VV-3: Site essential public facilities on property where needed expansion of the facility, based upon population forecasts, level of service standards or projected facility needs, can be accommodated within a 20-year planning period.

Policy 2VV-4: State and regional highways in unincorporated Whatcom County that have been designated as essential state or regional transportation facilities are I-5, State Route 539 (the Guide Meridian), State Route 546/9 (Badger/Garrison from the Guide to Sumas), and State Route 20 to eastern Washington. Other transportation facilities in unincorporated Whatcom County that have been designated as essential public facilities are Amtrak Cascades passenger rail service, the Burlington Northern Santa Fe railroad tracks, and the Cherry Point marine port facilities. Such facilities in the City of Bellingham include Fairhaven
Station (intercity passenger rail terminal), Bellingham Cruise Terminal (Alaska Ferry), and the Port of Bellingham (marine port). Additionally, State Route 543 (the truck route at the Blaine border) is an essential public facility located within the city limits of Blaine.

Widening of existing state highways or railroad tracks (including construction of sidings) and siting new state highways or railroad tracks should be planned in the Washington Highway System Plan, Amtrak Cascades Plan and the Freight Rail Plan. The state will invite the Regional Transportation Planning Organization and the County to participate in planning studies, review design plans, and provide comments when siting new or expanded state highways or railroad tracks.

Highways and railroad tracks that qualify as essential public facilities should be sited in accordance with all of the following principles. These facilities should be located:

- In a manner that minimizes or mitigates noise impacts to surrounding residential areas.
- Outside of the Lake Whatcom Watershed, unless there are no viable alternatives.
- In a manner that allows continued fish passage beyond the road or railroad tracks or restores blocked passage.
- In a manner that avoids or mitigates wetland impacts.
- In a manner that minimizes impacts of additional impervious surfaces by treating stormwater runoff.
- In a manner that encourages a vibrant economy by facilitating the efficient movement of people and freight.
- In a manner that accommodates pedestrians, bicycles, and transit.

Major passenger intermodal terminals should be located in General Commercial, Tourist—Commercial, Airport Operations, Urban Residential—Medium Density or industrial zones.

Reason for change: Whatcom County Ordinance 2012-032, relating to rural land use planning and limited areas of more intensive rural development (LAMIRDS), amended the Tourist Commercial zoning district to no longer allow major passenger intermodal terminals.

Freight railroad switching yards and terminals should be located in industrial zones.
Policy 2Vv-5: Airports in Whatcom County are the Bellingham International Airport, and the Lynden Municipal Airport, and the Blaine Municipal Airport. Bellingham International Airport, which is in unincorporated Whatcom County, serves both general aviation traffic and commercial airline traffic. Lynden and Blaine airports, which are within the city limits, of these respective cities, serve general aviation traffic. There is also a sea plane base called Float Haven on Lake Whatcom, and a sea plane base called the Port of Bellingham Sea Plane Base on Bellingham Bay.

Reason for change: The Blaine Airport closed in December 2008. Additionally, the Port of Bellingham indicated, in an e-mail of 12/2/2014, that they do not operate a sea plane base on Bellingham Bay.

Within unincorporated Whatcom County, general aviation and commercial airports will be sited in the Airport Operations District. Compatibility of surrounding land use, including evaluation of height hazards, safety based upon aircraft accident data, and noise impacts, will be evaluated when a new Airport Operations District or an expansion of an existing Airport Operation District is proposed, as follows:

- Height hazards – Towers and other objects that penetrate the imaginary surfaces established in 14 CFR Part 77 Safe, Efficient Use, and Preservation of the Objects Affecting Navigable Airspace, shall be identified and mapped by the applicant. The applicant shall demonstrate to the County that existing objects that penetrate the imaginary surfaces as defined in 14 CFR Part 77 will not create a hazard to operation of the proposed airport. The applicant shall also demonstrate to the County that objects that could be allowed by zoning to penetrate the imaginary surfaces as defined in 14 CFR Part 77 will not create a hazard to operation of the proposed airport.

- Safety – Aircraft accident data shall be evaluated in the context of the densities and types of existing land uses and land uses allowed by zoning that are in proximity to the proposed airport. Specifically, for general aviation airports or commercial airports that also serve general aviation traffic, existing land uses and zoning around the proposed Airport Operations District shall be compared to

- Noise – The applicant shall map the projected 55, 60 and 65 DNL noise contours. The County shall evaluate noise impacts to existing land uses and land uses allowed by zoning within the mapped 55, 60 and 65 DNL noise contours.

- The County shall consult with and consider the comments of the Federal Aviation Administration and the Washington Department of Transportation – Aviation Division.

- Mitigation, such as removing objects that create height hazards, will be encouraged to achieve compatibility with surrounding land uses.

Policy 2VV-6:

State education facilities in Whatcom County are Western Washington University, Whatcom Community College and Bellingham Technical College and related facilities. The main campuses of these state education facilities are located within the city limits of Bellingham. It is anticipated that they will remain within Bellingham over the planning period. However, research, recreational, satellite educational and other facilities associated with these institutions may be located outside of Bellingham within unincorporated Whatcom County.

State education facilities should generally be located in commercial, rural, residential, light impact industrial, or general manufacturing areas. They should only be allowed in the Airport Operations zone if related to airport operations training. They should not be located on resource lands, except that educational facilities related to forestry should be allowed in the forestry designations and educational facilities relating to agricultural operation training should be allowed in the agriculture designation.
Policy 2VV-7

Correctional facilities in Whatcom County are the Public Safety Building (County Jail), the minimum security correction facility, the alternative corrections building, and the juvenile detention facility in the County Courthouse. These three facilities are adjacent to one another in downtown Bellingham. The County also contracts with a private company located in the City of Bellingham for work release beds.

Reason for change: The County opened the minimum security corrections facility on Division Street, which is not in downtown Bellingham, in 2006. Additionally, the County has not contracted for work release beds since 2006.

Within unincorporated Whatcom County, new correction facilities should be sited in accordance with all of the following principles. New facilities should be located:

- With convenient access to major transportation corridors;
- With convenient access to frequent transit service;
- In areas that will not create excessive traffic, noise, or glare impacts on surrounding residential properties;
- In areas that have access to adequate utilities and infrastructure;
- In areas where there is convenient access to the courts, the sheriff's office, law offices, medical services, fire protection services, and community & social services.
- Outside the 100-year floodplain;
- Outside seismic hazard areas. If no suitable sites are available outside of seismic hazard areas, correction facilities may be located within such areas if adequate mitigation measures are undertaken;
- Outside of landslide hazard areas;
- Outside of mine hazard areas;
- Outside of alluvial fans;
- Outside the 65 DNL noise contour of airports;
- At least 500' from gas pipelines with a maximum operating pressure 500 or greater pounds/square inch gage (psig);
- At least 100' from gas pipelines with a maximum operating pressure between 251 – 499 psig;
- At least one quarter mile from public and private schools.

Policy 2VV-8:

Solid waste handling facilities in Whatcom County currently include two primary transfer stations, a construction & demolition debris landfill, a "clean-green" yard waste site, and a variety of recycling and other facilities drop box collection stations, moderate risk waste fixed facilities (small business and
household hazardous waste collection), a vector waste transfer station, and composting and recycling facilities. Additionally, there are anaerobic digesters, biosolids land application facilities, private industrial landfills, and landfills in post-closure status. The two primary transfer stations are located within the City of Ferndale. Municipal solid waste transported to these transfer stations, by either self-haulers or one of two local certificated haulers, is transported to landfills located outside of Whatcom County, from these sites. The construction & demolition debris landfill is located on Hemmi Rd. in unincorporated Whatcom County. The “clean-grown” yard waste facility is located within the City of Bellingham, and is jointly maintained by the City of Bellingham and Whatcom County.

Reason for change: The above solid waste handling facility information was updated based upon information provided by the Whatcom County Health Department.

Within unincorporated Whatcom County, solid waste handling facilities will be sited in accordance with all of the following principles:

1. Type III solid waste handling facilities as defined by WCC 20.97.429, including but are not limited to municipal solid waste landfills, incinerators, and transfer stations (but excluding uses set forth in subsection (2b)) will be located:

   a. Within industrial and forestry zones. They may be located within a rural zone only when the site has been identified for such a solid waste facility in the adopted subarea plan;
   b. At least 1,500’ from all zoning district boundaries, except commercial forestry and industrial zones;
   c. At least 1,500’ from public parks, public recreation areas, or publicly owned wildlife areas;
   d. At least 1,500’ from archeological and historical sites that are registered with the State Office of Archeology & Historic Preservation;
   e. At least 1,500’ from shorelines that are within the jurisdiction of the Shoreline Management Program;
   f. At least 1,500’ from rivers, streams or creeks that contain documented threatened or endangered fish species;
   g. Outside the 10-year time of travel boundary of a public water system’s delineated wellhead protection area;
h. Outside the Lake Whatcom watershed;

i. Outside the 100-year floodplain;

j. In accordance with *Hazardous Wildlife Attractants on or Near Airports* (Federal Aviation Administration Advisory Circular 150/5200-33), solid waste facilities and sites that handle putrescible waste will be located:

i. At least 10,000’ from airports serving turbine-powered aircraft (Bellingham International Airport);

ii. At least 5,000’ from airports serving piston-powered aircraft (Blaine Municipal and Lynden Municipal Airports).

2. Inert material landfills will be located:

a. Within industrial and forestry zones. They may be located within a rural zone only when the site has been identified for such a solid waste facility in the adopted subarea plan;

b. At least 500’ from all zoning district boundaries, except commercial forestry and industrial zones;

c. At least 500’ from public parks, public recreation areas, or publicly owned wildlife areas;

d. At least 500’ from archeological and historical sites that are registered with the State Office of Archeology & Historic Preservation;

e. At least 500’ from shorelines that are within the jurisdiction of the Shoreline Management Program;

f. At least 500’ from rivers, streams or creeks that contain documented threatened or endangered fish species;

h. Outside the Lake Whatcom watershed;

i. Outside the 100-year floodplain.

Commercial composting facilities are solid waste handling facilities, but do not qualify for essential public facility status.

Policy 2VV-9: Personal wireless communication facilities and broadcast towers have been constructed at various locations around Whatcom County.
Personal wireless communication facilities, such as cell phone
towers, shall be sited in accordance with Whatcom County Code
20.13.

Broadcast towers, such as TV and radio towers, are allowed with
a conditional use permit in all zoning districts.

Proximity to airports and potential hazards to aviation will be
considered when siting new towers or increasing height of
existing towers.

**Policy 2VV-10:** Sewage treatment plants in Whatcom County currently serve
cities, water & sewer districts, the Lummi Nation, and a state
park.

Within unincorporated Whatcom County, sewage treatment
plants will be sited in accordance with all of the following
principles:

1. New sewage treatment plants will be located outside of
   the 100-year floodplain, unless the applicant
demonstrates that alternative sites are not feasible;
2. New sewage treatment plants will be located outside the
   10-year time of travel boundary of a public water
   system’s delineated wellhead protection area;
3. New sewage treatment plants will be located, in
   accordance with *Hazardous Wildlife Attractants on or Near
   Airports* (Federal Aviation Administration Advisory Circular
   150/5200-33), as follows:
   a. At least 10,000’ from airports serving turbine-
      powered aircraft (Bellingham International Airport);
   b. At least 5,000’ from airports serving piston-
      powered aircraft (Blaine—Municipal— and—Lynden
      Municipal Airports);
4. New sewage treatment plants will be buffered from
   existing high-density residential land uses. Expansion of
   existing sewage treatment plants will provide buffering
   from existing high-density residential land uses to the
   extent possible;
5. New sewage treatment plants and expansion of existing
   sewage treatment plants will be constructed in a manner
   to shield light and glare from surrounding land uses.
Policy 2VV-11: Water treatment plants in Whatcom County are currently operated by cities, water & sewer districts, water associations and other public water system operators such as industries at Cherry Point.

Within unincorporated Whatcom County, water treatment plants will be sited in accordance with all of the following principles:

1. New water treatment plants will be located outside of the 100-year floodplain, unless the applicant demonstrates that alternative sites are not feasible;
2. New water treatment plants and expansion of existing water treatment plants will be constructed in a manner to shield light and glare from surrounding land uses.
3. New water treatment plants will be located:
   a. At least 500' from natural gas pipelines with a maximum operating pressure of 500 or greater pounds/square inch gage (psig).
   b. At least 100' from natural gas pipelines with a maximum operating pressure between 250 and 499 psig;
   c. At least 500' from pipelines that carry liquid gas, oil or other petroleum products.

Policy 2VV-12: Water storage facilities owned and operated by a public water utility for the sole purpose of providing required fire flow are a permitted use in all zoning districts provided:

- Volume does not exceed 50,000 gallons; and
- Height does not exceed 12 feet above the ground level measured within 20 feet in all directions of the tank.

Other water storage facilities for potable water and/or fire flow owned and operated by a public utility are allowed with a conditional use permit in all zoning districts.

Policy 2VV-13: Substance abuse facilities, mental health facilities, and group homes have been constructed at various locations around Whatcom County.

1. In compliance with RCW 36.70A.410, Whatcom County will not treat a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated individuals. "Handicaps" are as defined in the federal fair housing amendments act of 1988.
2. Within unincorporated Whatcom County, substance abuse crisis facilities and mental health crisis facilities will not be located within 600’ from any of the following:

- Public schools;
- Private schools;
- School bus stops,
- Licensed day care
- Licensed pre-school facilities;
- Public parks;
- Publicly dedicated trails;
- Sports fields;
- Playgrounds;
- Recreational and community centers;
- Public libraries; and
- Public and private youth camps

Policy 2VV-14: There are currently no secure community transition facilities for sex offenders located in Whatcom County. Within unincorporated Whatcom County, secure community transition facilities for sex offenders will be sited in accordance with all of the following:

1. Secure community transition facilities shall not be located adjacent to, immediately across the street or parking lot from, or within the line of sight of existing risk potential facilities, which are:

- Public schools;
- Private schools;
- School bus stops,
- Licensed day care
- Licensed pre-school facilities;
- Public parks;
- Publicly dedicated trails;
- Sports fields;
- Playgrounds;
- Recreational and community centers;
- Churches, synagogues, temples or mosques;
- Public libraries;
- Public and private youth camps; and
- Other uses identified by the State Department of Social and Health Services pursuant to RCW 71.09.020(1311).

Reason for change: A 2009 amendment to RCW 71.09.020 changed the subsection number for the definition of “risk potential activity” from 11 to 13.
"Within the line of sight" shall mean that it is possible to reasonably visually distinguish and recognize individuals. An unobstructed visual distance of 600' shall be considered to be within the line of sight. Line of sight may be considered to be less than 600' if the applicant can demonstrate that visual barriers exist or would be created that would visually screen the risk potential facility from the secure community transition facility.

1. No more than one secure community transition facility, with a maximum of three people (other than staff), shall be located within Whatcom County.

2. The average response time of emergency services to a proposed secure community transition facility will be balanced against the proximity of the proposed secure community transition facility to the above risk potential facilities. Great weight will be given to sites that are farthest removed from the risk potential facilities listed above.

3. In identifying potential sites within a county for the location of a secure community transition facility, the State Department of Social and Health Services shall work with local governments to provide for the equitable distribution of such facilities. In coordinating and deciding upon the siting of secure community transition facilities, great weight shall be given by the county and cities within the county to:

   a. The number and location of existing residential facility beds operated by the department of corrections or the mental health division of the department of social and health services in each jurisdiction in the county; and

   b. The number of registered sex offenders classified as level II or level III and the number of sex offenders registered as homeless residing in each jurisdiction in the county.

"Equitable distribution" means siting or locating secure community transition facilities in a manner that will not cause a disproportionate grouping of similar facilities either in any one county, or in any one jurisdiction or community within a county, as relevant.

Whatcom County should seek a financial mitigation agreement from the Department of Social and Health Services for costs.
associated with law enforcement training, emergency procedure training and other expenses identified under RCW 71.09.344.

Policy 2VV-15: If significant amendments to the essential public facility siting criteria are proposed in the future, an essential public facilities committee consisting of citizen, business, health care, and government representatives, as appropriate, will be appointed by the County Executive to make recommendations relating to the proposed amendments.

Goal 2WW: Provide for broad participation in the siting process by affected agencies, citizens and any other interested parties.

Policy 2WW-1: Assure that any specific procedure for siting facilities considered as regional or essential is consistent with county comprehensive plans and County-Wide Planning Policies.

Goal 2XX: Utilize the established review or appeal procedure to resolve differences of opinion regarding facility site selection.

Policy 2XX-1: Appeals relating to essential public facility siting shall be decided by the Hearing Examiner and/or County Council, in accordance with the zoning ordinance, prior to proceeding with any appeals to Superior Court.

Policy 2XX-2: County regulations will not preclude the siting of essential public facilities in designated zoning districts.

Adult Businesses

Introduction

Purpose

The purpose of the adult business section is to prevent crime, protect residential areas and sensitive uses from incompatible uses, protect retail trade, maintain property values, preserve the quality of life in Whatcom County, protect gateways, corridors and connections in the community, preserve rural character and protect children from increased hazards created by adult businesses.

Process

Because of adverse secondary effects of adult businesses, the County Council established a year-long moratorium in 1998 on accepting new applications until
appropriate policies and regulations could be established governing adult businesses. Whatcom County Planning Division staff originally drafted this section in response to the moratorium. It was reviewed with a representative of the Whatcom County Prosecuting Attorney’s office with regard to Constitutional issues. The Planning Commission held a public hearing before final adoption by the County Council.

**GMA Requirements**

The GMA does not require a Comprehensive Plan to address adult businesses. However, a county is authorized to plan for land use in general (RCW 36.70A.070). Additionally, the Comprehensive Plan can include any elements relating to the physical development within its jurisdiction (RCW 36.70A.080).

**Background Summary**

Whatcom County provides an outstanding quality of life that is worthy of preserving for future generations. This quality of life is partially dependent upon controlling crime, protecting residential areas, protecting businesses, preserving rural character and maintaining property values. Adult businesses can adversely impact the quality of life and, therefore, Whatcom County should regulate where such uses are allowed.

**Issues, Goals, and Policies**

**Location of Adult Entertainment Establishments**

Adult businesses have been shown to create adverse secondary effects upon the community in the form of crime, harming other forms of retail trade, impacting property values and causing deterioration in the quality of life. Such secondary effects can intensify when adult businesses are located in close proximity to one another. Regulating the location of adult businesses is necessary in unincorporated Whatcom County in order to protect the quality of life and minimize adverse secondary impacts of such businesses.

**Goal 2YY:** Utilize the established criteria for the location of adult businesses.

**Policy 2YY-1:** Adult businesses will be allowed with administrative approval use permits in Light Impact Industrial zoning districts that are located within City Urban Growth Areas. Adult businesses will not be allowed in the Light Impact Industrial zone immediately southeast of the Bellingham International Airport because, as the main entrance to the airport, it serves as a gateway to the community.

**Policy 2YY-2:** Adult businesses will not be allowed in other zoning districts.
Policy 2YY-3: Adult businesses will not be allowed within 1,000 feet of a school, day care, church, park, library, residential zoning district, rural zoning district, Interstate-5, or state highway.

Policy 2YY-4: An adult business will not be allowed within 1,000 feet of any other adult business.

Policy 2YY-5: Non-conforming adult businesses will be terminated by operation of the Whatcom County Code in November 9, 2000. A maximum of four one-year extensions could have been granted if needed to recoup financial expenditures made in the business.

**Historic and Cultural Resources**

Cultural resources contribute materially to a sense of place and identity and civic pride. Economic dividends come from cultural tourism and downtown revitalization. Whatcom County recognizes a number of benefits which result from cultural resource preservation. A strong cultural resources management program enables the County to fulfill its legal obligation to avoid potential harmful impacts on cultural resources. The preservation of historic and archeological resources contributes to Whatcom County’s rural and cultural character. Historically significant lands, sites and structures, which are part of and help illustrate the collective culture of the people, are important resources for the County. One of the Planning Goals of the GMA is to “Identify and encourage the preservation of lands, sites, and structures that have historical or archeological significance.”

**Goal 2ZZ:** Recognize Whatcom County’s historical and archeological attributes and identify and encourage the preservation of lands, sites, and structures that have historic or archeological significance.

Policy 2ZZ-1: Whatcom County shall prepare a cultural resource inventory to identify and document archeological and historic resources.

Policy 2ZZ-2: The County’s cultural resource inventory shall be updated on a continuing basis to ensure the inventory’s usefulness as a historic preservation and land use tool.

Policy 2ZZ-3: The County’s cultural resource inventory shall be coordinated with similar programs maintained by municipalities and Tribes within the county to ensure the comprehensiveness of the inventory.
Policy 2ZZ-4: Consistent with its resources and based on the standards of the cultural resources inventory, the County shall provide technical assistance to local groups whose work can be incorporated into the County’s inventory.

Policy 2ZZ-5: The County shall seek to preserve and enhance archeological, historic, and cultural resources by enacting a qualifying historic preservation ordinance and carrying out the mandates of that ordinance.

Policy 2ZZ-6: The County shall meet its cultural resource management obligation under federal, state, and local regulations in an efficient and effective manner.

Policy 2ZZ-7: Consistent with its resources, the County shall provide technical assistance on cultural resource matters.

Policy 2ZZ-8: The County shall promote preservation of identified archeological, historic, and cultural resources.

Policy 2ZZ-9: On projects under its authority, the County shall consistently seek to mitigate negative impacts to cultural resources.

Policy 2ZZ-10: The County shall undertake through a public/private partnership a coordinated long-range planning in conjunction with representatives of arts, heritage, and tourism organizations, to develop strategies for preserving and enhancing cultural resources.

Policy 2ZZ-11: The County shall continue to cooperate with cultural groups and the organized representatives of the tourism industry to promote cultural tourism and ensure that cultural tourism projects remain eligible for funding assistance through its hotel/motel tax fund program.

Reason for change: The above Historic and Cultural Resources text, Goal and Policies were modified and moved from Chapter 10, Design.

Land Use—Action Plan

Regulatory Changes

Overall Land Use

1. Refer to a technical advisory committee to review the following:

Whatcom County Comprehensive Plan
292

County Council Preliminary Draft
April 19, 2016

Chapter 2 - Land Use

• Redundant regulations.
• Unnecessary regulations.
• Regulations that could be replaced by incentive programs.
• Regulations that could be replaced by education programs.
• Regulations which serve to protect the public welfare, health, and safety.
• Regulations that prohibit fair, timely, and well-publicized review.

Reason for change: Goal 2D, Policies 2D-1, 2D-2, 2D-3, 2D-4, 2G-1 and 2H-1 address most of the above issues.

2.1. Draft and propose regulatory changes to implement the recommendations from this plan and give serious consideration to recommendations from advisory committees appointed by the County Executive or County Council.

Reason for change: The Executive or Council can appoint an advisory committee and consider their recommendations at any time.

3.2. Propose zoning ordinance changes to designate and develop guidelines and policies and appropriate regulatory amendments to accompany Business/Industry Parks and Crossroads Commercial designations.

Reason for change: Industrial parks are allowed in urban growth areas zoned for industrial uses. The LAMIRD designations were amended and no longer include a “Crossroads Commercial” designation.

4.3. Design, present, and adopt a creative land use regulatory program which utilizes such innovative techniques as cluster development, purchase of development rights, transfer of development rights and mitigation banking.

Reason for change: Clustering is generally allowed by zoning. PDRs and TDRs are addressed by policies 2F-4 and 2DD-10. Mitigation banks are addressed in Chapter 11, Environment.

5. Revise the zoning ordinance to:
• Include a new zone designation(s) for business/industrial parks possibly as a supplement to the existing L1I zone.
• Incorporate Master Planned Resort Guidelines and develop specific locational criteria for Master Planned Resorts.
• Include development standards for the Guide Meridian Corridor.

Reason for change: The County can docket or consider these items at any time.

Education

Whatcom County Comprehensive Plan 2- 142

292
6.4. Design and produce presentations, written materials and other programs to educate citizens on the value of preserving the assets of the community and each individual's responsibility to preserve those assets.

Reason for change: Policy 2E-1 is similar to the above action item.

Incentives

7.5. Establish a committee comprised of citizens, local officials, including one or more Planning Commissioners, and land development experts to design a set of economic incentives for property owners to voluntarily reduce density on their property, and to encourage protection of valuable open space identified on the Open-Space Map.

Reason for change: The County may establish committees at any time as priorities and resources allow.

8.6. Undertake complete and programmatic environmental review for identified growth areas to facilitate urban and industrial development.

Reason for change: An EIS is being prepared for the 2016 Comprehensive Plan Update/UGA review.

9.7. Monitor the results of incentive programs on an annual basis to ensure desired results are achieved and produce a report outlining results of the programs.

Reason for change: Policy 2F-6 is to monitor incentive programs on a five-year basis.

Subarea Plans

10.8. Revise county subarea plans, if appropriate, to incorporate urban growth area boundaries as identified in this plan, ensure consistency with this plan, and eliminate any redundancy in policy. Continue to implement existing subarea plan action items that are consistent with this plan.

Reason for change: A number of old subarea plans have been repealed. Others will be updated, as appropriate, consistent with the Whatcom County Comprehensive Plan Policy 2L-2.

11.9. Examine alternatives for meeting the transportation and utility needs for Sudden Valley.
Reason for change: Policy 6J-8 in Chapter 6 (Transportation) addresses bus serviced to Sudden Valley. Chapter 5 generally addresses utilities and chapter 11 generally addresses stormwater.

12.10. Continue the industrial land supply study, identify appropriate additional industrial land in the Whatcom County Comprehensive Plan and update subarea plans accordingly.

Reason for change: The County, in conjunction with the cities, is undertaking a land capacity analysis to identify land available for urban land uses in conjunction with the 2016 Comprehensive Plan update and UGA review.

13.11. When completed, review the Comprehensive Flood Hazard Management Plan to ensure consistency with land use plans and regulations.


Citizen Involvement

14.12. Establish Council-appointed subarea citizens' committees to participate in the updating and review of subarea plans, if appropriate.

Reason for change: Policy 2Q-4 addresses advisory committees for Birch Bay and Columbia Valley. County-wide Planning Policy A-2 also addresses advisory committees.

15.13. Improve methods of notification to affected property owners of land use decisions.

Reason for change: Policy 2G-1 addresses notice.

Timing/Review


Reason for change: The City/County Planner Group meets on a regular basis to coordinate growth management planning, including land capacity and UGA review.

Urban Growth Areas
Using the Growth Management Oversight Committee, develop a cooperative approach to Geographic Information System use with all the cities and interested special districts which may include regular user meetings, cooperative funding, and data needs.

Reason for change: The County’s GIS personnel coordinate with cities and special purpose districts on an informal, as needed basis.

Work with the City of Blaine to establish a project review process for development within Blaine’s UGA that ensures consistency with Blaine’s Comprehensive Plan and development regulations and standards.

Reason for change: The County and the City of Blaine approved an interlocal agreement in 2012 that addresses processing development applications in the Blaine UGA.

Adopt and maintain County zoning for the Blaine UGA which would allow urban densities to develop only in conjunction with annexation or a commitment to annex within a very specific timeline and under very specific conditions.

Reason for Change: The County already has zoning that requires 10 acre residential densities in the Blaine UGA until public water and sewer are extended. At the current time, the City typically does not extend public water and sewer prior to annexation.

Work with the City of Blaine to develop an appropriate level of regulation to adequately protect the Drayton Harbor watershed. Cooperate with the City in enforcing these regulations.

Reason for change: Chapter 11 and Policy 2V-1 in Chapter 2 address Drayton Harbor.

Work with all cities to ensure limitation of development in floodplains within their UGAs.

Reason for change: Chapter 11, Goal 2K and associated policies in Chapter 2, and Policy 2P-2 in Chapter 2 address flooding.

Establish a time frame and process to work with the City of Everson and land owners to develop an environmentally safe plan to facilitate conversion of mineral-resource lands adjacent to Everson-to-urban or rural land uses.

Reason for change: Policy 2W-2 addresses this issue for the Everson UGA.
20. Work with cities to develop regulations that assure compatibility of uses adjacent to resource lands.

Reason for change: Policies 2W-4 (Everson), 2Y-2 (Lynden), 2Z-4 (Nooksack) and 2AA-5 (Sumas) address this issue. Additionally, the interlocal agreements address resource lands.

21. Develop a time frame and process to work with cities to make the appropriate changes to urban growth area boundaries and zoning designations when necessary.

Reason for change: The Growth Management Act requires UGA review by 2016 and every eight years thereafter.

25. Review and update interlocal agreements with each city, as necessary, to address:
   • levels of service within and outside the UGAs.
   • identification of needed improvements and establishment of how they will be funded.
   • development standards within the UGA and review procedures, including wetland and floodplain protection, for development proposals.
   • coordination with the county on greenbelt and open space designations.
   • timing and procedures for review of adequate land supply.
   • consistency with the Coordinated Water System Plan.
   • actions specific to each city and identified in the goals and policies for that city.
   • extension of water and sewer services within UGAs.
   • specific development density requirements within annexation proposals.
   • cities should show evidence of meeting their infill goals as identified in their comprehensive plans.
   • mitigation agreements for conversion of lands designated on the County Comprehensive Plan map as Resource Lands, with the exception of depleted Mineral Resource Lands.

Reason for change: Interlocal agreements are addressed in the policies for each city. Interlocal agreements were approved in 2012 and extend through the year 2022.

22. Adopt interlocal agreements with water and sewer districts, if appropriate, to assure service to county unincorporated urban growth areas and limit urban levels of service outside Short Term Planning Areas.
Reason for change: Water and sewer service for the Birch Bay and Columbia Valley unincorporated UGAs is addressed in Policies 2BB-1 and 2BB-6.

23. Work with the Sudden Valley Community Association to implement the density reduction program.

Reason for change: Sudden Valley is addressed in Chapter 11.

24. Establish on-going communications link with Whatcom County Water District 13, Columbia Valley Water District and Community Associations to work towards mutually beneficial infrastructure solutions including combined services in the Columbia Valley UGA.

Reason for change: Water and sewer service for the Columbia Valley UGA are addressed in Policy 2BB-6.

25. Develop a mechanism for addressing neighborhood parks in Bellingham's Urban Growth Area when development occurs prior to annexation. Use the urban fringe planning process and the city/county development review process to address neighborhood park needs in Bellingham's UGA if development occurs prior to annexation.

Reason for change: Neighborhood parks are addressed in Policy 2U-3.

26. Continue to work with Bellingham and Lake Whatcom Water and Sewer District to protect and manage the Lake Whatcom watershed in accordance with the 1998 jointly adopted interlocal agreement. Focus on continued implementation of the 5-Year Work Plans of the Lake Whatcom Management Program. In addition, work with the affected jurisdictions and secure funding for programs.

Reason for Change: This has been moved to Chapter 11, Environment.

27. Review and modify (as needed) the current development review process for projects in the Lake Whatcom Watershed to ensure coordination with other jurisdictions.

Reason for change: This has been moved to Chapter 11, Environment.

28. Establish a provision that prevents density increases from occurring as a result of provision of sewer in the rural zone in the Lake Whatcom Watershed.

Reason for change: This has been modified and moved to Chapter 11, Environment.
Open Space

3.29. Review Whatcom County land use and taxation policies to ensure that there are incentives for landowners to pursue agriculture and forestry open space designations that implement the Open Space section of this plan.

Reason for change: Incentives are generally addressed in Policies 2QQ-1, 2TT-4 and 2TT-5.

3.30. Develop strategies to encourage utilization of open space designations in order to protect natural resources, open space, and critical areas.

Reason for change: This issue is generally addressed in Policies 2TT-1 and 2TT-3.

3.31. Develop a strategy to implement the Open Space Corridor map included in this chapter.

Reason for change: Goals 2QQ, 2RR and 2SS and associated policies generally address open space corridors.

3.32. Working with landowners, develop a list of priority sites for acquisition or other form of open space preservation based on criteria from Preserving a Way of Life: A Natural Heritage Plan for Whatcom County and the goals and policies of the Comprehensive Park and Recreation Open Space Plan.

Reason for change: This is generally addressed in Chapter 9 and Policy 2TT-13 in Chapter 2.

3.33. Continue to acquire priority sites utilizing the Conservation Futures Levy and other funding sources. Work with Whatcom County Land Trust and others to facilitate protection of these designated sites.

Reason for change: Policy 2TT-8 generally addresses funding. Policy 2TT-11 generally addresses the role of conservation organizations.
Memorandum

TO: WHATCOM COUNTY COUNCIL

FROM: Regina Delahunt, Director

DATE: FEB 16, 2016

RE: HEALTH REVIEW OF 2016 COMPREHENSIVE PLAN--LAND USE CHAPTER

Overview:
As one step in the implementation of the County’s Healthy Planning Resolution #2015-038, Health Department staff will provide an overview of health recommendations for selected chapters of the 2016 Comprehensive Plan Update to the County Council. The attached matrix includes recommendations for the Land Use Chapter that were provided to County Planning and Development Services (PDS) staff and describes current status in the Planning Commission’s recommended draft.

Process:
The process for developing and incorporating the recommendations included:

- Technical review of the 2008 Comprehensive Plan by Alta Planning and Design (2013), identifying opportunities to strengthen specific policies in the plan from a health perspective
- Planning workshop to prioritize health topics and associated policy recommendations with Public Health Advisory Board (PHAB), PDS staff, health department staff, and community stakeholders (March 2014)
- Refinement of policy recommendations based on PHAB, County PDS and stakeholder input (Spring 2014)
- Correspondence and connection with County PDS to integrate recommendations into draft chapters, as feasible and appropriate
- Support for PHAB feedback to Planning Commission on specific issues and recommendations
- Review and analysis of the status of health recommendations in the Planning Commission’s draft chapters.

Recommendations:
For the Land Use Chapter, all of WCHD’s policy recommendations were either included in the 2016 draft or otherwise adequately addressed.
There were two occurrences where the language was not added to a policy for which WCHD suggested additional language be included to strengthen the policy. The first recommendation was to add language to recognize parks and gathering areas as open spaces to be integrated in new developments (Policy 2RR-6); however this recommendation is already addressed through other mechanisms. The second was to add an explicit walkability standard to Policy 2SS-1, which encourages jurisdictions to provide parks and play areas within safe walking distance of neighborhoods. The transportation chapter includes policies that address this walkability standard for the County, and cities will determine their own standards, so the fact that a walkability standard is not included in Policy 2SS-1 is not consequential.

One of the eight policy additions we recommended was added to the Land Use Chapter. Three suggested additions are addressed elsewhere in the plan (Economics and Transportation chapters) or in existing zoning code. Three potential additions can be addressed through other mechanisms than the comprehensive plan. One recommended addition was determined to be unsuitable for rural residential areas to which it would apply.
<p>| 2016 Links: | 2016 Notes to POS: | 2016 Notes: | 2401 Notes: | 2401 Notes to POS: | 2401 Notes: | 2401 Notes: | 2401 Notes: | 2401 Notes: | 2401 Notes: | 2401 Notes: | 2401 Notes: | 2401 Notes: | 2401 Notes: | 2401 Notes: | 2401 Notes: | 2401 Notes: | 2401 Notes: | 2401 Notes: | 2401 Notes: |
| | | | | | | | | | | | | | | | | | | | |</p>
<table>
<thead>
<tr>
<th>Existing Camp Plan Policy #4.1 to 10</th>
<th>2014 Policy Recommendations</th>
<th>2015 Notes</th>
<th>2016 Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emerging and Expanding Areas</td>
<td>High</td>
<td>Retained, Parks and Comm. Rec. Areas</td>
<td></td>
</tr>
<tr>
<td>Emerging and Expanding Areas</td>
<td>Medium</td>
<td>Retained, Parks and Comm. Rec. Areas</td>
<td></td>
</tr>
<tr>
<td>Emerging and Expanding Areas</td>
<td>Low</td>
<td>Retained, Parks and Comm. Rec. Areas</td>
<td></td>
</tr>
</tbody>
</table>

**Goal:** Strong identity and project openness.
<table>
<thead>
<tr>
<th>Existing Policy Supportive Standards</th>
<th>C. D. 1</th>
<th>Related Policies</th>
<th>Medium</th>
<th>Keep</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>C. D. 1.</strong> Policies that encourage the development of multi-modal access points in the neighborhood that are accessible to the public and that are provided through the neighborhood association. These are neighborhood parks, playgrounds, and areas of the neighborhood association that are open to the public.</td>
<td>High</td>
<td>Change</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>C. D. 2.</strong> Policies that encourage the development of multi-modal access points in the neighborhood that are accessible to the public and that are provided through the neighborhood association. These are neighborhood parks, playgrounds, and areas of the neighborhood association that are open to the public.</td>
<td>High</td>
<td>Change</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policies that encourage the development of multi-modal access points in the neighborhood that are accessible to the public and that are provided through the neighborhood association. These are neighborhood parks, playgrounds, and areas of the neighborhood association that are open to the public.</td>
<td>High</td>
<td>Change</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy 2.1: Locate essential public</td>
<td>2.2: Commercial development near major gateway, employment centers, etc.</td>
<td>2.3: Access to transportation</td>
<td>2.4: Support the creation of educational and open space opportunities through the use of education and business districts.</td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>------------------------------------------------</td>
<td>------------------------------------------------</td>
<td>------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>A. B. F. K.</strong></td>
<td>Community centers, etc.</td>
<td>School districts, libraries, etc.</td>
<td>Commercial development near major gateway, employment centers, etc.</td>
<td></td>
</tr>
<tr>
<td><strong>C. D. G. H.</strong></td>
<td>Kept</td>
<td>Kept</td>
<td>Kept</td>
<td></td>
</tr>
<tr>
<td><strong>I. J. K. L.</strong></td>
<td>High</td>
<td>High</td>
<td>High</td>
<td></td>
</tr>
<tr>
<td><strong>M. N. O. P.</strong></td>
<td>Kept</td>
<td>Kept</td>
<td>Kept</td>
<td></td>
</tr>
<tr>
<td><strong>Q. R. S. T.</strong></td>
<td>Medium</td>
<td>Medium</td>
<td>Medium</td>
<td></td>
</tr>
<tr>
<td><strong>U. V. W. X.</strong></td>
<td>Kept</td>
<td>Kept</td>
<td>Kept</td>
<td></td>
</tr>
</tbody>
</table>

**2016 Notes:** 2014 Notes to DBS: 2008 Camp Plan Goal Largamente
<table>
<thead>
<tr>
<th>D</th>
<th>High</th>
<th>n/e</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0.3</td>
<td>Not included.</td>
<td>n/e</td>
</tr>
<tr>
<td>4.0.2</td>
<td>Not included.</td>
<td>n/e</td>
</tr>
<tr>
<td>X</td>
<td>Transportation and economic chapters.</td>
<td>n/e</td>
</tr>
<tr>
<td>X</td>
<td>Adopt mixed-use residential.</td>
<td>n/e</td>
</tr>
<tr>
<td>2.0.7</td>
<td></td>
<td>n/e</td>
</tr>
<tr>
<td>2016 Notes:</td>
<td>2014 Notes to Pos:</td>
<td>Possible Additions (some specific to AGA)</td>
</tr>
<tr>
<td>------</td>
<td>------------</td>
<td>-------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Goal:** Transportation access for such uses, and provide street access in neighborhoods. Encourage from stands, recreation

<table>
<thead>
<tr>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

**Goal:** Support development of healthy food retail in underserved areas. Ensure that mall-based healthy food retail

<table>
<thead>
<tr>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

**Goal:** New medical/clinical services, including clinic, dental, and mental health services.

<table>
<thead>
<tr>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

**Goal:** Home care and personal care

<table>
<thead>
<tr>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

**Goal:** Social services and personal care

<table>
<thead>
<tr>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
<th>Commercial (WCC 209.05)</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Column 1</td>
<td>Column 2</td>
<td>Column 3</td>
<td>Column 4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The County already has maps of land.</td>
<td>No included. Address outside of</td>
<td>High</td>
<td>All spaces which could be used for non-residential, temporary or mobile dwelling units are in a city or county, but not in an area designated as a rural area by the U.S. Census Bureau.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
AB2016-47B

The following documents are available at the Whatcom County Council Office.
Literature Summary:
Access to Healthy Food
Literature Summary:
Physical Activity
Literature Summary: Mental Health
Literature Summary:
Social Context
Literature Summary:
Injury & Safety
Healthy Planning Workshop: Summary Report

Overview + Background

Over the past five years, community improvement processes and plans have prioritized the need to focus on the built environment and relationship to health outcomes. Staff at the Whatcom County Health Department and members of the Public Health Advisory Board are involved in a project to explore how to integrate public health into community planning and design, specifically through the Whatcom County Comprehensive Plan. The goal of this project is to create a set of prioritized policy recommendations for the 2016 update of the Whatcom County Comprehensive Plan that have the potential to improve the health & well-being of Whatcom County residents. Many aspects of health are connected to community planning and design; however during this phase of the project, the focus was on policies that help achieve goals identified in the Whatcom County Community Health Improvement Plan: promoting healthy and active living by expanding access to healthy food; creating safe places to walk, bike, play and connect; and limiting exposure to harmful substances.

The purpose of the Healthy Planning Workshop was to move from generalized, best practice comprehensive plan policies that are health-promoting to specific policies that are best suited for the Whatcom County comprehensive plan.
March 2, 2016

Whatcom County Council
311 Grand Avenue
Bellingham, WA 98225

Re: Bellingham Urban Growth Area Review

Dear Council Members,

Thank you for the opportunity to provide written comments for the record in the County’s urban growth area review/comprehensive plan update process. Several assertions have been made by representatives of the Caitac and S. Yew Street areas that require a response. These assertions are related to the County’s land capacity analysis and the City’s financial impact analysis and utility planning for the Caitac area.

Land Capacity Analysis

The Council has heard testimony related to the methodology and accuracy of the County’s land capacity analysis (LCA), using the recent Dewey Valley annexation as an example. As we stated in our oral testimony, the assertion that the LCA contains an overstated buildout for the Dewey Valley area is incorrect. The confusion lies in the initial buildout projections given to the Bellingham City Council during the annexation review process. The LCA had, and has the correct buildout projection (98-195 new homes) for the area.

Others have stated that the LCA over estimates development capacity in areas of the city that contain a range of allowed densities. For example, in areas with zoning that allows 6 to 12 units per acre, the LCA uses the base density of 6 units per acre to forecast future growth capacity. It was incorrectly suggested that the LCA uses the mid-point density figure in these areas (or 9 units per acre in this example).

Additional assertions were made regarding basic flaws in LCA methodology, primarily related to wetland buffers. As the Council is aware, the same LCA methodology was used in all the jurisdictions, including the rural areas. Changes in the methodology at this point in the process would require the County and all other jurisdictions to reassess their land capacity and population allocations.
Financial Impact Analysis and Utility Plans

Caitac representatives, both in a February 5, 2016 letter to you and in oral testimony questioned the results of the City's financial impact analysis (FIA) for the Caitac area. They asserted that the FIA contained errors as to the improvements that would be needed to serve the area, and the costs to the public for the improvements. As we indicated in our previous testimony, the FIA methodology is fairly standard, used by many jurisdictions to identify potential costs to provide the full range of urban services to an annexation area. It has been used by the City for over a decade now.

Mr. Jones’s testimony regarding the Caitac property raised a number of issues that should be clarified. The 2/5/16 letter discusses the difference between the draft 2007 sewer plan and the approved 2009 plan. The information in the 2007 document is irrelevant as the 2009 plan addressed the ability of the City to treat the potential future sewage for the adopted population and employment growth numbers. This total population estimate stayed consistent with only general locations of future growth within the existing UGA’s changing. The plan was not a conveyance plan and therefore did not establish where future growth would occur, only general areas of the city and UGA for input of the sewage into the system. Mr. Jones assertion that the City's sewer plan anticipates and accounts for development of the Caitac property is misleading.

In 2013, a water system plan update was approved by the City. Using this most up to date plan clears up many of Mr. Jones’s misunderstandings of the City's future water system. Throughout the letter, he refers to the "350 Cordata Zone" tank and the "460 King Mountain Water Reservoir" as separate projects. The 2013 Water plan clarifies that there will only be one water reservoir constructed on upper King Mountain, not two. That tank will provide service to most properties in northern Bellingham, not just the Caitac property. The Kearney Street Pump Station will be installed in conjunction with the reservoir construction. The estimated price tag of $4,250,000 is not an error as it also includes additional conveyance pipe work and not just the pump station. The comparison to the cost to build the Birch Street pump station is misleading. That pump station was constructed privately in 2005 for $800,000 per the developers supporting costs submitted to the City. Obviously, construction costs have increased substantially since 2005. A City constructed pump station is required to be built under prevailing wage rules which also increases the cost.

Additionally, the letter alludes to the fact that many future infrastructure projects will not be built without funding from Caitac, and therefore land near the Caitac property will not develop. This may or may not be true. Any inclusion of the Caitac properties would provide additional participants in funding future projects, however they are not reliant on Caitac to be constructed.

On February 9th, the County Council assigned Bellingham the responsibility to accommodate over 31,000 additional residents during the planning period without any changes to the City's UGA. On February 22nd, the City Council directed staff to use the County-approved population growth figure in the update to our comprehensive plan. The Council indicated a willingness to accept the higher growth figure primarily because
it does not require changes to the UGA. We are proceeding in good faith based on the County Council's February 9th vote. Changing direction at this point in the process by revising the City's UGA boundary would make it very difficult to complete our work on the comprehensive plan update by the statutory deadline.

Please contact me if you have any questions regarding this information.

Sincerely,

[Signature]

Greg Aucutt, AICP
Assistant Director

C Mayor Linville
   Bellingham City Council
   Bellingham Planning Commission
   Darcy Jones, Jones Engineering
   Linda Twitchell, BIAWC
1) p. 2-5; Goal 2A: Ensure sufficient water and designated designation of sufficient land and densities to accommodate the growth needs of Whatcom County and protect the local economy, rural lifestyle, habitat, fish and wildlife which are the cornerstone qualities that make the county a desirable place to live. (Weimer)

2) p. 2-6; New Policy 2A-14: Provide predictability to property owners regarding the connection between legal water use, and land use and development by:

- Completing groundwater studies that provide a better understanding of water quantities available and the connection between groundwater use and in-stream flow levels.

- Supporting the efforts of water purveyors to develop new legal water sources and the infrastructure and systems necessary to transport that water to existing water users that lack safe potable water or sufficient water rights.

- Encouraging a negotiated quantification of tribal water rights by supporting the Lummi Nation’s request to the federal government for a limited adjudication of tribal water rights.

- Encouraging the Department of Ecology to better commit to their responsibilities to enforce water rights to protect in-stream flows.

- Working with the Department of Ecology to better undertake their responsibilities by encouraging them to create a permitting system for exempt wells in closed water basins that better aligns in-stream flows with current water rights and legal decisions on hydraulic continuity. (Weimer)

3) p. 2-53; Policy 2Y-5: Land uses that are incompatible with the operation of the Lynden Airport should be discouraged if expansion of the Urban Growth Area west of Benson Rd. and south of Badger Rd. is considered. Allow for future expansion of runway to be extended to 5,000 ft. in length and widened to provide additional parking and facilities by retaining current zoning from the western end of runway to Double Ditch Road. Specifically, the Lynden Urban Growth Area should not be expanded in this area unless it can be demonstrated that: (Browne)

4) p. 2-71: Reconsideration of the Birch Bay Urban Growth Area expansion. (Donovan)

5) p. 2-73; lines 37-41: The reserve extends from the southern boundary of Birch Bay State Park to the northern border of the Lummi Indian Nation Reservation. The site excludes three existing aquatic land leases (BP, Intalco, Phillips 66 shipping piers) and one proposed aquatic land lease (Gateway Pacific Terminal site). (Brenner)

6) p. 2-92; Policy 2GG-3: Uses and densities within the Rural designation should reflect established rural character. Rezones within the Rural designation should be consistent with the established rural character and densities. Land in the R10A district may be rezoned to a rural zone that allows a higher density only if: ... (Donovan)
Proposed Council Changes to Comprehensive Plan

Chapter 2 – Land Use

Page and line numbers reflect Planning Commission Recommended Draft (1/14/16). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1) Birch Bay Urban Growth Area reconsideration (Donovan)

1a) p. 1-11; Population Projection and Distribution Table: Reduce growth of Birch Bay UGA by 12 people per year. (Donovan)

1b) p. 2-28; Restore language in Goal 2T: Establish Urban Growth Areas within which annexations and urban levels of development can occur and outside of which urban levels of development will not occur. This is intended to be a sprawl preventing measure. (Donovan)

1c) p. 2-28; New Policy 2T-1 and renumber 2T policies: Discourage UGA expansion that does not border an incorporated city. (Donovan)

1d) p. 2-28; UGA map: Restore the Birch Bay UGA map to previous map with no extension into the floodplain. (Donovan)

Rationale: Projections suggest Birch Bay UGA needs to accommodate 12 additional people per year. This ‘need’ is margin of error, and the proposal is not appropriate.

There is no need to expand the Birch Bay UGA at this time:

- The Blaine UGA has excess capacity of 2,031 people through 2036.
- This Birch Bay UGA expansion creates additional excess capacity.
- Existing Birch Bay UGA in surrounding area remains undeveloped.

The proposal is inappropriate and inconsistent with our Comprehensive Plan.

- Birch Bay is unincorporated, so the County pays the costs of facilities.
- Goal 2K discourages development in areas prone to flooding. The proposed UGA expansion is floodplain.
- Policy 2K-1 limits development in floodplains to ag. and non-urban uses.
- Goal 2Q encourages Birch Bay to develop at “an urban level,” but Policy 2K-1 prevents urban uses in this area proposed for UGA expansion.
- Goal 2P encourages Birch Bay to achieve urban densities, but almost half of this proposed UGA addition must remain R10.
- R10 zoning conflicts with Policy 2BB-4, which encourages small lot development in the Birch Bay UGA.
- Policy 2Q-5 encourages Birch Bay to incorporate. There is no action on this.
The proposal adds acres of low density, low tax yield floodplain area to the Birch Bay UGA. This could weaken incentives to incorporate (see Policy 2BB-5). (Donovan)

Area of proposed UGA expansion:
Tabled Items

1) p. 2-5; Goal 2A: Ensure sufficient water and designated designation of sufficient land and densities to accommodate the growth needs of Whatcom County and protect the local economy, rural lifestyle, habitat, fish and wildlife which are the cornerstone qualities that make the county a desirable place to live. (Weimer)

2) p. 2-6; New Policy 2A-14: Provide predictability to property owners regarding the connection between legal water use, and land use and development by:

- Completing groundwater studies that provide a better understanding of water quantities available and the connection between groundwater use and in-stream flow levels.

- Supporting the efforts of water purveyors to develop new legal water sources and the infrastructure and systems necessary to transport that water to existing water users that lack safe potable water or sufficient water rights.

- Encouraging a negotiated quantification of tribal water rights by supporting the Lummi Nation's request to the federal government for a limited adjudication of tribal water rights.

- Encouraging the Department of Ecology to better commit to their responsibilities to enforce water rights to protect in-stream flows.

- Working with the Department of Ecology to better undertake their responsibilities by encouraging them to create a permitting system for exempt wells in closed water basins that better aligns in-stream flows with current water rights and legal decisions on hydraulic continuity. (Weimer)

3) p. 2-53; Policy 2Y-5: Land uses that are incompatible with the operation of the Lynden Airport should be discouraged if expansion of the Urban Growth Area west of Benson Rd. and south of Badger Rd. is considered. Allow for future expansion of runway to be extended to 5,000 ft. in length and widened to provide additional parking and facilities by retaining current zoning from the western end of runway to Double Ditch Road. Specifically, the Lynden Urban Growth Area should not be expanded in this area unless it can be demonstrated that: (Browne)

4) p. 2-73; lines 37-41: The reserve extends from the southern boundary of Birch Bay State Park to the northern border of the Lummi Indian Nation Reservation. The site excludes three existing aquatic land leases (BP, Intalco, Phillips 66 shipping piers) and one proposed aquatic land lease (Gateway Pacific Terminal site). (Brenner)
5) p. 2-92; Policy 2GG-3: **Uses and densities within the Rural designation should reflect established rural character.** Rezones within the Rural designation should be consistent with the established rural character and densities. Land in the R10A district may be rezoned to a rural zone that allows a higher density only if: ... *(Donovan)*
Changes Approved March 29

1) p. 2-1; Vision Statement: Whatcom County is a place where urban growth is concentrated in urban areas, where there is a distinct boundary between urban and rural uses, where agricultural use is encouraged, and where resource lands and water resources are protected, and where land use changes are brought about through incentive programs. Rural areas are peaceful and quiet with less traffic and congestion than in urban areas. There is low-density development with open spaces allowing for privacy. A sense of community is retained and local control is exercised. Input is considered in land use decisions. (Weimer)

2) p. 2-2; lines 32-34: ...providing for economic development opportunities in the eastern portion of the county, and addressing fiscal impact in interlocal agreements with cities. (Brenner)

3) p. 2-2; lines 37-40: ...Planning Policies have been addressed in the development of this chapter through citizen committee participation, town hall meetings, and public hearings. (Brenner)

4) p. 2-5; Goal 2A: Ensure designation of sufficient land, and densities to accommodate the growth needs of Whatcom County and protect the local economy, rural lifestyle, habitat, fish, and wildlife, which are the cornerstone qualities that make the county a desirable place to live. (Brenner)

5) p. 2-6; Policy 2A-8: Include business/industry parks, tourist/resort areas, and allowance for existing crossroads commercial areas ... (Brenner)

6) p. 2-6; Policy 2A-12: Adoption of residential, industrial, and commercial comprehensive plan... (Brenner)

7) p. 2-12; Policy 2F-4: Review and adopt, where appropriate, incentive programs such as cluster density bonuses in urban growth areas, purchase of development rights, transfer of development rights, and tax deferrals. (Brenner)

8) p. 2-4; lines. 31-35: A key need for meeting land demands to generate family wage employment is land that is "ready to go" for industrial development. Many potential industrial employers seeking to locate in Whatcom County require large tracts of land where the infrastructure and site improvements are already in place. (Weimer)

9) p. 2-5; Goal 2A: Ensure designation of sufficient land, water and densities to accommodate the growth needs of Whatcom County and protect the local economy, rural lifestyle, habitat, fish and wildlife which are the cornerstone qualities that make the county a desirable place to live. (Weimer, Donovan)
10) p. 2-6; Policy 2A-7: Establish sufficient levels of developable residential, commercial, and industrial lands informed by approved population and economic forecasts, inventory of existing use, land capacity outside of critical areas and buffers, cost of infrastructure, legally available water, and goals and policies of all chapters of this plan. (Weimer)

11) p. 2-6; New Policy 2A-14: Strive to establish by December 2017, a clear, predictable, and fair process for allowing expansion of urban growth areas that considers reasonable measures to mitigate the impacts of growth. This process should include:

Convening a multi-stakeholder work group, including the Cities, tasked with:
• Reviewing the current TDR and PDR programs.
• Identifying political, financial, and regulatory barriers to effective TDR and PDR programs.
• Identifying opportunities and solutions for creating a workable TDR program.
• Identifying mechanisms to create a PDR fund that could be used to protect important agricultural and rural lands.
• Recommending policy and regulatory amendments necessary to implement the above policy.
• Identifying proposed sending areas in critical areas, the Agricultural Zone, and the Rural Study Areas.
• Identifying receiving areas.
• Identifying other factors and/or growth management tools.

Based upon the findings of the multi-stakeholder work group, consider strategies that could require purchase, transfer or otherwise incentivize removal of potential development rights form rural or resource lands in exchange for UGA expansion and other upzones. (Staff)

Changes Approved April 5

1) p. 2-8; Policy 2B-7: Master Planned Resorts should only include other residential uses within its boundaries if residential uses are integrated into and support the on-site recreational nature of the resorts. (Brenner)

2) p. 2-11; Policy 2D-9 (In. 34): ...or zone 6 (traffic pattern zone) as shown on in the Safety Compatibility Zone Examples... (Brenner)

3) p. 2-13; lines 32-35: Property rights are an important issue in Whatcom County. People want to use their land as they wish Land can be used as desired as long as it doesn’t conflict
with the rights of others. It is not necessary for the preservation of property
rights and protection of the environment and resources to conflict with one
another. (Brenner)

4) p. 2-14; Policy 2H-2: Establish incentive programs such as cluster density bonuses in urban growth
areas, purchase of development rights and voluntary, workable transfers of
development rights, where appropriate, to compensate property owners when
if rights are unduly infringed upon. (Brenner)

5) p. 2-18; Goal 2M:
Protect and encourage restoration of habitat for fish and wildlife populations
including adequate in-stream flows. (Weimer)

6) p. 2-19; New Policy 2M-7: Remain actively Engage in efforts to better define ground water
resources and connection to surface water, current water usage, water rights,
adequate in-stream flows, and policy barriers that create conflicts between
these things. (Weimer)

7) p.2-25; Policy 2Q-5:
Encourage and assist the citizens of Birch Bay and Columbia Valley Urban
Growth Areas with the requirements to incorporate when appropriate.
(Brenner)

8) p. 2-27; 2S-5:
Annually monitor population growth and publish a report no later than
November 1 of each year that analyzes population growth trends over time-five
years in comparison with the adopted population growth projections. If the
trend over several-five years indicates that population growth in urban growth
areas is significantly higher than adopted projections, coordinate with the cities
to consider appropriate action. Actions may include amending growth
projections, or amending urban growth area densities or boundaries. (Donovan)

9) p. 2-35: Bellingham UGA Map: Amend map to show South Caiac and South Yew Street as UGA
Reserve. (Donovan)

10) p. 2-102; lines 36-38: There are no areas proposed for Urban Growth Area Reserve adjacent to the
Bellingham Urban Growth Area. The south Yew St. and the south Caiac areas
have been designated as Urban Growth Area Reserves. Prior to re-designating
the south Yew St. area to UGA, need for additional land capacity must be
demonstrated, planning for adequate public facilities and services must be
completed, and potential impacts on Lake Padden water quality must be
addressed. Prior to re-designating the south Caiac area to UGA, need for
additional land capacity must be demonstrated and planning for adequate
public facilities and services must be completed. (Staff)
Changes Approved April 19

3) p. 2-18; Policy 2M-6: Engage the Wildlife Advisory Committee to develop recommendations of critical habitat and species protection areas, and for a system to monitor the status of fish and wildlife habitat function. (Browne)

10) p. 2-73; lines 31-34: In 2010, the DNR recognized the need to “protect the significant environmental resource of aquatic lands at Cherry Point” (CPAR Management Plan p. 1), and completed the Cherry Point Environmental Aquatic Reserve Management Plan, and designated the Cherry Point Aquatic Reserve to ensure long-term environmental protection of the area. (Donovan)

12) p. 2-74; lines 6-13: The Management Plan acknowledges that the existing industries, complying with laws and regulations, do not conflict with the Aquatic Reserve although their activities may pose risks for the Aquatic Reserve. Indeed, the industries’ need for buffer space and their compliance with shoreline management requirements means that much of the Aquatic Reserve shoreline is in substantially natural riparian vegetation and bluff processes proceed without interference. Existing industries can serve the Aquatic Reserve’s objectives as long as they are managed according to the Plan and so long as the lessees actively work to further goals for the Reserve (CPAR MP p. 2). (Weimer)

13) p. 2-77; New Policy 2CC-2 (renumber existing 2CC-2 and subsequent 2CC policies): Ensure that developments in the Cherry Point UGA maintain management plans to accomplish the goals of the Aquatic Reserve Management Plan. (Donovan)

14) p. 2-77; Policy 2CC-7: Resist inclusion of Exclude Cherry Point as part of any future incorporation of Birch Bay. (Brenner)

15) p. 2-82; Policy 2DD-1: Concentrate growth in urban areas per the population projections in Chapter 1 of this plan, and recognize rural lands as an important transition area between urban areas and resource areas. As part of the population growth monitoring report required in Policy 2S-5, compare non-urban population growth trends with the adopted non-urban population growth projection. If the trend over several five years indicates that non-urban growth is significantly higher than adopted projections, the County shall take action to address the discrepancy.... (Weimer)

17) p. 2-128; Policy 2VV-7: Correctional facilities... New facilities should be located: ...
- At least one quarter mile from public and private schools. (Weimer)
# WHATCOM COUNTY COUNCIL AGENDA BILL

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Division Head: Mark Personius</td>
<td>X</td>
<td>3/24/16</td>
<td></td>
<td>5/3/16</td>
<td>SCOTW</td>
</tr>
<tr>
<td>Dept. Head: Sam Ryan</td>
<td>3/25/16</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prosecutor: Royce Buckingham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchasing/Budget:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive: Jack Louws</td>
<td>2/28/16</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TITLE OF DOCUMENT:**
Briefing and discussion on Comprehensive Plan Chapter 3 (Housing).

**ATTACHMENT:**
1. Cover memo, Whatcom County Housing Analysis 2015

**SEPA review required?** ( ) Yes (X) NO  
**SEPA review completed?** ( ) Yes ( ) NO  
**Should Clerk schedule a hearing?** ( ) Yes ( ) NO

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**  
(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Under the Growth Management Act, Whatcom County and the seven cities within the County must complete the periodic update of their comprehensive plans and review urban growth areas by June 30, 2016 (RCW 36.70A.130). The Planning and Development Services Department would like to present an overview and discuss Comprehensive Plan Chapter 3 (Housing) with the Planning and Development Committee.

**COMMITTEE ACTION:**
4/5/2016: Briefed and discussed

**COUNCIL ACTION:**

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

**Please Note:** Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.
Memorandum

TO: The Honorable Jack Louws, Whatcom County Executive
The Honorable Whatcom County Council

FROM: Karin Beringer, Planner

THROUGH: Mark Personius, Assistant Director

DATE: March 23, 2016

SUBJECT: Comp Plan Update – Chapter 3 (Housing)

As you know, Whatcom County has initiated a multi-year project to update the Whatcom County Comprehensive Plan and conduct the urban growth area (UGA) review by June 30, 2016, as required by the Growth Management Act. Review of Comprehensive Plan Chapter 3 – Housing was conducted in coordination with the Whatcom County Housing Advisory Committee. The County also hired a consultant (Beckwith) to create a Housing Analysis and demographic study to inform Chapter 3- Housing (see attached). Staff is requesting to make a presentation to the Council’s Planning and Development Committee relating to Chapter 3 on April 5, 2016.

The Council has requested a summary of the substantive changes made by the Planning Commission. The Planning Commission considered Chapter 3 – Housing on May 14, 2015 and September 24, 2015. Planning Commission changes to policies in the staff draft include the following:

Policy 3A-1 was modified to read: Streamline and simplify existing and proposed permitting processes, and review any changes to county regulations affecting the provision of housing that increase costs and/or permit processing time.

The Planning Commission thought it would be unrealistic to review any changes to county regulations.

Policy 3D-4 was deleted by Planning Commission. It read: Consider establishing a housing development fund, accessible to individuals qualified for affordable housing assistance who are legal residents of the county, administered by an agency and funded by contributions from developers wishing to utilize affordable housing incentives and bonuses, but not wishing to include affordable housing in their own projects.

The proposed policy had originally been an action item at the end of the chapter that was consolidated into policy. The Planning Commission thought that this policy did not fit well for an unincorporated Whatcom County comprehensive plan, but might fit better in a city comprehensive plan.
Policy 3F-5 was deleted by Planning Commission. It read: Explore and consider various financial incentives and funds to support affordable housing including but not limited to:

- Tax credits for low-income households.
- Creation of a “housing trust fund” to provide dedicated funding for housing priorities set by the jurisdictions involved.
- "Housing levy" that funds affordable housing development.
- Using a "Real Estate Excise Tax" or a "Real Estate Transfer Tax" a County-wide tax or levy to provide a revenue stream for the local housing trust fund for affordable housing.

The proposed policy had originally been several action items at the end of the chapter that were consolidated into policy. The Planning Commission voted to remove it.

Healthy Housing Goal and Policies were deleted by Planning Commission. The Healthy Housing Section read:

Healthy Housing

The 1949 Federal Housing Act established the goal of “a decent home and suitable living environment for every American family.” As rents rise and affordable housing options are sparse, low-income populations are more likely to select lower-quality housing that they can afford. As a consequence, low-income families and individuals may be more likely to live in housing subject to rodents, mold, lead and asbestos, or structural problems. Not only does this environment jeopardize the health, safety, and welfare of residents, it poses an especially acute risk to sensitive populations like young children and seniors.

Goal 31: All housing is designed and built in a way that facilitates health, sustainability, and efficiency.

Policy 31-1: Ensure that all new housing is constructed from materials that do not contain known hazardous elements.

Policy 31-2: Encourage departments to support pollutant-free homes. For example, consider encouraging the fire department to provide households with free or low-cost smoke detectors and carbon monoxide detectors.

Policy 31-3: Work with developers and other agencies to prioritize health in planned construction.

Policy 31-4: Encourage sustainable and "green building" practices.

This section was added in by the Whatcom County Housing Advisory Committee. The Planning Commission thought that most of the issues covered in the proposed section were already covered in building code. The Planning Commission stated that the intent of the section was good, but that building codes should adequately cover these issues. The section was deleted.

Thank you for your consideration of this matter. We look forward to discussing it with you.
Whatcom County Housing Analysis October 2015
Prepared by:
Tom Beckwith FAICP, Beckwith Consulting Group

Assistance provided by:
Whatcom County Planning and Development Services
# Table of contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
<tr>
<td>Population trends 1900-2014</td>
<td>1</td>
</tr>
<tr>
<td>Demographic composition 2009-2013</td>
<td>2</td>
</tr>
<tr>
<td>Housing market trends 2000-2014</td>
<td>16</td>
</tr>
<tr>
<td>Critical skills housing capability</td>
<td>22</td>
</tr>
<tr>
<td>Housing cost burden by income group</td>
<td>23</td>
</tr>
<tr>
<td>Publicly Assisted housing</td>
<td>26</td>
</tr>
<tr>
<td>Assisted housing occupant characteristics</td>
<td>27</td>
</tr>
<tr>
<td>Homelessness in 2014</td>
<td>31</td>
</tr>
<tr>
<td>Population projections and allocations</td>
<td>34</td>
</tr>
<tr>
<td>National trends and housing implications</td>
<td>38</td>
</tr>
<tr>
<td>Housing policy implications</td>
<td>40</td>
</tr>
</tbody>
</table>

## Appendices

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A: Glossary</td>
<td>A-1</td>
</tr>
<tr>
<td>B: Population</td>
<td>B-1</td>
</tr>
<tr>
<td>C: CDP UGA boundaries</td>
<td>C-1</td>
</tr>
<tr>
<td>D: ACS 2009-2013</td>
<td>D-1</td>
</tr>
<tr>
<td>E: OFM net migration rates</td>
<td>E-1</td>
</tr>
<tr>
<td>F: Washington Center for Real Estate Research</td>
<td>F-1</td>
</tr>
<tr>
<td>G: Critical skills housing capabilities</td>
<td>G-1</td>
</tr>
<tr>
<td>H: Comprehensive Housing Affordability Statistics</td>
<td>H-1</td>
</tr>
<tr>
<td>I: HUD Pictures of Subsidized Households</td>
<td>I-1</td>
</tr>
<tr>
<td>J: Homeless Count in 2014</td>
<td>J-1</td>
</tr>
<tr>
<td>K: Demographic Trends in the 20th Century</td>
<td>K-1</td>
</tr>
<tr>
<td>L: Housing cost analysis</td>
<td>L-1</td>
</tr>
</tbody>
</table>

## Charts

<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Whatcom County population 1900-2014</td>
<td>1</td>
</tr>
<tr>
<td>2: Whatcom County net migration 1960-2015</td>
<td>2</td>
</tr>
<tr>
<td>3: Age distribution in Puget Sound, Whatcom Co</td>
<td>3</td>
</tr>
<tr>
<td>4: Median age</td>
<td>4</td>
</tr>
<tr>
<td>5: Percent 65+</td>
<td>4</td>
</tr>
<tr>
<td>6: Average household size</td>
<td>5</td>
</tr>
<tr>
<td>7: Household types</td>
<td>5</td>
</tr>
<tr>
<td>8: Family types</td>
<td>6</td>
</tr>
<tr>
<td>9: Non-family households</td>
<td>6</td>
</tr>
<tr>
<td>10: Percent civilian employed in labor force</td>
<td>7</td>
</tr>
<tr>
<td>11: Percent employed in base industries</td>
<td>7</td>
</tr>
<tr>
<td>12: Workers - self-employed in own business</td>
<td>8</td>
</tr>
<tr>
<td>13: Mean travel time to work in minutes</td>
<td>8</td>
</tr>
<tr>
<td>14: No vehicles available to household</td>
<td>9</td>
</tr>
<tr>
<td>15: Hispanic or Latino of any race</td>
<td>9</td>
</tr>
<tr>
<td>16: Language other than English</td>
<td>10</td>
</tr>
<tr>
<td>17: Resided in same house 1 year ago</td>
<td>10</td>
</tr>
<tr>
<td>18: Percent in detached single-family units</td>
<td>11</td>
</tr>
<tr>
<td>19: Percent in multifamily of 20+ units</td>
<td>11</td>
</tr>
<tr>
<td>20: Percent owner occupied</td>
<td>12</td>
</tr>
<tr>
<td>21: Median house value</td>
<td>12</td>
</tr>
<tr>
<td>22: Percent renter occupied housing units</td>
<td>13</td>
</tr>
<tr>
<td>23: Median rent</td>
<td>13</td>
</tr>
<tr>
<td>24: Median family income</td>
<td>14</td>
</tr>
<tr>
<td>25: Median per capita income</td>
<td>14</td>
</tr>
<tr>
<td>26: Total families in poverty</td>
<td>15</td>
</tr>
<tr>
<td>27: Percent of population in poverty</td>
<td>15</td>
</tr>
<tr>
<td>28: Percent of housing stock added each year</td>
<td>17</td>
</tr>
<tr>
<td>29: Residential building permits as % stock</td>
<td>17</td>
</tr>
<tr>
<td>30: Percent single-family of residential permits</td>
<td>18</td>
</tr>
<tr>
<td>31: Percent multifamily of residential permits</td>
<td>18</td>
</tr>
<tr>
<td>32: Percent multifamily of total housing inventory</td>
<td>19</td>
</tr>
<tr>
<td>33: Percent of existing stock sold per year</td>
<td>19</td>
</tr>
<tr>
<td>34: Median home prices</td>
<td>20</td>
</tr>
<tr>
<td>35: Average apartment rent 2005-2013</td>
<td>20</td>
</tr>
<tr>
<td>36: Apartment vacancy rate 2005-2013</td>
<td>21</td>
</tr>
<tr>
<td>37: Housing Affordability Index (HAI)</td>
<td>21</td>
</tr>
<tr>
<td>38: HAI - First Time Buyer</td>
<td>22</td>
</tr>
<tr>
<td>39: Average wage of critical occupations 2014</td>
<td>22</td>
</tr>
<tr>
<td>40: Home purchasing ability by occupations 2014</td>
<td>23</td>
</tr>
<tr>
<td>41: Monthly rental capability by occupations 2014</td>
<td>23</td>
</tr>
<tr>
<td>42: Percent in income group cost burden - owners</td>
<td>24</td>
</tr>
<tr>
<td>43: Percent in income group cost burden - renters</td>
<td>25</td>
</tr>
<tr>
<td>44: Owner households under $20,000 paying 30%+</td>
<td>26</td>
</tr>
<tr>
<td>45: Renter households under $20,000 paying 30%+</td>
<td>26</td>
</tr>
<tr>
<td>46: Household income per year</td>
<td>28</td>
</tr>
<tr>
<td>47: Per capita income</td>
<td>28</td>
</tr>
<tr>
<td>48: Rent per month</td>
<td>29</td>
</tr>
<tr>
<td>49: Percent minority</td>
<td>29</td>
</tr>
</tbody>
</table>
50: Percent female head of household 30
51: Percent female head of household w/children 30
52: Percent of all persons over age 62+ 31
53: Percent of all persons with a disability 31
54: Reasons for homelessness 32
55: 2014 Whatcom County homeless count 32
56: Homeless households by family type 33
57: Homeless persons by family type 33
58: Age distribution of homeless persons 34
59: Homeless households and housing status 2014 34
60: Whatcom County population projections 35
61: Whatcom County population change 2010-40 35
62: Whatcom County age distribution 2010-40 36
63: Population capacity of undeveloped land 37
64: Dwelling unit capacity of undeveloped lands 37
65: Percent multifamily is of du capacity 37
66: Percent of the US population over age 65 38
67: Percent of US households by type household 38
68: Percent of US households 1-person household 39
69: Percent of US households renter occupied 39
70: Housing cost reductions 43

Tables
1: Whatcom County populations 2000-2014 2
2: HUD income eligibility limits 24
3: HUD cost burden by income group 25
4: Public housing inventory 27
5: HUD assisted housing inventory 2013 27
6: Whatcom County population allocation 2013-36 36
Introduction

This Whatcom County Housing Analysis 2015 was prepared to support the County’s 2016-2036 Comprehensive Plan Update in accordance with the Washington State Growth Management Act (GMA). In accordance with GMA requirements, this analysis includes an analysis of:

- Population trends in Whatcom County and its municipal jurisdictions
- Demographic characteristics including age, household status, employment, income, housing tenure, and housing costs
- Housing market trends in Whatcom County compared with the surrounding areas and Washington State including housing affordability
- Housing capability of critical skill occupations within Whatcom County
- Housing cost burdens of all income groups including extremely low, lower, and low income
- Publicly assisted housing inventory including numbers and key sponsors
- Demographic characteristics of occupants of publicly assisted housing units
- Homelessness populations including provisions for shelter
- Population projections and allocations for the 20-year planning period
- National trends in household formations and characteristics of impact on housing needs
- Housing policy implications for Whatcom County including the impact of various incentives

The statistics quoted in this analysis were taken from a variety of sources including the Washington State Office of Financial Management (OFM) and Employment Security Department (ESD), US Bureau of Census American Community Survey (ACS), US Housing & Urban Development (HUD) Comprehensive Housing Affordability Statistics (CHAS), Washington Center Real Estate Research (WCRER), Whatcom County Homeless Count 2014, among others. The time periods for which data is available varies for each source and is noted in the text and charts, and in the detailed spreadsheets included in the Appendices.

Population trends 1900-2014

Whatcom County population - increased from 24,116 persons in 1900 to 207,600 persons by the year 2014 with the lowest annual average growth rate occurring between 1910-1920 of 0.2% and the highest annual average rate growth rate between 1990-2000 of 2.7% (see Chart 1 and Appendix B).

![Whatcom County population composition 1900-2014](chart1.png)

Whatcom County’s annual average growth rate was higher between 1990-2000 and 2000-2010 (2.7% and 1.9% respectively) than Washington State (1.9% and 1.3%) and Puget Sound (King, Kitsap, Pierce, and Snohomish Counties at 1.8% and 1.2%).

Whatcom County’s annual average growth rate between 2010-2014 (0.8%), however, was slightly lower than Washington State (0.9%) and Puget Sound (1.0%).
A significant portion of Whatcom County's population increase has been affected by net migration or the difference between people moving out and people moving into the county (see Appendix A).

**Net migration volumes** - were lowest into the county between 1980-1985 (4,569 persons) and highest between 1990-1995 (17,838 persons). Annual volumes declined significantly between 2010-2015 (5,313 persons) that may be a result of the economic recession (Chart 2).

![Chart 2](chart2.png)

Whatcom County's future population trends may be affected significantly by the attraction(s) the county may have to in-migrant persons particularly for specific age groups.

**Whatcom County jurisdiction populations** - increased from 1900-2014 with the largest concentrations in Bellingham (82,810 persons in 2014), Lynden (12,920 persons in 2014), and Ferndale (12,710 persons in 2014) and the lowest concentrations in Nooksack (1,435 persons in 2014) and Sumas (1,463 persons in 2014).

Unincorporated Whatcom County population remains a significant portion of the county total representing 45% of the county in 1900 and 43% in 2014.

<table>
<thead>
<tr>
<th>Table 1: Whatcom County population 2000-2014</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Incorporated areas</strong></td>
</tr>
<tr>
<td>Bellingham</td>
</tr>
<tr>
<td>Blaine</td>
</tr>
<tr>
<td>Everson</td>
</tr>
<tr>
<td>Ferndale</td>
</tr>
<tr>
<td>Lynden</td>
</tr>
<tr>
<td>Nooksack</td>
</tr>
<tr>
<td>Sumas</td>
</tr>
<tr>
<td>Unincorporated</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>Source: Washington State Office of Financial Management (OFM)</td>
</tr>
</tbody>
</table>

**Demographic composition 2009-2013**

The **American Community Survey (ACS)** - is an ongoing statistical survey by the US Census Bureau, sent to approximately 250,000 addresses monthly (or 3,000,000 per year). The ACS regularly gathers information previously contained only in the long form of the decennial census. It is the largest survey other than the decennial census that the Census Bureau administers.

The following demographic characteristics are taken from the ACS's most current compilations for the combined 2009 to 2013 years for Whatcom County in total and each municipal jurisdiction including Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas.

The ACS also collects data for unincorporated census designated places (CDPs) that include Birch Bay, Kendall, and Peaceful Valley that include Whatcom County urban growth areas (UGAs) though the ACS boundaries do not coincide with the County’s UGA boundaries (see Appendix C). Data for other unincorporated Whatcom County was determined by subtracting the subtotals for municipal...
jurisdictions and CDPs from the Whatcom County totals and is depicted in the charts as (other) unincorporated.

**Age distribution** - before World War II, the nation's population was distributed within a triangle (pyramid if male and female are arrayed side by side) where the greatest proportion of the population was in the youngest age group (0-5 years) that gradually declined in proportion into the older years due to age-related attrition until it reached zero or no living persons.

The war, however, displaced men from the home front putting off normal family rearing and fertility. When the war ended, and men returned, births were concentrated in the post-war years creating a "baby boom" or bulge in the age distribution.

Births, or the birth rate, declined after the "baby boom", however, due to a number of post-war factors including an increasing divorce and marriage dissolution rate, a higher percentage of working mothers, and a desire for smaller families including an increasing proportion who do not desire having children. Health advances also increased life expectancies extending the proportion of the population that lives into advanced years.

Age distribution charts reflect a "bell-jar" rather than a pyramid as the "baby boom" ages into the upper age brackets and the following population is proportionally smaller (Chart 3).

**Whatcom County's 2013 age distribution** - reflects these factors as well as the unique attractions the county has for select age-related populations. Compared with Puget Sound, Whatcom County has a slightly lower percentage of its population 0-14 years and 25-54 years and a slightly higher percentage concentration 55-85+ years. The County has a significant concentration in 20-24 years due to the student population at Western Washington University, Whatcom Community College, and Bellingham Technical College (Chart 3).

**Median age** - in Whatcom County (36.5 years) is slightly lower than Puget Sound (37.0), Washington State (37.3), and the US (37.3). Within Whatcom County, Blaine (44.7) and Birch Bay (44.2) have the highest median ages and Kendall (27.7), Nooksack (30.4), Bellingham (30.9), and Sumas (31.0) the lowest reflecting the age-specific attractions each community has developed (Chart 4).
**Percent of the population 65 years and older** - is higher in Whatcom County (14%) than Puget Sound (11%), Washington State (13%), and the US (13%). Within Whatcom County, Blaine (22%), Lynden (20%), and Birch Bay (19%) have the highest percentage 65 years and older and Kendall (6%), Nooksack (7%), and Peaceful Valley (7%) the lowest due to age-specific attractions (Chart 5).

**Average household size** - is slightly lower in Whatcom County (2.50 persons per household) than in Puget Sound (2.56), Washington State (2.54), and the US (2.63). Within Whatcom County, Nooksack has the highest average household size (3.19) and Blaine (2.22), Birch Bay (2.27), and Bellingham (2.28) the lowest (Chart 6).
Average household sizes have declined in general due to the same factors affecting age distribution as well as the increasing numbers of all age groups who are choosing to live alone due to age or preference.

Differences in household size in Whatcom County are also due to select differences each community has in attracting and supporting different household types with Nooksack attracting families with children, Blaine and Birch Bay empty-nester households whose children have likely grown and left home, and Bellingham a high college student population.

Household types - include a slightly lower percentage in families in Whatcom County (62%) than Puget Sound (63%), Washington State (65%), and the US (66%). Within Whatcom County, Nooksack has the highest percentage of family households (87%) and Bellingham the lowest (48%) (Chart 7).

Married couple families - constitute a slightly higher percentage of all families in Whatcom County (80%) than Puget Sound (78%), Washington State (77%), and the US (73%). Within Whatcom County, Blaine has the highest percentage of married couples (92%) and Bellingham (72%) and Everson (73%) the lowest (Chart 8).

Male-headed families - constitute a lower percentage of all families in Whatcom County (5%) than Puget Sound (7%), Washington State (7%), and the US (7%). Within Whatcom County, Birch Bay has the highest percentage of male-headed families and Blaine (0%) and Kendall (0%) the lowest (Chart 8).

Female-headed families - constitute a slightly lower percentage of all families in Whatcom County (15%) than Puget Sound (16%), Washington State (16%), and the US (16%). Within Whatcom County, Bellingham (21%) and Kendall (21%) have the highest percentage and Blaine (8%) and Birch Bay (9%) the lowest (Chart 8).
Single-parent (male and female-headed) households - are proportionally more sensitive than two-parent households to factors contributing to poverty and sub-standard living conditions such as housing costs, health care costs, and other increases in the cost of living. The number of such households is increasing at a faster rate than households with two parents. Shifts in proportions of various groups comprising county population also shift the need for various types and sizes of housing. Some families require larger homes to accommodate larger extended families. Some groups, such as single-parent households, require smaller and more efficient housing due to lower incomes resulting from a single working parent.

Percent of non-family households living alone - of all nonfamily households is lower in Whatcom County (72%) than Puget Sound (77%), Washington State (78%), and the US (82%). Within Whatcom County, Kendall (100%), Lynden (95%), Sumas (94%), and Blaine (91%) have the highest percentage and Peaceful Valley (63%) and Bellingham (66%) the lowest (Chart 9).

Non-family households living alone over the age 65 - is higher in Whatcom County (25%) than Puget Sound (22%) but lower than Washington State (26%), and the US (29%). Within Whatcom County, Lynden (57%) and Kendall (44%) have the highest percentage and Peaceful Valley (16%) the lowest (Chart 9).

Percent civilians employed in the labor force - is slightly lower in Whatcom County (58%) than Puget Sound (61%) but similar with Washington State (58%), and the US (58%). Within Whatcom County, Nooksack and Peaceful Valley (48%) have the highest percentage and Peaceful Valley (48%) and Blaine (51%) the lowest (Chart 10).
**Percent civilians employed in base industries (agriculture, mining, manufacturing)** - is slightly higher in Whatcom County (21%) than Puget Sound (18%), Washington State (19%), and the US (19%). Within Whatcom County, Kendall (38%) and Everson (37%) have the highest and Bellingham (15%) the lowest (Chart 11).

**Percent self-employed in own business** - is slightly higher in Whatcom County (7%) than Puget Sound (6%), Washington State (6%), and the US (6%). Within Whatcom County, Ferndale (10%) and Peaceful Valley (9%) have the highest percentage and Kendall (0%), Nooksack (2%), and Sumas (3%) the lowest (Chart 12).
Mean travel time to work in minutes - is lower in Whatcom County (20.9 minutes) than Puget Sound (28.0), Washington State (25.7), and the US (25.5). Within Whatcom County, Kendall (35.1) and Peaceful Valley (31.5) have the longest commute and Bellingham (17.8) the shortest (Chart 13).

No vehicles available to household - is slightly higher in Whatcom County (9%) than Puget Sound (6%), Washington State (8%), and the US (7%). Within Whatcom County, Kendall (16%) has the highest percentage without a vehicle and Nooksack (2%) and unincorporated (2%) the lowest (Chart 14).
**Hispanic or Latino of any race** - is lower in Whatcom County (8%) than Puget Sound (9%), Washington State (11%), and the US (17%). Within Whatcom County, Everson (19%) and Sumas (18%) have the highest percentage and Kendall (0%) the lowest (Chart 15).

**Primary language other than English** - is lower in Whatcom County (12%) than Puget Sound (21%), Washington State (19%), and the US (21%). Within Whatcom County, Peaceful Valley (29%) has the highest percentage and Kendall (7%) the lowest (Chart 16).
**Resided in same house 1 year ago** - is about the same in Whatcom County (83%) and Puget Sound (82%), Washington State (83%), and the US (85%). Within Whatcom County, Everson (90%), unincorporated (90%), Ferndale (89%), Lynden (89%), and Birch Bay (89%) have the highest percentage and Peaceful Valley (69%) the lowest (Chart 17).

**Percent in detached single-family units** - which does not include mobile homes, is about the same in Whatcom County (63%) and Puget Sound (60%), Washington State (63%), and the US (62%). Within Whatcom County, Nooksack (85%) has the highest percentage and Bellingham (47%) and Peaceful Valley (52%) the lowest (Chart 18).
Percent in multifamily of more than 20+ units - is lower in Whatcom County (8%) than Puget Sound (13%), Washington State (9%), and the US (9%). Within Whatcom County, Bellingham (16%) has the highest percentage and Nooksack (0%), Everson (0%), Kendall (0%), and Peaceful Valley (0%) the lowest (Chart 19).

Percent owner occupied - is slightly higher in Whatcom County (63%) than Puget Sound (61%) but comparable to Washington State (63%) and lower than the US (65%). Within Whatcom County, Nooksack (82%), Birch Bay (81%), and unincorporated (80%) have the highest percentage and Bellingham (46%) and Peaceful Valley (55%) the lowest (Chart 20).
Median house value in 2013 - is lower in Whatcom County ($277,000) than Puget Sound ($324,111) but higher than Washington State ($262,100) and the US ($176,700). Within Whatcom County, Blaine ($286,200) and Bellingham ($286,100) have the highest and Peaceful Valley ($132,900) the lowest (Chart 21).

Percent renter occupied - is slightly lower in Whatcom County (37%) than Puget Sound (39%) but comparable to Washington State (37%) and higher than the US (35%). Within Whatcom County, Bellingham (54%) and Peaceful Valley (45%) have the highest percentage and Nooksack (19%), Birch Bay (19%), and unincorporated (20%) the lowest (Chart 22).
Median rent in 2013 - for all rental units is lower in Whatcom County ($890) than Puget Sound ($1,094), Washington State ($973), and the US ($904). Within Whatcom County, Birch Bay ($1,013) and Nooksack ($959) have the highest and Blaine ($683) and Everson ($700) the lowest (Chart 23).

Median family income - is lower in Whatcom County ($68,159) than Puget Sound ($84,049) and Washington State ($72,168) but higher than the US ($64,719). Within Whatcom County, Blaine ($86,008) has the highest income and Kendall ($36,473) and Peaceful Valley ($44,071) the lowest (Chart 24).
**Per capita income** - is lower in Whatcom County ($26,530) than Puget Sound ($35,207), Washington State ($30,742), and the US ($28,155). Within Whatcom County, Blaine ($34,358) has the highest income and Kendall ($17,182) and Peaceful Valley ($17,320) the lowest (Chart 25).

**Percent of families in poverty** - is higher in Whatcom County (10.2%) than Puget Sound (7.5%) and Washington State (9.0%) but lower than the US (11.3%). Within Whatcom County, Everson (17.3%) and Peaceful Valley (16.6%) have the highest percentages and Blaine (5.2%) the lowest (Chart 26).
Percent of the population in poverty - is higher in Whatcom County (16.4%) than Puget Sound (11.4%), Washington State (13.4%), and the US (15.4%). Within Whatcom County, Bellingham (24.1%) is the highest and Sumas (7.2%) the lowest (Chart 27).

Implications
Whatcom County demographics in general - are similar to Puget Sound within the municipal jurisdictions, Bellingham in particular, reflecting the county's continuing urbanization along the I-5 corridor. Western Washington University (WWU), Port of Bellingham, Cherry Point, and other major regional enterprises have influenced employment, housing, services, and other facilities that have attracted age-specific populations and households.

Even so, Whatcom County in total is less urban than Puget Sound with more base industry (agriculture, forestry, and manufacturing) employment, lower incomes, lower housing costs, and less ethnic, non-English speaking populations.

Specific jurisdictions within Whatcom County - reflect the iterative influence of age and household-specific relationships to employment, housing, and services where Nooksack, for example, is
predominantly married couple family, single-family housing stock, owner occupied, car commuting compared with Bellingham which includes more non-family households, multifamily housing stock, renter occupied, and bike and transit commuting.

Whatcom County's future demographics, particularly the composite social characteristics of each municipal jurisdiction, will largely depend on how specific demographics groups are attracted to each municipal jurisdiction by each jurisdiction's unique economic, land use, transportation, and housing conditions and public policies.

**Housing market trends 2000-2014**

**Washington Center for Real Estate Research (WCRER)** - is an industry-focused unit within the Runstad Center for Real Estate Studies housed within the College of Built Environments at the University of Washington (UW). The Board of Regents at Washington State University (WSU) initially established the WCRER to provide a bridge between academic study and research on real estate topics and the professional real estate industries. It served that mission at WSU until merging with the Runstad Center at the beginning of 2012.

Much of the work at WCRER is driven by the legislation (RCW 18.85.741) that created the real estate research fund surcharge on new real estate licensees and renewals. The purpose of a real estate research center in Washington State is to provide credible research, value-added information, education services and project-oriented research to real estate licensees, real estate consumers, real estate service providers, institutional customers, public agencies, and communities in Washington State and the Pacific Northwest region. The center may:

- Conduct studies and research on affordable housing and strategies to meet the affordable housing needs of the state;
- Conduct studies in all areas directly or indirectly related to real estate and urban or rural economics and economically isolated communities;
- Disseminate finding and results of real estate research conducted at or by the center or elsewhere, using a variety of dissemination media;
- Supply research results and educational expertise to the Washington state real estate commission to support its regulatory functions, as requested;
- Prepare information of interest to real estate consumers and make the information available to the general public, universities, or colleges, and appropriate state agencies;
- Encourage economic growth and development within the state of Washington;
- Prepare information of interest to real estate consumers and make the information available to the general public, universities, or colleges, and appropriate state agencies;
- Encourage economic growth and development within the state of Washington;
- Support the professional development and continuing education of real estate licensees in Washington;
- Study and recommend changes in state statutes relating to real estate; and
- Develop a vacancy rate standard for low-income housing in the state.

WCRER collates real estate data and trends including building permits, construction, sales, and vacancies on a county and statewide basis. The most recent data available from WCRER is for the 2000-2014 years (see Appendix D).

**Whatcom County Real Estate Research Committee** - is a non-profit organization whose sole purpose is to provide current real estate market information through its publication, The Whatcom County Real Estate Research Report. The Research Report is published once a year (June) covering the commercial and residential real estate markets, as well as data on interest rates, employment, and population, augmenting the information available from WCRER.

**Percent of housing stock added to the total inventory each year** - were higher in Whatcom County in the years 2000-2005 (3.6% to 3.1%) than Puget Sound (3.0% to 1.9%) and Washington State (2.8% to
2.0%) based on the annual housing construction data WCRER collected from each and all counties in the state. Conversely, the percent of housing stock added to the total inventory was lower in Whatcom County in the years 2006-2012 (1.7% to 0.7%) than Puget Sound (1.8% to 1.2%) and Washington State (1.9% to 1.0%) (Chart 28).

<table>
<thead>
<tr>
<th>Percent of housing stock added each year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Washington State</td>
</tr>
<tr>
<td>Puget Sound</td>
</tr>
<tr>
<td>Whatcom County</td>
</tr>
</tbody>
</table>

Residential building permits as percent of existing housing stock - were higher in Whatcom County in the years 2000-2005 (2.2% to 3.0%) than Puget Sound (1.8% to 1.9%) and Washington State (1.6% to 2.0%). Conversely, the percent residential building permits were of housing stock added to the existing inventory was lower in Whatcom County in the years 2006-2012 (1.7% to 0.7%) than Puget Sound (1.8% to 1.2%) and Washington State (1.8% to 1.0%) (Chart 29).

The trends indicate the recent economic recession may have had a greater impact on Whatcom County's economy and homebuilding industry in particular.

Percent single-family units are of all residential building permits - were higher in Whatcom County in the years 2000-2002 (65.1% to 72.0%) than Puget Sound (55.7% to 69.9%) then lower from 2003-2005 (64.4% to 60.4%) than Puget Sound (74.2% to 70.3%) then significantly higher from 2006 to 2012 (79.7% to a peak of 92.6% in 2009 then down to 76.6% in 2012) than Puget Sound (61.1% to a peak of 70.0% in 2009 then down to 47.0% in 2012) and Washington State (74.3% to a peak of 76.4% in 2009 then down to 58.7% in 2012) (Chart 30).
Percent multifamily units are of all residential building permits - were lower in Whatcom County in the years 2000-2002 (34.2% to 28.0%) than Puget Sound from 2000-2002 (44.3% to 30.1%) but higher from 2003-2005 (35.6% to 33.6%) and Washington State 2000-2005 (34.9% to 21.6%) but higher than Washington State (1.6% to 2.0%). Conversely, the percent multifamily were of all building permits were lower in Whatcom County in the years 2006-2012 (20.3% to 23.4%) than Puget Sound (38.9% to 53.0%) and Washington State (28.7% to 41.3%) (Chart 31).

Percent multifamily of total housing inventory - was lower and slightly declined in Whatcom County from 2000-2012 (36% to 35%) than Puget Sound (37% to 37%), but higher than Washington State (35% to 34%) (Chart 32).
The trends indicate the recent economic recession may have had a greater impact on Whatcom County's multifamily homebuilding than single-family homebuilding industry products than was evident in Puget Sound and Washington State.

**Percent of existing stock sold per year** - was lower in Whatcom County from 2000-2012 (3.7% to 2.5%) than Puget Sound (4.3% to 3.2%) and Washington State (4.2% to 3.4%) (Chart 33).

**Median home prices** - increased in Whatcom County from 2000 ($146,500) to peak in 2007 ($290,000) at the height of the housing bubble but were below Puget Sound in 2000 ($209,273) and 2007 ($388,682) and Washington State in 2000 ($176,300) and 2007 ($309,600). Whatcom County home prices declined from the 2007 peak ($290,000) but have recovered slightly by 2012 ($250,000) consistent with the trends in Puget Sound from 2007 ($388,682) to 2012 ($286,760) and Washington State from 2007 ($309,600) to 2012 ($234,200) though Whatcom County home prices have now surpassed the prices in Washington State (Chart 34).
Average apartment rents 2005-2013 - increased in Whatcom County from 2005 (the dates collected by WCRER) to 2013 ($701 to $822) but significantly below Puget Sound from 2005-2013 ($798 to $1,120) and Washington State ($757 to $1,052) (Chart 35).

Apartment vacancy rates 2005-2013 - were considerably lower in Whatcom County from 2005-2013 (3.3% to 1.2%) than Puget Sound (6.5% to 4.0%) and Washington State (6.2% to 3.9%) (Chart 36).
Chart 36

Apartments vacancy rate 2005-2013

<table>
<thead>
<tr>
<th>Year</th>
<th>Washington State</th>
<th>Puget Sound</th>
<th>Whatcom County</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>1.2%</td>
<td>1.8%</td>
<td>1.5%</td>
</tr>
<tr>
<td>2014</td>
<td>1.6%</td>
<td>1.4%</td>
<td>1.8%</td>
</tr>
<tr>
<td>2013</td>
<td>2.2%</td>
<td>1.9%</td>
<td>2.5%</td>
</tr>
<tr>
<td>2012</td>
<td>3.2%</td>
<td>2.8%</td>
<td>4.5%</td>
</tr>
<tr>
<td>2011</td>
<td>4.2%</td>
<td>3.8%</td>
<td>5.7%</td>
</tr>
<tr>
<td>2010</td>
<td>4.8%</td>
<td>4.9%</td>
<td>5.2%</td>
</tr>
<tr>
<td>2009</td>
<td>4.8%</td>
<td>4.8%</td>
<td>4.8%</td>
</tr>
<tr>
<td>2008</td>
<td>4.7%</td>
<td>4.7%</td>
<td>4.7%</td>
</tr>
<tr>
<td>2007</td>
<td>4.5%</td>
<td>4.5%</td>
<td>4.5%</td>
</tr>
<tr>
<td>2006</td>
<td>4.3%</td>
<td>4.3%</td>
<td>4.3%</td>
</tr>
<tr>
<td>2005</td>
<td>4.0%</td>
<td>4.0%</td>
<td>4.0%</td>
</tr>
</tbody>
</table>

Whatcom County’s HAI - reflected market conditions indicating a good balance between household income and home prices from 2000-2004 (128.2 to 98.1 HAI) that declined from 2005-2007 (83.2 to 81.8) and during the housing recession than improved from 2008-2012 (103.3 to 149.0). Whatcom County’s HAI, however, has generally been consistently lower than Washington State as home prices have risen more in Whatcom County than the state as a whole (Chart 37).

Chart 37

Housing Affordability Index

<table>
<thead>
<tr>
<th>Year</th>
<th>Washington State</th>
<th>Whatcom County</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>124.1</td>
<td>103.2</td>
</tr>
<tr>
<td>2001</td>
<td>125.2</td>
<td>104.3</td>
</tr>
<tr>
<td>2002</td>
<td>124.3</td>
<td>105.4</td>
</tr>
<tr>
<td>2003</td>
<td>124.6</td>
<td>105.7</td>
</tr>
<tr>
<td>2004</td>
<td>125.0</td>
<td>106.0</td>
</tr>
<tr>
<td>2005</td>
<td>125.5</td>
<td>106.5</td>
</tr>
<tr>
<td>2006</td>
<td>125.9</td>
<td>107.0</td>
</tr>
<tr>
<td>2007</td>
<td>126.2</td>
<td>107.3</td>
</tr>
<tr>
<td>2008</td>
<td>126.5</td>
<td>107.6</td>
</tr>
<tr>
<td>2009</td>
<td>126.8</td>
<td>108.0</td>
</tr>
<tr>
<td>2010</td>
<td>127.2</td>
<td>108.3</td>
</tr>
<tr>
<td>2011</td>
<td>127.4</td>
<td>108.5</td>
</tr>
<tr>
<td>2012</td>
<td>127.6</td>
<td>108.7</td>
</tr>
</tbody>
</table>

WCRER’s Housing Affordability Index (HAI) - is based on the ability of a middle income family to acquire a median price home under typical market rate down payment requirements (20%) and mortgage terms (30-year) and interest rates assuming lending institutions will not underwrite a home loan with monthly payments that exceed 25% of the buyer’s income. An index of 100 reflects a balance between a family’s ability to pay and the cost of housing. An index above 100 indicates housing is more affordable while an index below 100 indicates housing is less affordable.

WCRER’s First Time HAI - assumes the first time buying family has an income 70% of the median household income buying a home 85% of the area’s median home prices with lesser down payment requirements (typically 10%) but the same 25% limit on the buyer’s income for housing costs (Chart 38).
Critical skill housing capabilities

Washington State Employment Security Department (ESD) - publishes Occupational Employment & Wage Estimates for occupations in Washington State and for major metropolitan statistical areas (MSAs) like the Bellingham MSA that includes all of Whatcom County. A sample of critical public and private skill occupations was taken from the 2014 ESD to compare they ability to pay for housing (see Appendix E).

Whatcom County critical skills comparisons - were made for firefighters ($62,213 average annual income), police patrol officers ($75,088), primary and secondary teachers ($60,855), healthcare support workers ($35,194), accountants ($66,639), carpenters ($43,958), retail sales persons ($27,144), and food preparation works ($22,963) - compared with the Whatcom County average wage ($41,332) (Chart 39).

Whatcom County’s First Time HAI - reflects trends in the overall HAI and the impacts of the housing recession from 2005-2007. However, Whatcom County’s HAI has never reach an index of 100.0 indicating there is a negative relationship between first time buyer income and their ability to find housing at a suitable price and keep monthly mortgage payments below 25% of their monthly income. Whatcom County’s First Time HAI has also dropped considerably below Washington State by 2012 (82.8 compared to 100.3) indicating Whatcom County First Time Buyers are more adversely affected than First Time Buyers in the state as a whole.

Implications
The trends analyzed by WCRER indicate recent economic recession and burst housing bubble had a more pronounced effect in Whatcom County than in Puget Sound and Washington State resulting in a loss of residential building activity, particularly for multifamily housing products, a decline in home prices that has not recovered to the peak levels, and a negative ability for First Time Buyers to obtain housing at a cost within 25% of their income.
**Housing capabilities** - were calculated for each skill assuming buyers could spend 25% of household income for mortgage payment exclusive of utilities, taxes, insurance, and maintenance for a 30-year loan with 10% down and an interest rate of 4.00%, and renters 30% of household income for rent exclusive of utilities.

**Critical skills buying capability** - in 2013 all types of sale housing ($277,000) was above what could be financed with 25% of income by a food preparation worker ($110,277), retail sales person ($130,295), healthcare support worker ($168,935), carpenter ($211,055), or the average wage earner in Whatcom County ($198,410). All public employees, including teachers, firefighters, and police officers, and accountants could afford to purchase a median value house for 25% of their income (Chart 40).

![Chart 40: Home purchasing capability by occupation in 2014](image)

**Critical skills renting capability** - in 2013 all types of rental units ($890) was above what could be financed with 30% of income by a food preparation worker ($574), retail sales person ($679), or healthcare support worker ($880) but within the capability of the average wage earner in Whatcom County ($1,033). All public employees, including teachers, firefighters, and police officers, and accountants and carpenters could afford to rent a median value apartment for 30% of their income (Chart 41).

![Chart 41: Monthly rental capability by occupation in 2014](image)

**Implications**
Median house values and apartment rents in Whatcom County are beyond the ability of the example retail sales, food preparation, and healthcare workers to be able to afford within 25% of income for purchase and 30% of income for rent. These example households must either have 2 or more working members to be able to reasonably afford housing in Whatcom County or be paying beyond the 25-30% allowance considered financial viable and solvent.

**Housing cost burden by income group**

**Publicly assisted housing income ranges** - are established by the US Housing & Urban Development Department (HUD) for each community in the nation based on the income and housing cost.
factors within each community. HUD income range classifications include:

- **Extremely Low Income** - a family’s annual income must not exceed approximately 30% of the Area Median Income (AMI because the limit must be greater than state poverty guidelines).
- **Very Low Income** - a family’s annual income must not exceed approximately 50% of the Area Median Income (AMI).
- **Low Income** - a family’s annual income must not exceed approximately 80% of the Area Median Income (AMI).

The percentages are approximations and vary by family size as published by HUD for Whatcom County:

<table>
<thead>
<tr>
<th>Household size</th>
<th>Extremely Low Income</th>
<th>Very Low Income</th>
<th>Low Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 person</td>
<td>$14,250</td>
<td>$23,700</td>
<td>$37,900</td>
</tr>
<tr>
<td>2 persons</td>
<td>$16,250</td>
<td>$27,050</td>
<td>$43,300</td>
</tr>
<tr>
<td>3 persons</td>
<td>$20,090</td>
<td>$30,450</td>
<td>$48,700</td>
</tr>
<tr>
<td>4 persons</td>
<td>$24,250</td>
<td>$33,800</td>
<td>$54,100</td>
</tr>
<tr>
<td>5 persons</td>
<td>$28,410</td>
<td>$36,550</td>
<td>$58,450</td>
</tr>
<tr>
<td>6 persons</td>
<td>$32,570</td>
<td>$39,250</td>
<td>$62,800</td>
</tr>
<tr>
<td>7 persons</td>
<td>$36,730</td>
<td>$41,950</td>
<td>$67,100</td>
</tr>
<tr>
<td>8 persons</td>
<td>$40,890</td>
<td>$44,650</td>
<td>$71,450</td>
</tr>
</tbody>
</table>

*Source: HUD, Income Eligibility Limits by Household Size, Whatcom County 2014*

**HUD's affordable housing cost standards** - indicate a household should not pay more than 25% for direct housing costs (rent or mortgage) or 30% for all costs including utilities, maintenance, insurance, and other incidentals. HUD's Comprehensive Housing Affordability Statistics (CHAS) data correlates what income groups are actually paying for mortgages or rents in relation to a percentage of income compared with HUD's Annual Median Family Income (HAMFI) ranges for municipal jurisdictions (see **Appendix F**).

**Whatcom County owner households** - include 49,675 according to CHAS's ACS 2007-2011 data (most recently available) of which 2,840 households or 5.7% were extremely low income (equal to or below 30% of HUD’s Average Median Family Income (HAMFI), 3,770 or 7.6% very low income (30-50% of HAMFI), 7,195 or 14.5% low income (50-80% of HAMFI), 5,515 or 11.1% low-middle income (80-100% of HAMFI), and 30,355 or 61.1% middle income (Chart 42).

**Percent of owner households paying more than 30% for housing by income group** - was significant in 2007-2011 for extremely low income (78.3%), very low income (63.4%), low income (48.2%), low-middle income (42.2%), and middle income (18.6%) ranges.

**Percent of owner households paying more than 50% for housing by income group** - remained significant in 2007-2011 for extremely low income (64.8%), very low income (39.8%), low income (17.8%), low-middle income (9.0%), and middle income (2.7%) ranges.
**Whatcom County total renter households** - include 29,325 of which 7,555 households or 25.8% were extremely low income, 5,060 or 17.3% very low income, 6,730 or 22.9% low income, 2,845 or 9.7% low-middle income, and 7,130 or 24.3% middle income (Chart 43).

**Percent of renter households paying more than 30% for housing by income group** - was significant in 2007-2011 for extremely low income (80.1%), very low income (84.7%), low income (49.9%), low-middle income (17.9%), and middle-upper income (3.7%) ranges.

**Percent of renter households paying more than 50% for housing by income group** - remained significant in 2007-2011 for extremely low income (72.5%), very low income (42.3%), low income (7.4%), low-middle income (2.3%), and middle income (0.8%) ranges.

| Table 3 |
|-----------------|-----------------|-----------------|
| Owner household income | >30% | >50% | Total |
| <=30% HAMFI | 2,225 | 1,840 | 2,840 |
| >=30% to <=50% HAMFI | 2,390 | 1,500 | 3,770 |
| >=50% to <=80% HAMFI | 3,470 | 1,280 | 7,195 |
| >=80% to <100% HAMFI | 2,325 | 495 | 5,515 |
| >100% HAMFI | 5,655 | 825 | 30,355 |
| **Total** | **16,065** | **5,940** | **29,325** |

Source: HUD Cost Burden by Income Group, ACS 2007-2011

The percentage of Whatcom County owner households with incomes below $20,000 paying more than 30% of income for housing costs - was significant but lower in Whatcom County (73.9%) than Puget Sound counties (Snohomish County (84.1%), Pierce County (81.8%), Kitsap County (83.5%), King County (88.2%), Washington State (76.5%), and the US (73.2%). Within Whatcom County, the percentage of owner households with income below $20,000 paying more than 30% was highest in Nooksack (90.3%) and Ferndale (89.9%) and lowest in Blaine (16.1%) (Chart 44).
The percentage of Whatcom County renter households with incomes below $20,000 paying more than 30% of income for rental housing costs was significant but comparable in Whatcom County (88.1%) with Puget Sound counties (Snohomish County (87.9%), Pierce County (92.1%), Kitsap County (88.9%), King County (89.1%), Washington State (89.4%), and the US (88.7%). Within Whatcom County, the percentage of renter households with income below $20,000 paying more than 30% was highest in Nooksack (100.0%) and lowest in Blaine (64.4%) (Chart 45).

Implications
Significant percentages of extremely low, very low, and low-income households in Whatcom County are paying more for ownership and rent than they can feasibly afford to pay and still have sufficient income for transportation, health care, clothing, food, and the like. Housing cost burdened households is most prevalent in the lowest income groups but remains a problem in all income groups, particularly those paying more than 50% of income for housing.

Publicly assisted housing
Assisted and subsidized housing has been developed in Whatcom County by a wide variety of sponsors including:

- Bellingham/Whatcom Housing Authority own and/or manages 1,712 subsidized units that house families, the elderly, and disabled people. The Authority also has 1,891 Shelter Plus Care and Section 8 rental assistance vouchers distributed throughout the County. Although the Bellingham/Whatcom Housing Authority...
facilitates the provision of a total of 3,603 subsidized housing units, they do not receive sufficient funding to provide housing assistance to all of the families in need in the County. Most of the funding they do receive cannot be recaptured.

- **Whatcom/Skagit Homes Program** - funded by the US Department of Agriculture (USDA) Rural Development in rural parts of the County.
- **Habitat for Humanity of Whatcom County** - building single-family homes affordable to very low-income homebuyers.
- **Kulshan Community Land Trust (CLT)** - providing affordable homeownership opportunities that remain affordable for each successive owner of the CLT homes.
- **Archdiocesan Housing Authority and Intercommunity Mercy Housing** - own and manage nonprofit rental housing affordable to low-income households.
- **City of Bellingham's housing programs** - use federal funds to rehabilitate existing housing units, acquire housing units or land for housing, new construction, assistance to homebuyers, rental assistance to tenants, and assistance to homeless households and those at risk of becoming homeless.
- **Mobile and manufactured homes** - are allowed throughout the County where single-family housing units are allowed and often provide housing to low-income populations.

The Whatcom County Health Department conducted a detailed inventory of affordable housing resources and determined the total number of assisted public and nonprofit affordable housing units included 4,901 housing units equal to 9,877 bedrooms.

<table>
<thead>
<tr>
<th>Table 4</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public housing inventory 2007</strong></td>
</tr>
<tr>
<td><strong>Housing type</strong></td>
</tr>
<tr>
<td>Rental housing units</td>
</tr>
<tr>
<td>Permanent rental assistance-housing vouchers</td>
</tr>
<tr>
<td>Homeownership assistance</td>
</tr>
<tr>
<td>Permanent supportive housing</td>
</tr>
<tr>
<td>Emergency shelter and transitional housing</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>Source: Bellingham/Whatcom County Housing Action Plan 2008</td>
</tr>
</tbody>
</table>

**Publicly assisted housing occupant characteristics**

**HUD's Pictures (demographic characteristics) of Subsidized Households** - is compiled using extrapolated statistical samples from the American Community Survey (ACS) for 2009-2013 of the assisted housing inventory in Whatcom County (see Appendix G).

<table>
<thead>
<tr>
<th>Table 5</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HUD assisted housing inventory 2013</strong></td>
</tr>
<tr>
<td><strong>Location</strong></td>
</tr>
<tr>
<td>Bellingham</td>
</tr>
<tr>
<td>Blaine</td>
</tr>
<tr>
<td>Everson</td>
</tr>
<tr>
<td>Ferndale</td>
</tr>
<tr>
<td>Lynden</td>
</tr>
<tr>
<td>Nooksack</td>
</tr>
<tr>
<td>Sumas</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>Source: HUD Pictures of Subsidized Households</td>
</tr>
</tbody>
</table>

**Median income of households in assisted housing units** - in Whatcom County ($12,503) were slightly lower than Washington State ($12,555). Within Whatcom County, Blaine ($14,439) and Everson ($14,347) had the highest median and Bellingham ($12,032) and Sumas ($12,230) the lowest (Chart 46).
Per capita income of households in assisted housing units - in Whatcom County ($6,717) were slightly higher than Washington State ($6,103). Within Whatcom County, per capita household income is highest for residents of assisted units in Lynden ($7,156) and Bellingham ($7,110) had the highest per capita incomes and Everson ($4,415) the lowest (Chart 47).

Average monthly rents based on ability to pay - were slightly lower in Whatcom County ($320) than Washington State ($322) but vary by Whatcom County locality from the highest in Lynden ($377) and lowest in Sumas ($296) (Chart 48).
The percent of publicly assisted households that are minority - in Whatcom County (17%) is significantly lower than Washington State (38%). Within Whatcom County, the percent of housing assisted households that are minority is highest in Everson (31%) and lowest in Lynden (8%) (Chart 49).

The percent of housing assisted households that are headed by a female - in Whatcom County (73%) is slightly higher than Washington State (69%). Within Whatcom County, the percent of housing assisted households that are headed by a female is highest in Everson (100%) and lowest in Bellingham (71%) (Chart 50).
The percent of housing assisted households that are headed by a female with children - under the age of 18 in Whatcom County (28%) is the same as Washington State (28%). Within Whatcom County, the percent of housing assisted households that are headed by a female with children is highest in Everson (69%) and lowest in Bellingham (24%) (Chart 51).

The percent of housing assisted households whose head or spouse is over age 62 - in Whatcom County (29%) is lower than Washington State (34%). Within Whatcom County, the percent of housing assisted households whose head or spouse is over age 62 is highest in Blaine (40%) and lowest in Everson (13%) (Chart 52).
The percent of housing assisted households with a disability - in Whatcom County (34%) is higher than Washington State (27%). Within Whatcom County, the percent of housing assisted households with a disability is highest in Bellingham (39%) and lowest in Blaine (17%) and Everson (17%) (Chart 53).

Implications
Characteristics of the occupants of publicly assisted housing units in Whatcom County mirror the characteristics of lower-income households, particularly those paying more than 30% and 50% of income for housing. Female-headed households, female-headed households with children, and persons with disabilities constitute a significant proportion of the assisted housing population in Whatcom County.

Homelessness in 2014

A Home for Everyone: Whatcom County’s Coalition to End Homelessness 2014 Annual Report - was sponsored by the Whatcom County Health Department, City of Bellingham, Whatcom County Coalition to End Homelessness, and the Whatcom Homeless Service Center at Opportunity Council. The annual homeless count is conducted in January of each year to gather information on homeless persons, homeless youth, public school students and
The "Point-in-Time" counts are a snapshot and may not capture all who cycle in and out of homelessness over the course of a year. The counts are approximate as it is difficult to find where all unsheltered people may reside in unconventional shelter including tents, abandoned cars, and other means for the night of the count.

Reasons for homelessness in Whatcom County - is a result of multiple factors principally including economic (43%), domestic violence (29%), job loss (24%), mental illness (23%), end of temporary living situation (22%), alcohol or drug use (21%), eviction (20%), illness (20%), and other factors (Chart 54).

### Chart 54

<table>
<thead>
<tr>
<th>Reasons for Homelessness</th>
<th>0%</th>
<th>5%</th>
<th>10%</th>
<th>15%</th>
<th>20%</th>
<th>25%</th>
<th>30%</th>
<th>35%</th>
<th>40%</th>
<th>45%</th>
<th>50%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aged out of foster care</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Out of home youth</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Language barrier</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lack of child care</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Discharged from institution/jail</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transient on the road</td>
<td>4%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical costs</td>
<td>4%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lack of job skills</td>
<td>7%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convicted of felony/misdemeanor</td>
<td>9%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illness</td>
<td>20%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evicted</td>
<td>20%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alcohol or drug use</td>
<td>21%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Temporary living situation ended</td>
<td>22%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mental illness</td>
<td>23%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lost job</td>
<td>24%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Family break-up or crisis</td>
<td>28%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Victim of domestic violence</td>
<td>29%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Economic</td>
<td>43%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Homeless persons were characterized by family type - as unaccompanied (49%), adults with no children (8%), single parent (34%), and two-parent (9%) (Chart 56).

Families with children from 2008 (101 families with children) to 2014 (82 families with children) (Chart 55).
**Unsheltered homeless households** - were principally adults with no children (70% of this group), unaccompanied (48%), two-parent households (20%), and single parent households (17%) (Chart 57).

**Age distribution of homeless persons** - were composed of children age 0-14 (23%), teens and young adults 15-21 (11%), adults 22-34 (19%), adults 35-64 (47%), and seniors 65+ (1%) (Chart 58).

**Age distribution of unaccompanied persons** - were composed of teens and young adults 15-21 (9%), adults 22-34 (18%), adults 35-64 (70%), and seniors 65+ (2%) (Chart 58).
Unaccompanied households were housed - in emergency shelters (30%), transitional housing (21%), and without shelter (48%); adults with no children in emergency shelters (4%), transitional housing (26%), and without shelter (70%); single parent households in emergency shelters (31%), transitional housing (53%), and without shelter (17%); two-parent households in emergency shelters (50%), transitional housing (30%), and without shelter (20%) (Chart 59).

Emergency shelters - were able to more accommodate or be occupied by homeless two-parent household (50% of the occupants), single parent (31%), and unaccompanied households (30%) than adults with no children (4%) (Chart 59).

Transitional housing shelters - were more able to accommodate or to be occupied by single parent households (53% of the occupants), two-parent households (30%), adults with not children (26%), and unaccompanied (21%) (Chart 59).

Implications
There are multiple reasons for homelessness that are not likely to be ameliorated by a single program or housing focus. Whatcom County homeless include a significant percentage of one and two-parent households with children as well as teens/young adults who have different and special housing needs than unaccompanied adults. While emergency shelters and transitional housing meet some homeless requirements a significant population remains unsheltered even as the total numbers of homeless have declined in Whatcom County the past couple of years.

Population projections and allocations
Washington State Office of Financial Management (OFM) - projects Washington State populations by state and county in annual and 5 year increments accounting for the differential affects
of births, deaths, and net migrations unique to the state as a whole and each county therein.

**OFM’s medium projection of Whatcom County’s population** - will reach 284,901 persons or increase at an average annual rate of 1.4% from 2015 to 2025 then by 1.3% from 2025-2030 then by 1.1% from 2030 to 2035 and then by 1.0% from 2035 to 2040 (Chart 60).

**Chart 60**

![Whatcom County population projection graph](image)

**OFM’s population projection** - for Whatcom County will gradually increase due to net migration or the difference between persons moving in and out of the county rather than natural increase or the difference between births and deaths. OFM projects the number of net migrants into the county will increase from 5,313 persons between 2010-2015 to 14,028 persons 2035-2040 (Chart 61).

**Age distribution** - in Whatcom County will be affected by age-specific attractions that have and will develop through the forecast years including a continuation of the student population at Western Washington University in the 20-24 age group (though declining in proportion from 10.2% to 8.7%), the aging of the current “baby boom” population into age 74+ years (increasing from 9.9% to 16.8%), and the increasing attractiveness of Whatcom County and Bellingham to retiring and empty nester households in the upper age groups (Chart 62).
Population allocations within Whatcom County UGAs and the remaining non-urban areas - have been established based on the capacity available for growth within each jurisdiction's urban growth area (UGA), each jurisdiction's population and employment development trends, and each jurisdiction's desire for growth subject to the population total for the county established by OFM. 83% of countywide growth is allocated to the UGA's, with 42% of countywide growth allocated to the Bellingham UGA. Smaller percentages are allocated to the remaining UGA's. See Table 6.

Table 6
Whatcom County population allocations 2013-2036

<table>
<thead>
<tr>
<th>Urban Growth Area (UGA)</th>
<th>2013</th>
<th>2036</th>
<th>Projected Growth</th>
<th>% of Co. Growth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bellingham</td>
<td>93,107</td>
<td>121,505</td>
<td>31,408</td>
<td>42.2%</td>
</tr>
<tr>
<td>Birch Bay</td>
<td>7,737</td>
<td>13,237</td>
<td>5,500</td>
<td>8.2%</td>
</tr>
<tr>
<td>Blaine</td>
<td>5,177</td>
<td>9,591</td>
<td>4,414</td>
<td>6.6%</td>
</tr>
<tr>
<td>Columbia Valley</td>
<td>3,204</td>
<td>4,549</td>
<td>1,345</td>
<td>2.0%</td>
</tr>
<tr>
<td>Everson</td>
<td>2,670</td>
<td>3,912</td>
<td>1,242</td>
<td>1.8%</td>
</tr>
<tr>
<td>Ferndale</td>
<td>12,778</td>
<td>19,611</td>
<td>6,833</td>
<td>10.2%</td>
</tr>
<tr>
<td>Lynden</td>
<td>12,879</td>
<td>19,282</td>
<td>6,403</td>
<td>9.5%</td>
</tr>
<tr>
<td>Nooksack</td>
<td>1,436</td>
<td>2,426</td>
<td>990</td>
<td>1.5%</td>
</tr>
<tr>
<td>Sumas</td>
<td>1,449</td>
<td>2,323</td>
<td>874</td>
<td>1.3%</td>
</tr>
<tr>
<td>Non-UGA</td>
<td>65,318</td>
<td>76,535</td>
<td>11,217</td>
<td>16.7%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>205,800</strong></td>
<td><strong>273,016</strong></td>
<td><strong>69,216</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

Sources: 2013 Berk Phase I Technical Report and 2015 proposed population allocations. 2013 and 2036 totals include existing population in the Cherry Point Major Port Industrial UGA, to which no population growth is allocated.

Land Capacity - As part of the 2016 Comprehensive Plan update, Whatcom County conducted a land capacity analysis (LCA) which estimated each UGA's capacity to accommodate population and employment growth during the plan's 20-year planning period. Chart 63 shows population capacity for each UGA, while Chart 64 shows the calculated capacity for dwelling units, both single family and multi-family. Chart 65 shows the projected housing needs by type for each of the UGA's. This chart is based on OFM statistics for population growth occurring by housing type between 2000 and 2013, applying the proportion of growth by housing type to the 2013-2036 growth projections. Those population projections were then divided by the household size and occupancy rate statistics used in the County's land capacity analysis, resulting in the projected need for total dwelling units by type during the planning period. Comparing Chart 65 with the estimated dwelling unit capacity in Chart 64, it appears that the planned capacity of single- and multi-family housing in the UGA's is consistent with anticipated housing needs.
Implications
It is important to address population growth impacts and housing requirements in Whatcom County over the next 20-year planning period. Comparing the planned (allocated) growth in Table 6 with the UGA population capacities in Chart 63, and comparing the supply of single- and multi-family dwellings in Chart 64 with the projected housing needs in Chart 65, it appears Whatcom County's UGAs can accommodate both the number and types of dwellings needed in the next 20 years. It is important to note that the projected housing needs shown in Chart 65 are based on the assumption that the 2000-2013 growth distribution among housing types will continue. That distribution may change significantly as a result of changing market conditions or jurisdictions' land use planning policy choices.
National trends and housing implications

US Bureau of the Census Demographic Trends in the 20th Century - compiled data on age distribution, household type, 1-person household, and percent of households renter occupied that has implications for the nation and Whatcom County housing expectations and policies.

Percent of the national population over age 65 - has increased steadily since 1900 as a factor of the baby boom from 1950 on and of improvements in health and life expectancy. By 2010 13% of the national population was over age 65 and 1.7% over age 85+. This aging trend will continue nationally, and as shown previously, especially in Whatcom County (Chart 66).

Percent of national households by type household - has changed significantly since 1950 where the traditional married couple household has declined from 78.1% of all households to 48.4% in 2010 due to economic conditions such as more women receiving higher education, more active in the workforce and careers, marriage dissolution due to divorce or never married including cohabitation, and a decision by some to never marry or never have children (Chart 67).
These trends are apparent in Whatcom County but vary by jurisdiction with some, such as Nooksack, attracting a higher percentage of married couples and others, such as Bellingham, attracting other family household types as well as non-family and one-person households.

**One-person households** - has increased steadily since 1950 (7.7%) to 2010 (26.7%) due to the same factors affecting household type formations. The housing result is a demand and need for smaller units oriented to one-person household interests (Chart 68).

**Percent of households renter occupied** - peaked in 1940 (56.4%) due partly to the effects of World War II then declined significantly from 1950 to 2000 as housing and investment policies promoted homeownership. The percent of households renting stabilized somewhat in 2010 likely due to the effects of the housing bubble and burst (Chart 69).
Millennials, however, are more likely to rent as are one-person households due partly to the housing choices available in the marketplace as well as financial capability, and possibly preference.

**Housing policy implications**

**Housing an aging population**

**Aging in Place** – according to the American Association of Retired People (AARP), nearly 90% of people over age 65 indicate they want to stay in their home as long as possible and 80% in that age bracket believe their current home is where they will always live. However, unsupportive community design, unaffordable and inaccessible housing, and a lack of transportation access to needed services can thwart this desire.

A number of models provide services and support so older residents can remain in their homes instead of moving to assisted living or retirement centers:

- **Naturally Occurring Retirement Community (NORC)** - are housing complexes or neighborhoods that were not planned specifically for older people, but have organically evolved to house a population of older residents.
- **Communities for a Lifetime** - helps create neighborhoods that support aging in place and more rigorously involves older adults in social and community life.

**Implications** - an aging population in Whatcom County will create a greater proportion of all households consisting of older empty nester couples and living alone elderly individuals. Aging in Place, however, raises the following policy questions:

- How can medical, transportation, and social services be made economically feasible to provide low-density settlements particularly in some of the smaller, rural Whatcom County jurisdictions?
- How can older households be able to keep older housing stock in sound condition so that it will not deteriorate beyond the ability

or interest of the market to buy, upgrade, and occupy once the aged household leaves?

- How will the retention of older, affordable housing off the market in the developed and serviceable neighborhoods of Whatcom County’s more urban municipal jurisdictions not imbalance demand and needs for younger, family-starter households resulting in the development of a greater proportion of new single-family product than the market needs?

**Aging in Transitional-Age-Appropriate Housing** - proposes developing age-appropriate housing, including smaller, denser single-family products such as accessory dwelling units, cottage housing, as well as townhouse and mixed-use housing projects in rural and urban centers where social interactions and services can be more feasibly and desirably provided.

The approach assumes older adults will move out of their original houses and into new purchase or rental units if the new units better meet their social, transportation, services, and other desires.

**Implications** - of transitioning an aging population into age-appropriate housing in Whatcom County, and in some smaller, rural municipal jurisdictions in particular, however, raises the following policy questions:

- How can the Whatcom County housing market provide suitable age-appropriate new housing stock at an affordable price or rent - i.e., accessory dwelling units, cottage housing, and mixed-use infill?
- How can the Whatcom County financial/mortgage markets underwrite housing purchases by older households and of innovative housing products?
- How can older households be encouraged to sell and buy or rent transitional-age-appropriate housing in rural and urban town centers?
- How can younger households be enabled to buy, upgrade, and occupy older single-family housing in older urban neighborhoods?

**Housing nonfamily households**
Nonfamily households are an increasing population within Whatcom County and include younger individuals (married or
cohabitating), childless couples (including never having children), and single individuals (not elderly). Traditional single-family, suburban housing products do not meet the needs or interests of these households yet they constitute a significant and growing proportion of all households in Whatcom County, particularly in the more urban municipal jurisdictions.

Increasingly, these households are being housed and seek housing in mixed-use developments in urban settings that provide social, service, employment, and other needs and interests within the developments or accessible within urban core areas by walking, biking, or taking transit transportation alternatives.

**Implications** - of developing housing for an increasing number and proportion of nonfamily households in Whatcom County, and in the more urban municipal jurisdiction centers in particular, raises the following policy questions:

- How can the Whatcom County housing market provide appropriate new nonfamily oriented housing stock at affordable prices or rents within the urban municipal jurisdiction’s centers?
- How can urban municipal jurisdictions within Whatcom County provide amenities appropriate to this housing market segment - pedestrian/bike/no-car friendly transportation, streetscape activities, live/work housing options, and other services?
- How can Whatcom County financial/mortgage markets underwrite housing purchases by an increasing number of younger households or single individuals?

**Low-income family households**

Traditionally, low-income family households, particularly male and female-only headed households and family-starters, have procured housing by “driving-to-qualify”, meaning driving out from the urban areas until housing costs are low enough for the household to be able to afford to purchase or rent.

Transportation costs are the second largest expense for the typical household – almost $9,000 a year or about 17.6% of household budgets and continuing to increase. Driving-to-qualify becomes an increasingly difficult proposition during an economic recession where employment is cutback or curtailed and other household budget items increase including transportation. Some of the nation’s highest foreclosures occur in the outer urban/suburban edges.

A “location efficient” community provides various transportation options, services, and workplaces close by, increasing access and reducing the need to “drive-to-qualify” to obtain housing.

**Implications** - of developing housing for an increasing number and proportion of low-income family households in Whatcom County, and within location efficient urban neighborhoods, raises the following policy questions:

- How can the Whatcom County housing market provide appropriate new housing stock within location efficient urban neighborhoods at affordable prices or rents for these households - i.e., traditional stick-built as well as manufactured accessory dwelling units, cottage housing, and townhouses?
- How can Whatcom County location efficient urban neighborhoods provide services appropriate to this housing market segment including public transportation, childcare, medical services, education, and employment?
- How can Whatcom County financial/mortgage markets underwrite housing purchases by low-income single-headed/single wage-earner family households of innovative housing products?

**Housing cost reduction**

**Housing cost analysis** - was completed for an urban 5-story mixed-use structure and suburban townhouse development by the Bellingham/Whatcom County Housing Action Plan in 2008 using information provided by the Bellingham/Whatcom County Housing (BWCHA) for the purpose of determining which factors most affected final development costs - and which cash and non-cash offsets affected the final project outcomes (see Appendix 1).

Note - the purpose of the analysis was to determine impacts possible for a real project rather than by a theoretical analysis and used public housing projects because the data was publicly available and not disclosing of a private project developer's
information. While the analysis was accomplished in 2008 the major implications of the analysis remain true today.

**Laurel Village** - is a “green build” structure located on a 0.5 acre site at 210 East Laurel Street in downtown Bellingham consisting of a single floor underground parking deck with 52 stalls, and 5 floors of 45,578 square feet of residential units for families, disabled individuals, and supportive homeless earning between 30-50% Average Median Income (AMI). The structure was completed in 2006 to provide 50 low-income units and 1 manager unit in 24 one-bedroom units ranging from 606-630 square feet.

**Meadow Wood Townhomes Phase 1** - is a master planned project located at Bakerview Road and Northwest Avenue in Bellingham. The first phase was completed in 2007 to include 3 buildings totaling 63,750 square feet providing 50 low-income 1, 2, and 3-bedroom rental units and 1 manager unit with surface parking, a playground, play area, picnic, and barbeque amenity for families, disabled individuals, and supportive homeless earning between 30-50% AMI.

**Four cost and cash offsets were analyzed** - for both projects for their impact on overall development costs:

- **Option 1: cash offsets** - eliminated all building permits, fees, and hook-ups, utility connection fees, and traffic, parking, and school impact fees, and the developer’s fees. However, these cash offsets must still be paid from some other source, if not from the project and developer, as the city, utilities, schools, and developers still incur these costs in support of the development project. Cash offsets, when used in other jurisdictions, have usually been repaid from General Funds, special property tax levies, real estate excise taxes, and other special financing. The costs and payments still apply, but are repaid from a source other than the project.

- **Option 2: density offset** - allowed the project to include more units as a noncash incentive to develop affordable housing. The option assumed, however, that the same height, parking, and other development regulations would still apply and therefore, realized the added density bonus by reducing the average size of the units.

The cost of the structure and site improvements remained the same as the original project. The parking deck and surface parking lot cost, however, was increased for parking for the additional units.

- **Option 3: pre-manufactured offset** - used pre-assembled manufactured units instead of on-site traditional stick-built construction and more dwelling units since manufactured units would be smaller than typical stick-built units. Like option 2, this option assumed that the same height, parking, and other development regulations would still apply and therefore, realized the added density bonus by reducing the average size of the units - and also because manufactured units are typically more compact. The cost of the structure remained the same but interim financing costs were reduced to reflect the shorter construction time saving provided by manufacturing off-site. The parking deck and surface parking lot cost, however, was increased again to provide parking for the additional units.

- **Option 4: land lease offset** - used a land trust instead of a fee simple sale of the property occupied by the project structures. Typically, land trusts charge lease fees included in the unit rent that is amortized to recapture the initial land cost over a long term (typically 50-99 years) even as the trust retains the title and value of the land. On owned units, the owner is charged a similarly amortized lease fee where the trust retains title to the land though the owner may build equity in the increasing value of the structure.

**Implications**
All of the variables considered including cash, density, technology, and land offsets reduce the total development cost and cost per unit significantly although the extent of cost reduction varies by the type of development.

**In Laurel Village** - the 5-story mixed-use structure in downtown Bellingham, density offsets were more significant reducing total development costs by 12.4% compared with 10.5% for cash, 9.9% for technology, and 4.7% for land offsets (Chart 70).
- **Parking requirements** - be reduced or at least reflect the likelihood that occupants of mixed-use structures in downtown locations, especially elderly, homeless, and other nonfamily households may not require cars and/or walk, bike, or use transit more heavily.
- **Design and development regulations** - allow variances from the maximum site height, coverage, and other particulars where the units are to provide affordable housing using density offsets where the resulting design and development characteristics can be made to fit the surrounding neighborhood.
- **BWCHA and other nonprofit groups** - be encouraged to buy and/or lease affordable units created with offsets in order to achieve even greater cost reduction, and therefore, housing for very low income groups on a perpetual basis.

- **In Meadow Wood Townhomes** - the infill project in north Bellingham, cash offsets, particularly developer fees, however, reduced the cost the most at 16.0% compared with 8.4% for technology, 6.6% for density, and 4.0% for land off-sets.

However, the cash and land offsets must still be paid from some other public monies, whereas the density and technology offsets are of no direct monetary cost in comparison.

**When all offsets are applied in combination** - however, the overall cost reductions are significant ranging from 35.0% for the townhome infill project to 37.6% for the 5-story mixed-use project in the downtown area. Further proportional cost reductions are possible, depending on site particulars, if:

- **Mixed-use structures in downtown cores** - particularly 5-story and up be composed of smaller studio, 1, and some 2-bedroom units to reflect the higher costs associated with this building construction and the type households most suited to live in this type of structure and urban environment.
**Innovative affordable housing solutions**

**August Wilson Place** - is a 57-unit apartment project developed by the Low Income Housing Institute as tax credit housing in downtown Bellevue named for the Pulitzer Prize winning African-American playwright.

The apartment units are studio, studio-plus, two-bedroom, and three bedroom ranging from 349 to 1,059 square feet. 12 units are for homeless people, 8 for veterans, 3 are for families with developmental disabilities, and the balance for workforce housing. The apartments are available to people making at or below 60% of the area median income (AMI) and range from $400 to $900 per month.

The project has a community room, computer lab, gathering space, and 23 parking stalls of underground parking at a ratio of 0.40 parking stall per unit.

**Innovative affordable housing solutions**

**Container housing** - pre-fabricated manufacturers are building modular homes by using up-cycled shipping containers or by using shipping containers as a model for designing modular structures that are easily transportable. A container house can be retrofitted for as little as $36,000 (not including land or utility connections) or much higher in cost as multiple units are combined or more elaborately finished. Container housing is becoming popular as accessory dwelling units in urban neighborhoods and for migrant, seasonal, and recreation homes in a wide variety of settings.
Appendix A: Glossary

The following definitions are abstracted from the US Census glossary of definitions for those terms of most interest to this housing analysis - a complete glossary of all Census definitions is available from the US Department of Commerce website.

**Age**
Age is generally derived from date of birth information, and is based on the age of the person in complete years.

**American FactFinder (AFF)**
An electronic system for access and dissemination of Census Bureau data on the internet. The system offers prepackaged data products and user-selected data tables and maps from Census 2000, the 1990 Census of Population and Housing, the 1997 Economic Census, and the American Community Survey. The system was formerly known as the Data Access and Dissemination System (DADS).

**Average**
The number found by dividing the sum of all quantities by the total number of quantities. Related terms: Mean, Median

**Average family size**
A measure obtained by dividing the number of members of families by the total number of families. Related term: Family

**Average household size**
A measure obtained by dividing the number of people in households by the total number of households. Related term: Household

**Average household size of owner-occupied units**
A measure obtained by dividing the number of people living in owner-occupied housing units by the number of owner-occupied housing units. Related term: Owner-occupied housing unit

**Average household size of renter-occupied units**
A measure obtained by dividing the number of people living in renter-occupied housing units by the number of renter-occupied housing units. Related term: Renter-occupied housing unit

**Census**
A complete enumeration, usually of a population, but also of businesses and commercial establishments, farms, governments, and so forth.

**Census (decennial)**
The census of population and housing, taken by the Census Bureau in years ending in 0 (zero). Article I of the Constitution requires that a census be taken every ten years for the purpose of reapportioning the U.S. House of Representatives.

**Census county division (CCD)**
A subdivision of a county that is a relatively permanent statistical area established cooperatively by the Census Bureau and state and local government authorities. Used for presenting decennial census statistics in those states that do not have well-defined and stable minor civil divisions that serve as local governments.

**Census designated place (CDP)**
A statistical entity, defined for each decennial census according to Census Bureau guidelines, comprising a densely settled concentration of population that is not within an incorporated place, but is locally identified by a name. CDPs are delineated cooperatively by state and local officials and the Census Bureau, following Census Bureau guidelines. Beginning with Census 2000 there are no size limits. Related term: Incorporated place

**Child**
A son or a daughter by birth, an adopted child, or a stepchild, regardless of the child's age or marital status. Related terms: Own children, Related children.
City
A type of incorporated place in 49 states and the District of Columbia. In 23 states and the District of Columbia, some or all cities are not part of any Minor Civil Division (MCD), and the Census Bureau also treats these as county subdivisions, statistically equivalent to MCDs. Related terms: Incorporated place, Minor civil division (MCD)

Class of worker
All people over the age of 15 who have been employed at any time are asked to designate the type of work normally done or the work performed most regularly. Occupations and types of work are then broken down into the following 5 classes:

- **Private Wage and Salary Workers**—Includes people who worked for wages, salary, commission, tips, pay-in-kind, or piece rates for a private-for-profit employer or a private-not-for-profit, tax-exempt, or charitable organization.
- **Self-employed people** whose business was incorporated are included with private wage and salary workers because they are paid employees of their own companies. Some tabulations present data separately for these subcategories: "For profit," "Not-for-profit," and "Own business incorporated."
- **Government Workers**—Includes people who are employees of any local, state, or federal governmental unit, regardless of the activity of the particular agency. For some tabulations, the data are presented separately for the three levels of government.
- **Employees of foreign governments**, the United Nations, or other formal international organizations controlled by governments should be classified as "Federal Government employee."
- **Self-Employed Workers**—Includes people who worked for profit or fees in their own unincorporated business, profession, or trade, or who operated a farm.
- **Unpaid Family Workers**—Includes people who worked 15 hours or more without pay in a business or on a farm operated by a relative.
- **Salaried/Self-Employed**—In tabulations that categorize persons as either salaried or self-employed, the salaried category includes private and government wage and salary workers; self-employed includes self-employed people and unpaid family workers.

Contract rent
The monthly rent agreed to or contracted for, regardless of any furnishings, utilities, fees, meals, or services that may be included. For vacant units, it is the monthly rent asked for the rental unit at the time of interview. Related term: Gross rent

County subdivision
A legal or statistical division of a county recognized by the Census Bureau for data presentation. The two major types of county subdivisions are census county divisions and minor civil divisions. Related terms: Minor civil division (MCD)

Demographic profile
A profile includes tables that provide various demographic, social, economic, and housing characteristics for the U.S., regions, divisions, states, counties, minor civil divisions in selected states, places, metropolitan areas, American Indian and Alaska Native areas, Hawaiian home lands and congressional districts. It includes 100-percent and sample data from the decennial censuses. It also is available on CD-ROM. There are five tables in the Demographic Profile, labeled (DP-1 thru DP-5). For Census 2000 data, the DP-1 table will be available as part of the Summary File 1, and the other four tables will be available as part of the Summary File 3 data set.

Disability
A long-lasting physical, mental, or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.

Earnings
Earnings is defined as the algebraic sum of wage or salary income and net income from self-employment. Earnings represent the amount of income received regularly before deductions for personal income taxes, Social Security, bond purchases, union dues, Medicare deductions, etc. Related term: Income

Educational attainment
Refers to the highest level of education completed in terms of the
highest degree or the highest level of schooling completed.

**Employed**
Employed includes all civilians 16 years old and over who were either (1) "at work" -- those who did any work at all during the reference week as paid employees, worked in their own business or profession, worked on their own farm, or worked 15 hours or more as unpaid workers on a family farm or in a family business; or (2) were "with a job but not at work" -- those who did not work during the reference week but had jobs or businesses from which they were temporarily absent due to illness, bad weather, industrial dispute, vacation, or other personal reasons. Excluded from the employed are people whose only activity consisted of work around the house or unpaid volunteer work for religious, charitable, and similar organizations; also excluded are people on active duty in the United States Armed Forces. The reference week is the calendar week preceding the date on which the respondents completed their questionnaires or were interviewed. This week may not be the same for all respondents. Related terms: Labor force, Unemployed, Worker.

**Experienced civilian labor force**
Consists of the employed and the experienced unemployed. Related term: Unemployed

**Family**
A group of two or more people who reside together and who are related by birth, marriage, or adoption.

**Family household (Family)**
A family includes a householder and one or more people living in the same household who are related to the householder by birth, marriage, or adoption. All people in a household who are related to the householder are regarded as members of his or her family. A family household may contain people not related to the householder, but those people are not included as part of the householder's family in census tabulations. Thus, the number of family households is equal to the number of families, but family households may include more members than do families. A household can contain only one family for purposes of census tabulations. Not all households contain families since a household may comprise a group of unrelated people or one person living alone. Related terms: Household, Householder

**Family size**
Refers to the number of people in a family.

**Family type**
Refers to how the members of a family are related to one another and the householder. Families may be a "Married Couple Family," "Single Parent Family," "Stepfamily," or "Subfamily."

**Female householder, no husband present**
A female maintaining a household with no husband of the householder present.

**Gross rent**
The amount of the contract rent plus the estimated average monthly cost of utilities (electricity, gas, and water and sewer) and fuels (oil, coal, kerosene, wood, etc.) if these are paid for by the renter (or paid for the renter by someone else). Gross rent is intended to eliminate differentials that result from varying practices with respect to the inclusion of utilities and fuels as part of the rental payment. Related term: Contract rent

**Group quarters (GQ)**
The Census Bureau classifies all people not living in households as living in group quarters. There are two types of group quarters: institutional (for example, correctional facilities, nursing homes, and mental hospitals) and non-institutional (for example, college dormitories, military barracks, group homes, missions, and shelters). Related term: Household

**Group quarters population**
Those people residing in group quarters as of the date on which a particular survey was conducted. The Census Bureau recognizes two general categories of people in group quarters: (1) institutionalized population and (2) non-institutionalized population. The institutionalized population includes people under formally authorized supervised care or custody in institutions at
the time of enumeration. Such people are classified as "patients or inmates" of an institution regardless of the availability of nursing or medical care, the length of stay, or the number of people in the institution. Generally, the institutionalized population is restricted to the institutional buildings and grounds (or must have passes or escorts to leave) and thus have limited interaction with the surrounding community. Also, they are generally under the care of trained staff who have responsibility for their safekeeping and supervision. The non-institutionalized population includes all people who live in group quarters other than institutions. Related terms: institutionalized population, Noninstitutionalized population

Homeowner vacancy rate
The homeowner vacancy rate is the proportion of the homeowner housing inventory which is vacant for sale. It is computed by dividing the number of vacant units for sale only by the sum of owner-occupied units and vacant units that are for sale only, and then multiplying by 100. Related terms: Owner-occupied housing unit, Rental vacancy rate

Household
A household includes all the people who occupy a housing unit as their usual place of residence.

Household size
The total number of people living in a housing unit.

Household type and relationship
Households are classified by type according to the sex of the householder and the presence of relatives. Examples include: married-couple family; male householder, no wife present; female householder, no husband present; spouse (husband/wife); child; and other relatives.

Householder
The person, or one of the people, in whose name the home is owned, being bought, or rented. If there is no such person present, any household member 15 years old and over can serve as the householder for the purposes of the census. Two types of householders are distinguished: a family householder and a nonfamily householder. A family householder is a householder living with one or more people related to him or her by birth, marriage, or adoption. The householder and all people in the household related to him are family members. A nonfamily householder is a householder living alone or with nonrelatives only.

Housing unit
A house, an apartment, a mobile home or trailer, a group of rooms, or a single room occupied as separate living quarters, or if vacant, intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants live separately from any other individuals in the building and which have direct access from outside the building or through a common hall. For vacant units, the criteria of separateness and direct access are applied to the intended occupants whenever possible.

Income
"Total income" is the sum of the amounts reported separately for wages, salary, commissions, bonuses, or tips; self-employment income from own nonfarm or farm businesses, including proprietorships and partnerships; interest, dividends, net rental income, royalty income, or income from estates and trusts; Social Security or Railroad Retirement income; Supplemental Security Income (SSI); any public assistance or welfare payments from the state or local welfare office; retirement, survivor, or disability pensions; and any other sources of income received regularly such as Veterans' (VA) payments, unemployment compensation, child support, or alimony. Related term: Earnings

Industrial Classification
The Economic Census classifies establishments according to the new North American Industry Classification System (NAICS). NAICS codes replace the Standard Industrial Classification (SIC) codes used in previous censuses. NAICS classifies industries using 2-, 3-, 4-, 5-, and 6-digit levels of detail. 2-digit codes represent sectors, the broadest classifications. 6-digit codes represent individual industries in the U.S. Related terms: Economic census, North American Industry Classification System (NAICS)
Industry (economic)
In the 1997 economic census data, U.S. industries are classified using a 5- or 6-digit NAICS code. Industry groups are represented by classification using a 4 digit NAICS code. Related term: North American Industry Classification System (NAICS)

Industry (population data)
Information on industry relates to the kind of business conducted by a person's employing organization. For employed people the data refer to the person's job during the reference week. For those who worked at two or more jobs, the data refer to the job at which the person worked the greatest number of hours. Some examples of industrial groups shown in products include agriculture, forestry, and fisheries; construction; manufacturing; wholesale or retail trade; transportation and communication; personal, professional and entertainment services; and public administration. Related terms: Economic census, Employed

Journey to work
Includes data on where people work, how they get to work, how long it takes to get from their home to their usual workplace, when they leave home to go to their usual workplace, and carpooling. Related terms: Employed, Worker

Labor force
The labor force includes all people classified in the civilian labor force, plus members of the U.S. Armed Forces (people on active duty with the United States Army, Air Force, Navy, Marine Corps, or Coast Guard). The Civilian Labor Force consists of people classified as employed or unemployed. Related terms: Employed, Unemployed

Language spoken at home
The language currently used by respondents at home, either "English only" or a non-English language which is used in addition to English or in place of English.

Living quarters
A housing unit is a house, an apartment, a mobile home or trailer, a group of rooms or a single room occupied as separate living quarters or, if vacant, intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants live separately from any people in the building and which have direct access from outside the building or through a common hall. Related term: Housing unit

Marital status
Adults are generally classified by marital status as being married, never married, separated, divorced or widowed.

Mean
This measure represents an arithmetic average of a set of numbers. It is derived by dividing the sum of a group of numerical items by the total number of items in that group. For example, mean family income is obtained by dividing the total of all income reported by people 15 years and over in families by the total number of families. Related term: Derived measures

Mean income
Mean income is the amount obtained by dividing the total income of a particular statistical universe by the number of units in that universe. Thus, mean household income is obtained by dividing total household income by the total number of households. For the various types of income, the means are based on households having those types of income. Related term: Income

Median
This measure represents the middle value (if n is odd) or the average of the two middle values (if n is even) in an ordered list of data values. The median divides the total frequency distribution into two equal parts: one-half of the cases fall below the median and one-half of the cases exceed the median. Related term: Derived measures

Median age
This measure divides the age distribution in a stated area into two equal parts: one-half of the population falling below the median value and one-half above the median value. Related term: Age

Median income
The median income divides the income distribution into two equal
groups, one having incomes above the median, and other having incomes below the median. Related term: income

Metropolitan statistical area (MSA)
A geographic entity defined by the federal Office of Management and Budget for use by federal statistical agencies, based on the concept of a core area with a large population nucleus, plus adjacent communities having a high degree of economic and social integration with that core. Qualification of an MSA requires the presence of a city with 50,000 or more inhabitants, or the presence of an Urbanized Area (UA) and a total population of at least 100,000 (75,000 in New England). The county or counties containing the largest city and surrounding densely settled territory are central counties of the MSA. Additional outlying counties qualify to be included in the MSA by meeting certain other criteria of metropolitan character, such as a specified minimum population density or percentage of the population that is urban. MSAs in New England are defined in terms of minor civil divisions, following rules concerning commuting and population density. Related terms: Consolidated metropolitan statistical area (CMSA), Primary metropolitan statistical area (PMSA)

Migration
Migration includes all changes of residence including moving into, out of, or within a given area. Foreign country, or state, county and city of previous residence is collected and coded. In 12 states, minor civil division (MCD) is also coded.

Mortgage status
"Mortgage" refers to all forms of debt where the property is pledged as security for repayment of the debt, including deeds of trust, trust deed, contracts to purchase, land contracts, junior mortgages, and home equity loans.

Multi-unit structure
A building that contains more than one housing unit (for example, an apartment building).

Noninstitutionalized population
Includes all people who live in group quarters other than institutions. Examples: college dormitories, rooming houses, religious group homes, communes, and halfway houses. Related terms: Group quarters (GQ), Group quarters population, Institutionalized population

Nonrelatives
Any household member, including foster children, living in the housing unit but not related to the householder by birth, marriage, or adoption. Related terms: Family, Foster children, Household.

North American Industry Classification System (NAICS)
NAICS classifies industries using 2-, 3-, 4-, 5-, and 6-digit levels of detail. Two-digit codes represent sectors, the broadest classifications. Six-digit codes represent individual industries in the U.S. The North American Industry Classification System was developed by representatives from the United States, Canada, and Mexico, and replaces each country's separate classification system with one uniform system for classifying industries. In the United States, NAICS replaces the Standard Industrial Classification, a system that federal, state, and local governments, the business community, and the general public have used since the 1930s. Related term: Economic census

Not in labor force
Not in labor force includes all people 16 years old and over who are not classified as members of the labor force. This category consists mainly of students, housewives, retired workers, seasonal workers interviewed in an off season who were not looking for work, institutionalized people, and people doing only incidental unpaid family work (less than 15 hours during the reference week). Related term: Labor force

Occupation
Occupation describes the kind of work the person does on the job. For employed people, the data refer to the person's job during the reference week. For those who worked at two or more jobs, the data refer to the job at which the person worked the greatest number of hours. Some examples of occupational groups shown in this product include managerial occupations; business and financial specialists; scientists and technicians; entertainment; healthcare;
food service; personal services; sales; office and administrative support; farming; maintenance and repair; and production workers. Related term: *Employed*

**Occupied housing unit**
A housing unit is classified as occupied if it is the usual place of residence of the person or group of people living in it at the time of enumeration. Related terms: *Housing unit, Vacancy status*

**Other relative**
Any household member related to the householder by birth, marriage, or adoption, but not specifically included in any other relationship category. Can include grandchildren, parents, in-laws, cousins, etc.

**Own children**
A child under 18 years old who is a son or daughter by birth, marriage (a stepchild), or adoption. For 100-percent tabulations, own children consist of all sons/daughters of householders who are under 18 years of age. For sample data, own children consist of sons/daughters of householders who are under 18 years of age and who have never been married, therefore, numbers of own children of householders may be different in these two tabulations. Related terms: *Child, Related children*

**Owner-occupied housing unit**
A housing unit is owner occupied if the owner or co-owner lives in the unit even if it is mortgaged or not fully paid for. Related term: *Housing unit, Renter-occupied housing unit*

**People in family**
Total number of people living in one household and related to the householder. Related terms: *Family, Household*

**People in household**
Total number of people living in one housing unit. Related terms: *Household, Housing unit*

**Per capita income**
Average obtained by dividing aggregate income by total population of an area.

**Population**
All people, male and female, child and adult, living in a given geographic area.

**Population Estimates**
The Census Bureau's Population Estimates Program publishes population numbers between censuses. Estimates usually are for the past, while projections are estimates of the population for future dates. July 1 estimates are published for years after the last decennial census (2000), as well as those for past decades. Data for births, deaths, and domestic and international migration are used to update the decennial census base counts. These estimates are used in federal funding allocations; as inputs to other federal agencies' statistics and per capita time series; as survey controls; and in monitoring recent demographic changes. With each new issue of July 1 estimates, the estimates for the years since the last census are revised. Additional population estimates that include components of change and rankings, are available at http://www.census.gov/popest/.

**Poverty**
Following the Office of Management and Budget’s (OMB’s) Directive 14, the Census Bureau uses a set of money income thresholds that vary by family size and composition to detect who is poor. If the total income for a family or unrelated individual falls below the relevant poverty threshold, then the family or unrelated individual is classified as being "below the poverty level." Related term: *Income*

**Race**
Race is a self-identification data item in which respondents choose the race or races with which they most closely identify.

**Related children**
Includes all people in a household under the age of 18, regardless of marital status, who are related to the householder. Does not include householder's spouse or foster children, regardless of age. Related terms: *Child, Own children*
**Rental vacancy rate**
The proportion of the rental inventory which is vacant for rent. It is computed by dividing the number of vacant units for rent by the sum of the renter-occupied units and the number of vacant units for rent, and then multiplying by 100. Related term: Homeowner vacancy rate, Renter-occupied housing unit

**Renter-occupied housing unit**
All occupied units which are not owner occupied, whether they are rented for cash rent or occupied without payment of cash rent, are classified as renter-occupied. Related term: Owner-occupied housing unit

**Residence 5 years ago**
Indicates the area of residence 5 years prior to the reference date for those who reported that they lived in a different housing unit. Related term: Migration

**Resident population**
An area's resident population consists of those persons "usually resident" in that particular area (where they live and sleep most of the time).

**Rural**
Territory, population and housing units not classified as urban. "Rural" classification cuts across other hierarchies and can be in metropolitan or non-metropolitan areas. Related terms: Metropolitan, Urban
Proposed Council Changes to Comprehensive Plan

Chapter 3 – Housing

*Page and line numbers reflect Planning Commission Recommended Draft (1/14/16). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.*

**Items 1 through 4 concern comma usage and may be considered in a single motion.**

1) p. 3-16; Policy 3A-2: Educate interested parties in the permitting processes required for land use actions using easy to understand publications such as brochures, handouts, workshops, and websites readily available to the public. *(Brenner)*

2) p. 3-16; lines 28-30: Design standards and funding sources will be needed to fully explore the potential for mixed use since, in some instances, lenders are reluctant participants in mixed-use projects. *(Brenner)*

3) p. 3-16; lines 32-25: County-Wide Planning Policies, Visioning Community Value Statements, preservation of agricultural lands and environmentally sensitive areas, the comprehensive plan, and zoning regulations generally prescribe preferred locations for housing a growing population of county residents. *(Brenner)*

4) p. 3-21; Policy 3H-2: Support creation of one or more additional housing units, within permitted density, when existing housing is remodeled, or commercial or light industrial facilities are redeveloped. *(Brenner)*

5) p. 3-1; lines 16-20: The purpose of this housing element is to consider future needs for housing in Whatcom County by examining existing housing patterns, projected population growth, and most-likely growth scenarios, and to suggest realistic ways to provide for those housing needs within the wishes of county citizens residents, sound public policy, and within the mandates of the Washington State Growth Management Act (GMA). *(Brenner)*

6) p. 3-3; lines 26-28: Even so, Whatcom County in total is less urban than Puget Sound with more base industry (agriculture, forestry, and manufacturing) employment, lower incomes, lower higher housing costs, and less ethnic, non-English speaking populations. *(Brenner)*
7) p. 3-3; lines 42-54: In addition to increasing the number of people living in the County, in-migration is resulting in changes to its demographic makeup. Increased minority, retirement-age, student-age and single-parent household populations characterize demographic changes resulting from in-migration. (Brenner)

8) p. 3-4; restore lines 1-8 with edit: Single-parent households are proportionally more financially sensitive than two-parent households to factors contributing to poverty and sub-standard living conditions such as housing costs, health care costs, and other increases in the cost of living. The number of such households is increasing at a faster rate than households with two parents. Shifts in proportions of various groups comprising county population also shift the need for various types and sizes of housing. Some families require larger homes to accommodate larger extended families. Some groups, such as single-parent households, require smaller and more efficient housing. (Brenner)

9) p. 3-7; lines 9-12: Innovative housing solutions are needed to provide enough housing units to accommodate the County’s growing housing needs. By the end of the 20-year planning period, Whatcom County will have likely experienced substantial growth. (Brenner)

10) p. 3-7; lines 18-19: Between 1990 and 2000, Bellingham’s multi-family housing experienced a 65% increase. In 2009, multi-family housing comprised 50% of the housing in the City Bellingham. (Brenner)

11) p. 3-15; lines 13-15: Both public and private investments can be directed into housing that ensures that low- to moderate-income people will be able to continue to live near where they work in the community. (According to the US Department of Housing and Urban Development, in 2015, a family of four earning $54,100 was considered low-income, while the median income for a family of four was $67,600.) (Brenner)

12) p. 3-15; line 17: Adopting an Ambitious but Achievable Preferred and Affordable Housing Vision Goal

Whatcom County and its cities might consider adopting a HOUSING VISION GOAL that sets the bar at a high but achievable level:

"By the year 2036, every community and neighborhood has a healthy mix of housing sizes, types and prices, affordable at the wages of the jobs nearby. A balanced mix of housing will have housing costs in sync with wages and incomes in the community."

To achieve this overarching vision goal, the following goals and policies are adopted: … (Brenner)
13) p. 3-16; lines 23-28: Incompatible uses such as heavy, noisy, or noxious industrial facilities adjacent to residential uses should continue to be discouraged. Some non-polluting, low-impact types of light industrial uses such as textile manufacturing computer or medical equipment assembly, which could be large-scale but not environmentally or aesthetically offensive, could, with some buffering, be perfectly acceptable and probably desirable near residential development. (Browne)

14) p. 3-16; lines 41-43: Citizens Residents currently possessing safe and decent housing may not fully understand the scope of the housing problem and they may tend not to want housing for less advantaged households near them. (Brenner)

15) p. 3-16; lines 43-44: In that regard, the location of affordable housing can be as difficult an issue as funding. Many people who do not want rural sprawl also do not want in-fill near them. (Brenner)

16) p. 3-17; Policy 3C-1: Support lot clustering, varied lot sizes, small-scale multi-family dwellings, accessory, especially accessory dwelling units (ADUs) in single-family zoning, and reductions in infrastructure requirements for subdivisions as incentives for development of housing obtainable by purchasers with the greatest possible mix of needs and household incomes. (Brenner)

17) p. 3-17; Policy 3C-2: Support programs in which citizens residents participate in the construction of their own home. (Brenner)

18) p. 3-18; lines 21-24: Availability of housing for seniors, young adults, young families with, or without children, single parents, and groups is frequently overlooked by both the private development sector and the public sector. In addition, many migrant farm workers entering the county each season face substandard housing and homelessness. (Brenner)

19) p. 3-18; lines 33-35: A portion of the agricultural workers have difficulty in obtaining adequate housing. Prior to adoption of the comprehensive plan, Whatcom County considered ordinance amendments allowing for easier and better provision of migrant worker housing. (Brenner)

20) p. 3-18; Goal 3D: Encourage adequate preferred housing types and provision of housing at every income level. (Brenner)

21) p. 3-19; Policy 3D-4: Consider establishing a housing development fund, accessible to individuals qualified for affordable housing assistance who are legal residents of the county, administered by an agency and funded by contributions from
developers wishing to utilize affordable housing incentives and bonuses, but not wishing to include affordable housing in their own projects. (Weimer)

22) p. 3-19; Policy 3E-1: Encourage all jurisdictions to provide adequate stocks of preferred types of housing. Review and revise existing regulations to identify inhibitions to housing for the varying preferences of those needing housing. Focus on population segments with particular needs such as temporary, transitional, or emergency housing. (Brenner)

23) p. 3-19; Policy 3E-3: Encourage financial institutions to participate in creative housing solutions which respond to changing demographics and needs. (Brenner)

24) p. 3-20; Policy 3F-4: Support innovative housing ideas including co-housing (essentially a micro-community with some centralized facilities), elder cottages (housing units for healthy but aging family members), accessory dwelling units (ADUs) in single family zoning of all jurisdictions, including cottage designs available at planning department front desk, and shared living residences or group quarters in UGAs, and educate the public about them. (Brenner)

25) p. 3-20; New Policy 3F-5: Study the new innovative programs and policies in other urban areas within our region, particularly Seattle, Portland and Vancouver BC, relating to the use of Detached Accessory Dwelling Units (DADU). (Browne)

26) p. 3-20; New Policy 3F-6: Recognize that many residents are unfamiliar with DADU's therefore develop outreach materials that explain the advantages to the community of DADU's such as the ability for residents to derive supplemental income, to age-in-place, provide accommodation for an aging parents and the reduction of the tax burden that results when the cost of providing public services is shared across a larger number of residents etc. (Browne)

27) p. 3-20; New Policy 3F-7: Recognizing that DADU programs can offer good quality housing at a lower cost, work with the cities to develop DADU policies and programs that encourage infill within urban areas where transportation, public facilities, and utilities already exist. (Browne)

28) p. 3-20; Policy 3G-3: Educate the public on equal opportunity laws specifically related to housing and housing conditions— including options available to anyone discriminated against. (Brenner)

29) p. 3-21; New Policy 3G-5: Develop policies that encourage the construction of more Detached Accessory Dwelling Units. (Browne)
30a) 3-20; New Policy 3F-5: Explore and consider various financial incentives and funds to support affordable housing including but not limited to:

- Tax credits for low-income households.
- Use of EDI funds for a "housing trust fund" to provide funding for housing priorities set by the jurisdictions involved.
- Use of the "Real Estate Excise Tax". (Brenner, Weimer)

30b) .... or a "Real Estate Transfer Tax" a Countywide tax or levy to provide a revenue stream for the local housing trust fund for affordable housing. (Weimer)

31a) p. 3-21; New Section: Healthy Housing

The 1949 Federal Housing Act established the goal of “a decent home and suitable living environment for every American family.” As rents rise and affordable housing options are sparse, low-income populations are more likely to select lower-quality housing that they can afford. As a consequence, low-income families and individuals may be more likely to live in housing subject to rodents, mold, lead and asbestos, or structural problems. Not only does this environment jeopardize the health, safety, and welfare of residents, it poses an especially acute risk to sensitive populations like young children and seniors. (Brenner)

31b) p. 3-21; New Goal 3I: All housing is designed and built in a way that facilitates health, sustainability, and efficiency. (Brenner)

31c) p. 3-21; New Policy 3I-1: Ensure all new housing is constructed from materials that do not contain known hazardous elements. (Brenner)

31d) p. 3-21; New Policy 3I-2: Encourage pollutant-free homes. (Brenner)

31e) p. 3-21; New Policy 3I-3: Work cooperatively with developers and other agencies to encourage health in planned construction. (Brenner)

31f) p. 3-21; New Policy 3I-4: Encourage sustainable and “green building” practices. (Brenner)
CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 12:34 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.
Absent: None.

COMMITTEE DISCUSSION AND PRELIMINARY DIRECTION

1. DISCUSSION AND PRELIMINARY COUNCIL DIRECTION ON COMPREHENSIVE PLAN CHAPTER 8, RESOURCE LANDS (AB2016-047H)

   Brenner referenced proposed change item one in the special meeting packet and stated rural forestry also produces wood products. She’s always heard the term “working forest.” She moved to amend Comprehensive Plan page 8-21, lines 3-4, “The commercial working forest land base in Washington State and in Whatcom County has been steadily decreasing over time.”

   The motion was seconded.

   Sidhu asked whether there is a definition of working forest land.

   Mark Personius, Planning and Development Services Department, stated Policy 8F-11 on Comprehensive Plan page 8-24 identifies the differences between working lands and commercial forest lands.

   Mann asked if the statement is still true if they change the definition.

   Brenner stated it is. Commercial forest implies a commercial forest zone. Many people in rural zones also produce wood products. The only difference is that the rural forest zone allows one house per 20 acres.

   The motion carried by the following vote:

   Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
   Nays: None (0)

   Brenner referenced proposed change item two and stated the proposal just makes the language cleaner.
**Donovan moved** to amend to approve proposed change item two on Comprehensive Plan page 8-22, Policy 8F-8, “Review Title 20.42 (Rural Forestry) and 20.43 (Commercial Forestry) for opportunities to provide for compatible non-forest uses that encourage forest landowners to keep their land in productive forest uses.”

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

**Weimer** referenced proposed change item three and **moved** to amend Comprehensive Plan page 8-24, Policy 8F-12, to add a bullet item, “Identifying the amount of acreage necessary to support a viable local forestry industry.” There is no measure to know how much working forests are declining. Ask the Forestry Advisory Committee to identify an amount of acreage necessary to support a viable forest industry, similar to the agricultural industry.

Personius answered questions on whether they can identify a specific amount of necessary acreage and whether they should change the goal if they can’t identify the specific amount. He stated the only concern of the Forestry Advisory Committee is that they don’t further reduce the amount of acreage available for forestry.

Sidhu stated there should be an inventory of existing working forest land. Personius stated there are 225,000 acres of commercial forest land and rural forest. In that amount are about 17,000 acres that aren’t managed for production. They are managed for conservation purposes instead.

**Weimer withdrew his amendment and moved** to amend Policy 8F-12, “Maintain our current working forest land base sufficient to support a viable local forestry industry by considering the impacts to working forests....”

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

**Donovan** referenced proposed amendment 3b and stated it’s not clear who would do the mitigation. They also removed it from the agricultural lands section. He **moved** to amend Comprehensive Plan page 8-24, Policy 8F-12, “Mitigation for loss of forest lands from productivity, including loss due to policy implementation of critical areas ordinances, etc.”

The motion was seconded.

Brenner stated this makes it sound like they’re talking about what has already happened. She’s not sure how they would track things in the future. That’s not the same as a study. Personius stated they can do future tracking.
Sidhu asked if they define mitigation of forest land. He asked if they are implying they will add new acreage and new working forest. Personius stated it’s not well-defined yet in this policy. It could include a number of strategies, including replanting, or planting additional acreage, or converting lands that aren’t currently in forest production.

Browne stated each natural resource industry is asking for mitigation when some of the land base is removed from production. No one seems to complain when an individual removes land for development. The people in the industries must suggest how to resolve the issues. The County Council can’t create more land. In each category, ask the people in the industry to identify economically viable strategies.

**Donovan amended his motion and moved** to amend Comprehensive Plan page 8-24, Policy 8F-12, and approve items 3b and 3c, “Track acres of forest lands lost from productivity due to conversion, development, or policy implementation such as critical areas ordinance, so work with the forestry advisory committee to identify economically viable mitigation strategies that can be implemented to offset the acres lost.”

The motion was seconded.

Sidhu asked if land would stay forest land or become agriculture land if an owner wants to replace 50 acres of forest with apple trees.

Brenner stated it becomes agricultural land, because it does not produce wood products.

The motion carried by the following vote:
- **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
- **Nays:** None (0)

Donovan referenced Policy 8F-9 and asked if this policy, as written now, would prevent conversion of Department of Natural Resources (DNR) land in the watershed to a non-productive use.

Personius stated it’s possible that a conversion would be prohibited. It’s not absolute. The Parks Department plan for the reconveyed land included a forest management component, which would meet this policy. The Forest Advisory Committee does not want thousands of acres wholesale converted to parks and completely off limits to timber management. They wanted to include timber management in the management guidelines of any future park acquisitions.

**Donovan moved** to amend Policy 8F-9 to add a bullet item, “This policy would not discourage actions that would remove portions of forest lands from the Lake Whatcom watershed for the purpose of protecting the watershed.”

Brenner stated there’s nothing wrong with maintaining working forests if they’re not near the lake. It’s a renewable resource, and they’re required to replant. She is opposed to the motion.

Weimer asked if designated forest means it is designated for timber production or is designated as a forest. Personius stated the GMA has two designations, for commercial
forest and for rural forest. A wilderness area in the national forest is not a designated forestland. The County doesn’t have jurisdiction there.

Donovan stated add language that clarifies they don’t prevent future actions that would prevent the impact of commercial logging in the watershed.

**Browne suggested a friendly amendment** to not approve a new bullet point, but to amend the existing Policy 8F-9 preamble, “Discourage inappropriate conversion of designated forest land to incompatible non-forest uses. It is the intent of this policy not to allow conversion of GMA-designated forest lands of long-term commercial significance outside the Lake Whatcom Watershed overlay district if the proposed use is incompatible with the maintenance of long-term forest management.”

Donovan accepted the friendly amendment.

Sidhu asked if the reconveyed land can be used for another use. Personius stated the zoning did not change. The land is still zoned for commercial or rural forest.

Sidhu stated changing the zone would further protect those acres. He asked if the County can contract with someone to harvest timber. Personius stated the Parks Department is working on that policy.

Sidhu stated he seconds the friendly amendment.

Brenner stated this should go to the Forestry Advisory Committee. She’s not comfortable with it.

Browne stated he disagrees with Councilmember Brenner. The Advisory Committee will say it doesn’t want to prohibit logging in the watershed. Jurisdictions all around the world have discovered the most inexpensive way of protecting a water supply is to leave the land in forestry.

Brenner stated it’s offensive to the Forestry Advisory Committee to make that assumption. They may have another way to ensure productive forestry without causing problems. She would like to hear from them.

The motion carried by the following vote:

Ayes:  Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

Nays:  Brenner (1)

**Weimer** referenced item Council proposed amendments item four and moved to amend Comprehensive Plan page 8-26, Policy 8G-7, “Encourage the United States Forest Service and the Department of Natural Resources to implement harvest practices that maximize the use of forest lands while allowing appropriate multiple uses.”

The motion was seconded.

The motion carried by the following vote:

Ayes:  Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays:  None (0)
Brenner referenced item five and moved to amend Comprehensive Plan page 8-27, Goal 8I, “Support the Department of Natural Resources in ensuring that to ensure forest practices avoid adverse impacts to the habitat of threatened and endangered fish and wildlife species and to marine waters that support shellfish resources.”

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

Weimer referenced item six and moved to amend Comprehensive Plan page 8-27, Policy 8I-1, “Ensure that adequate riparian buffers, based on best available science, are maintained along rivers and streams.”

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

Brenner referenced item seven and moved to amend Comprehensive Plan page 8-27, Policy 8I-2, “Minimize, to the greatest extent feasible, using BMPs, sedimentation to rivers and streams, to the greatest extent possible, using BMPs.”

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

Weimer referenced item eight and moved to amend Comprehensive Plan page 8-30; lines 40-43, “Controlling trespassing to surface mining can be a significant safety issue for mine operators. Property rights issues range from the right to mine and use the value of mineral resource land to the right to live in an area with a high quality of life and retain home values.”

The motion was seconded.

Browne stated the existing language makes the point, and it seems to be important to a certain segment of the community.

Brenner stated she proposes an alternative amendment that is more positive. The current language is extremely negative.

Donovan asked if there is a DNR requirement to include in the Comprehensive Plan the noxious potential of being next to a mine. Longman stated there is a section for each resource land that talks about potential conflicts. This particular section discusses it in that way, but doesn’t have a heading that says “Potential Conflicts.”
Sidhu stated the forest and agricultural resource lands sections have a separate heading for conflicts. The mineral resource land section doesn’t have that heading. The information is mixed in with the other narrative. They should make the conflicts a separate section to be consistent and to document the conflicts. Defining the conflicts is good for citizens who read the Code to understand what the issues are.

The motion carried by the following vote:

**Ayes:** Mann, Sidhu, Buchanan, Weimer and Donovan (5)

**Nays:** Brenner and Browne (2)

**Brenner moved** to delete the language on page 8-30, line 36, through page 8-31, line 2, and replace with new language, “Surface mining can create conflicts…in the vicinity. The Washington State Department of Natural Resources and RCW 78.44 requires mine operators to reclaim all surface mines for subsequent, post mining use as approved by Whatcom County (State Form SM-6). The reclamation work is guaranteed by the owner/operator through a performance security or bond. Trespassing and various other activities that may conflict with other land uses are generally illegal and can cause liability for mine owners/operators. Numerous federal, state, and local regulations also mitigate impacts of noise, dust, traffic, and environmental impacts.” The language is more positive.

The motion was seconded.

Browne stated the person who testified had an issue with the language about unreclaimed mines. Address his concern simply by leaving the existing language and remove the term “unreclaimed.” It removes the implication that mines are abandoned. He will vote against the motion.

Brenner stated the person who testified had other concerns. Telling people what is and is not legal is important. Don’t imply there’s a climate of distrust and hostility. Put the issues in there, but not with the assumption that this illegal activity is happening all the time.

Donovan stated he agrees with the last sentence in the motion. It can be added to the existing language.

Browne stated keep the existing language without the term “unreclaimed,” delete the last sentence of the existing language, and include the last two sentences from Councilmember Brenner’s motion.

Mann stated he appreciates the attempt of the motion, but he prefers to just delete the section without adding anything new.

**Brenner withdrew** her motion.

**Mann moved** to strike language on Council packet page 8-30 to page 8-31, “Surface mining can create conflicts…in the vicinity.”

The motion was seconded.
DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

The motion failed by the following vote:

Ayes: Brenner, Mann, and Donovan (3)
Nays: Weimer, Buchanan, Sidhu, and Browne (4)

Browne moved to amend Comprehensive Plan page 8-30, line 36 through page 8-31, line 2, "Surface mining can create conflicts...property devaluation. Un-reclaimed mines can affect...mining uses that are allowed. These and other factors...property owners in the vicinity. Trespassing and various other activities that may conflict with other land uses are generally illegal and can cause liability for mine owners/operations. Numerous federal, state, and local regulations also mitigate impacts of noise, dust, traffic, and environmental impacts."

The motion was seconded.

The motion carried by the following vote:

Ayes: Sidhu, Browne, Buchanan, Weimer and Donovan (5)
Nays: Brenner and Mann (2)

Brenner referenced proposed Council change item nine and moved to amend Comprehensive Plan page 8-31, lines 4-9, "Environmental issues associated with surface mining may include groundwater or aquifer impacts and disruption of fish and wildlife habitat. Surface mine reclamation can create wetlands and fish and wildlife habitat, productive agricultural land, or provide land for parks, housing, industrial or other uses."

The motion was seconded.

Browne stated he is opposed to the motion. For the most part, surface mining ends up with holes in the ground that are full of water. It’s permanently lost to agriculture and forestry.

Brenner stated that won’t happen if done legally.

The motion failed by the following vote:

Ayes: Brenner (1)
Nays: Browne, Mann, Sidhu, Buchanan, Weimer and Donovan (6)

Brenner referenced item ten and moved to amend Comprehensive Plan page 8-31, lines 11-15, “As a natural result of geologic forces, it is not uncommon in Whatcom County to have excellent mineral deposits located under prime farmland soil and above an aquifer recharge area. Mining in these areas can substantially impact reduce the productive capacity of the soil and make the underlying aquifer more susceptible to contamination."

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

Longman referenced the yellow handout, item two, to create new policy 8J-4.
Brenner moved to create a new policy, “8J-4: Consider creating Right-to-Mine zones to avoid conflicts with incompatible activities and protect mineral resource lands of long-term commercial significance from conversion to non-compatible uses.” They’ve been talking about doing this for a long time.

The motion was seconded.

Mann asked about a long-range planning process for determining gravel mining areas. It’s important to decide how much supply they want and what areas are appropriate for mining. Personius stated that will be on the long-range planning work program for the next two years. He has no problem with language to consider creating right-to-mine areas.

Brenner stated this will prevent more lawsuits like they’ve gotten recently with agricultural areas. It should be treated the same.

Browne stated he’s opposed to the motion. It won’t lessen the number of lawsuits. It will shift where they come from. He’s concerned about a new area designated as an MRL under the right-to-mine ordinance, with an adjacent landowner who is suddenly impacted. The concern is that these MRL areas will be a new land use in areas that historically has not had them.

Sidhu stated the right-to-mine is premature at this time. Once the review is done to identify and pre-designate MRL areas and the Surface Mining Advisory Committee can come up with right-to-mine recommendations, then it would be appropriate to bring the right-to-mine ordinance forward.

Brenner stated the Comprehensive Plan is a long-range plan, and they must consider strengthening the ordinance.

Sidhu stated the Right-to-Farm regulations went through a process before they were adopted. They don’t know yet what a right-to-mine regulation would mean.

Matt Aamot, Planning and Development Services Department, answered questions about the County’s existing right-to-mine areas in existing mineral resource land (MRL) areas.

Weimer stated they are talking about designating right-to-mine areas, but they already have a Right-to-Mine ordinance. He suggests, “Consider strengthening the Right-to-Mine zone ordinance…” to accomplish what Councilmember Brenner would like.

Browne moved to hold until the next meeting in which this chapter is discussed.

The motion was seconded.

The motion to table carried by the following vote:
Ayes: Browne, Sidhu, Buchanan, Weimer and Donovan (5)
Nays: Brenner and Mann (2)

Weimer referenced proposed Council change item 11 and moved to amend Comprehensive Plan page 8-33, Policy 8K-8, “Expansion of MRL designations to parcels
contiguous to, and held by more than 1% common beneficial ownership or beneficial interest with an existing mine is allowed, but before extraction of the additional area may commence the existing mine must be in complete compliance with all operating permits and regulations.” The Planning Commission saw a conflict with expanding the MRL designation if the current mine is not in compliance. Allow owners/operators to go forward with an MRL designation process, but not mining activity, until they are in compliance. He asked if the County has any control over when they begin to mine. Personius stated the County does, because the activity requires a conditional use permit.

The motion was seconded.

The motion carried by the following vote:
Ayes:    Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays:    None (0)

**Donovan moved** to amend Comprehensive Plan page 8-33, policy 8L-2, “Protect areas where existing residential uses predominate against intrusion by mineral extraction and processing operations, unless adequate buffering is provided by the mine operators.” He asked if those areas are not protected if there are adequate buffers.

The motion was seconded.

Sidhu stated the mitigation depends on the type of intrusion.

Brenner asked if it would influence the conditional use permit conditions if a mine operator and neighbor worked out an agreement. Personius stated it could.

The motion carried by the following vote:
Ayes:    Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays:    None (0)

Longman referenced the proposed Council changes in the main packet and items 12a and 12b.

**Donovan moved** to amend Comprehensive Plan page 8-34; Policy 8M-1, “Allow mining in the agriculture zone that would enhance farming by leveling knolls and ridges when appropriate. In these areas, reclamation of mineral extraction sites shall occur in a timely fashion. The site should also be restored for uses allowed in an agricultural zone and blend with the adjacent landscape and contours.” He asked if the language assigns an MRL designation to the entire agricultural zone. He asked how leveling knolls and ridges improves the productivity of agricultural land.

Sidhu stated leveling something is a unique situation. He asked if farmers can get permits to level their property without mining. Personius stated this is already codified for the agricultural and rural zone for small mining operations that don’t trigger the State’s Surface Mining Act, which are less than three acres. He described the conditional use permit process. The County has permitted seven of these permits in the last 23 years. Of those seven, two or three were never done.
Browne stated leveling agriculture results in more efficient use of water by controlling the drainage.

Donovan withdrew his motion.

Sidhu stated this only applies to small mines less than three acres. This is a limited situation.

Weimer moved to amend Comprehensive Plan page 8-34; Policy 8M-1, “Allow mining in the agriculture zone that would enhance farming by leveling knolls and ridges where appropriate. In these areas, reclamation of mineral extraction sites should shall occur in a timely fashion. The site should also be restored for uses allowed in an agricultural zone and blend with the adjacent landscape and contours.”

The motion was seconded.

Brenner stated include “productive agricultural lands” in the section they discussed earlier.

The motion carried by the following vote:
Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

Sidhu moved to reconsider the motion regarding proposed Council change item nine to amend Comprehensive Plan page 8-31, lines 4-9, “Environmental issues associated with surface mining may include groundwater or aquifer impacts and disruption of fish and wildlife habitat. Surface mine reclamation can create wetlands and fish and wildlife habitat, productive agricultural land, or provide land for parks, housing, industrial or other uses” and to the language to “productive enhance agricultural land.”

The motion was seconded.

The motion carried by the following vote:
Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, and Weimer (6)
Nays: Donovan (1)

Weimer referenced item 13 and moved to amend Comprehensive Plan page 8-35; Policy 8M-4, “Recognize the role of commercial surface mining as part of farm enhancement.”

The motion was seconded.

Sidhu stated it’s a stretch to say someone will do surface mining to enhance agriculture.

The motion carried by the following vote:
Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)
Longman stated the next few amendments are regarding river bar scalping. There are two proposals from Councilmember Brenner and an extensive rewrite from Councilmember Donovan.

**Brenner moved** to amend Comprehensive Plan page 8-36, “However, though Although the public believes river bar scalping will can significantly reduce flooding along the entire river, its benefits are local and it may, if done improperly, can have negative effects in areas surrounding the mining site.” There will only be negative effects if done improperly.

The motion was seconded.

Donovan stated the motion is an improvement over the original language, but he prefers to just delete it all. In hearings about flood control, no one has ever mentioned these techniques for flood control. Given the federal and State regulations that apply, it won’t ever be done effectively. He submitted a handout with an alternate proposal to this section *(on file)*.

Brenner stated river gravel is a renewable resource, especially if scalping is done above the water. Whatcom County stopped river scalping because Canada stopped, but Canada has resumed the practice. It is shown to benefit fish habitat.

**Brenner amended and restated her motion** to amend Comprehensive Plan page 8-36:
- “Proponents of river bar scalping support it for both economic and flood control purposes. River bar aggregate can supply high quality rock material and, if done properly, bar scalping can stabilize a section of the river channel and decrease flood damage immediately downstream.”
- “River bar aggregate can supply high quality rock material. River gravel is a renewable resource that could extend the life of other Whatcom County resources.”

The councilmembers discussed the history of river bar scalping and whether it is allowed.

The motion was seconded.

The motion failed by the following vote:

**Ayes:** Brenner (1)

**Nays:** Mann, Sidhu, Buchanan, Weimer, Browne, and Donovan (6)

**Donovan moved** to approve his handout *(on file)*:

Proponents of river bar scalping support it for both economic and flood control purposes. River bar aggregate supplies high quality rock material (although it produces poor quality sand due to excessive organic material). In addition, if done properly, bar scalping can stabilize a section of the river channel and decrease flood damage immediately downstream. Although the public believes river bar scalping will significantly reduce flooding along the entire river, in fact, the benefits of river bar scalping are
local and it may have negative effects in areas surrounding the mining site. For example, if done improperly gravel removal can de-stabilize the river channel locally and increase, rather than decrease, flood damage downstream. After intensive bar scalping, floodwater that is normally stored on the floodplain of the mined reach can be concentrated and dumped on the reach immediately downstream. If gravel mining exceeds the rate of replenishment from upstream, the river bed may lower both upstream and downstream; this bed degradation can undermine bridge supports and other structures, cause adjacent banks to erode (or stabilize, depending on how much and where gravel is removed), lower groundwater tables adjacent to the river, and damage riparian vegetation.

Improper mining methods in fish spawning reaches can de-stabilize spawning gravel or clog it with silt, remove cover vegetation or trap smolts during out-migration. Over harvesting of gravel can erode the river bed and expose the underlying substrate, reducing or eliminating pool and riffle habitat for fish and other aquatic animals. Finally, petroleum spills from mining equipment can degrade local surface water quality if not responded to properly.

While river gravel is a renewable resource that could extend the life of other Whatcom County gravel resources, river bars are not a reliable source from year to year. The amount of gravel that can be mined varies with seasonal and yearly rates of gravel deposition; high and low water levels and timing; and fish migration, spawning and out-migration timing.

Various costs raise the price of river bar gravel. For example, there are several streams (e.g. Boulder Creek, Porter Creek, Glacier Creek, etc.) which may offer significant quantities of sand and gravel, but which are not currently being mined due to prohibitive transportation costs. Other factors include the cost and limited availability of access easements to the river, the repeated handling that is necessary for extraction and processing of the material, and the cost of complying with regulations.

Finally, many state and federal regulations restrict scalping locations and practices. The cost and time delay of duplicate regulation, environmental restrictions, royalty charges and the regulatory process are deterrents to river bar mining.

The motion was seconded.

The motion carried by the following vote:

Ayes: Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

Nays: Brenner (1)

Weimer moved to amend Comprehensive Plan page 8-41, Policy 8Q1, "Through a county-led, countywide assessment seek to identify and protect all designate potential commercially significant construction aggregate supply mineral resource lands, to meet future demand, compatible with water resources, agricultural lands, forest lands and other GMA goals."

The motion was seconded.
DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

Councilmembers discussed a County-led process versus a citizen- or industry-led process to do identification.

The motion carried by the following vote:

**Ayes:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

**Nays:** Brenner (1)

**Donovan moved** to amend Comprehensive Plan page 8-42, Policy 8R-6, “Avoid river bar scalping where it would adversely affect salmon spawning or critical habitat areas.”

The motion was seconded.

Brenner stated the entire mineral resources section is negative. Remove this language. It’s not necessary.

Sidhu asked how much resource is removed from the river.

Steve Cowden, Cowden Gravel and Ready Mix, stated he took up to 200,000 yards per year from one area before 1997. It’s a renewable resource. He’s seen more than 200,000 yards come in during one weekend of flooding. Since he stopped in 1997, the local river bars in his area have risen seven feet. In 1997, it became so heavily regulated that it became cost-prohibitive.

Sidhu asked if it is commercially-viable to augment or compete with surface mining gravel. Cowden stated it is, if done properly.

Browne stated include the language, because they don’t know where federal regulations will go in the future. Also, make it clear they want to continue to protect salmon habitat.

The motion carried by the following vote:

**Ayes:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)

**Nays:** Brenner (1)

**Donovan moved** to amend Comprehensive Plan page 8-43, the MRL Criteria, “1. Non-metallic deposits must contain at least 250,000 $1,000,000 cubic yards of proven and extractable sand, gravel or rock material per new MRL Designation.”

And moved to amend Comprehensive Plan page 8-43, the MRL Criteria, “2. Minimum MRL Designation size is ten twenty acres.” He asked if these would substantially increase the number of small mines.

Browne stated one might get three or four times the amount of material from a 20 acre pit than a ten acre pit. He doesn’t want a bunch of small pits around the county, which would consume agricultural and forestry land.

The motion was seconded.

Brenner stated a ten-acre pit may not have room for buffers. Someone from staff said it was unlikely to fit both. It will be a lot of work for staff if it’s not possible.
Browne stated encourage a small number of larger MRL areas rather than a large number of small MRL areas.

Brenner stated that assumes such large MRL areas exist and are under one ownership. That’s not reality. She would like to vote on the two items separately.

**Donovan restated the motion** to amend Comprehensive Plan page 8-43; MRL Criteria, “1. Non-metallic deposits must contain at least 250,000,000 cubic yards of proven and extractable sand, gravel or rock material per new MRL Designation.”

The motion carried by the following vote:

**Ayes:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)  
**Nays:** Brenner (1)

**Donovan moved** to amend Comprehensive Plan page 8-43; MRL Criteria, “2. Minimum MRL Designation size is ten twenty acres.”

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)  
**Nays:** None (0)

**Weimer moved** to amend Comprehensive Plan page 8-43; MRL Criteria, “12. Expansion of MRL Designations to parcels contiguous to, and held by more than 1% common beneficial ownership or beneficial interest with an existing mine, shall require that the existing mine is substantially in compliance with all operating permits and regulations before expansion of the designation will be approved, is allowed, but before extraction of the additional area may commence the existing mine must be in complete compliance with all operating permits and regulations.”

The motion was seconded.

Brenner stated it doesn’t make sense to have it in both places.

The motion carried by the following vote:

**Ayes:** Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (6)  
**Nays:** None (0)  
**Abstains:** Brenner (1)

Personius stated amend criteria 15 on Comprehensive Plan page 8-44 to be consistent with a prior change to Policy 8A-3.

**Mann moved** to amend criteria 15 on page 8-44, “Prohibit MRL designations in areas designated Agriculture by the Whatcom County Comprehensive Plan that contain “prime Farmland Soils” as listed in Table 5, Soil Survey of Whatcom County Area, Washington, U.S. Department of Agriculture Soil Conservation Service. A Goldin (1983) determined by the Natural Resource Conservation Service.”
The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Weimer stated he would withdraw his proposed amendment 17d. It’s covered under other parts of the designation process. He would also withdraw his proposed amendment 17e. There is no conflict in the county to deal with.

*(Clerk’s Note: The Committee took a break from 3:12 p.m. to 3:27 p.m.)*

Longman referenced the Additional Proposed Council Changes to Comprehensive Plan for Chapter 8 regarding items that Councilmember Brenner requests to reconsider.

**Sidhu moved** to reconsider changes to Comprehensive Plan page 8-4, lines 44-45.

The motion was seconded.

Browne stated he is against reconsideration. They addressed the issue further in the chapter. Preservation of agricultural land is something they have to do for every generation. That’s why it’s a primary objective of the agricultural protection overlay (APO).

Donovan stated it’s also in the Charter.

Brenner stated they just voted for language that was already in another place in the Comprehensive Plan. She asked why it’s a problem here. One of the best ways to promote conservation of productive agricultural lands is to let people know to pay attention to the law.

The motion to reconsider failed by the following vote:

**Ayes:** Brenner, Buchanan, and Donovan (3)

**Nays:** Mann, Sidhu, Browne, and Weimer (4)

**Donovan moved** to reconsider changes to Comprehensive Plan page 8-10, Policy 8A-4.

The motion was seconded.

The motion to reconsider carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

**Brenner moved** to amend Comprehensive Plan page 8-10, Policy 8A-4, “Support conservation of productive agricultural land by requiring the use of best management practices including soil and water conservation, livestock nutrient/manure nutrient management, etc.”

The motion was seconded.
The motion to amend carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Sidhu moved to reconsider changes to Comprehensive Plan page 8-12, Policy 8C-4.

The motion was seconded.

The motion to reconsider carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Brenner moved to amend Comprehensive Plan page 8-12, Policy 8C-4, “Encourage retiring farmers to pass their farms on to beginning farmers and encourage the use of programs that help beginning farmers buy productive farmland. Encourage the use of programs that help beginning farmers buy productive farmland.” Encourage all kinds of people, not just retiring farmers.

The motion was seconded.

The motion to amend carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Brenner moved to reconsider changes to Comprehensive Plan page 8-12, line 38.

The motion was seconded.

The motion to reconsider carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Brenner stated amend Comprehensive Plan page 8-12, line 38, “Agriculture may conflict with other land uses. Improper nutrient or manure management practices on agricultural land may impact the commercial and recreational use of aquatic lands miles away. Agriculture is one of the most important resources in Whatcom County. Whatcom County works with farmers to ensure productive agriculture land and improved nutrient management practices help reduce impacts on aquatic lands. Whatcom County is also strongly supported by agriculture fiscally with sales and jobs. Agriculture may conflict with other land uses.” This language is more positive.

Weimer stated he is against the motion. All the conflicts listed are about conflicts that hurt farmland. He tried to insert a conflict about how farmland conflicts negatively with other things. It makes sense to leave the language as it is.

Browne suggested keeping the language that Councilmember Weimer inserted. The language proposed by Councilmember Brenner doesn’t belong in the Land Use Conflicts section. It belongs under the Agricultural Products Industry section on Comprehensive Plan page 8-11.
Brenner moved to amend Comprehensive Plan page 8-11, the Agricultural Products Industry preamble, “Agriculture is an essential contributor to...for farm products are available. Agriculture is one of the most important resources in Whatcom County. Whatcom County works with farmers to ensure productive agriculture land and improved nutrient management practices help reduce impacts on aquatic lands. Whatcom County’s economy is also strongly supported by agriculture with sales and jobs.”

Donovan suggested a friendly amendment, “nutrient/manure management.”

Brenner accepted the friendly amendment. The first paragraph of the Land Use Conflicts section could be written in a less negative way.

The motion to amend carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, and Donovan (6)
Nays: Weimer (1)

Brenner stated she will work on amendments to Comprehensive Plan page 8-12 in the Land Use Conflicts section.

Personius gave a staff report on the proposal to create a section on aquatic resource lands. He referenced the staff memo to the Council dated March 28, 2016 regarding the Aquatic Resource Lands (on file).

(Clerk’s Note: Councilmember Sidhu left the meeting at 4:00 p.m.)

Weimer stated it makes sense to have the Marine Resources Committee review it. He asked if it’s possible to include a goal in the Comprehensive Plan to consider creating a section on aquatic resource lands by a certain deadline. He fears that if docketed, it will be years before it comes to the Council. Personius stated it would be fine to add that type of a goal or policy.

Brenner moved to create a goal to protect aquatic resources and at least one policy, to have the proposed new goal go through the process as recommended in the staff memo, and to return to Council by the end of 2017.

The motion was seconded.

Buchanan asked if the motion is to direct staff to begin the process or to amend the Comprehensive Plan to include that direction as a policy for staff.

Browne moved to create Policy 8R-7 to create an aquatic resource lands section for the Comprehensive Plan, to come to the Council by the end of 2017. The motion was not seconded.

Weimer stated that’s the wrong section. He prefers to take time to think about the wording and create a goal and policy.

Donovan stated they will discuss this chapter in an upcoming meeting. Give Councilmember Weimer the time to develop the appropriate wording.
Brenner withdrew her motion.

Buchanan moved to hold this item.

The motion was seconded.

The motion to hold carried by the following vote:

Ayes: Brenner, Mann, Browne, Buchanan, Weimer and Donovan (6)

Nays: None (0)

Absent: Sidhu (1)

2. DISCUSSION AND PRELIMINARY COUNCIL DIRECTION ON COMPREHENSIVE PLAN CHAPTER 2, LAND USE (AB2016-047B)

Weimer moved to amend Comprehensive Plan page 2-1, the Vision Statement, "Whatcom County is a place where urban growth is concentrated in urban areas, where there is a distinct boundary between urban and rural uses, where agricultural use is encouraged, and where resource lands and water resources are protected, and where land use changes are brought about through incentive programs. Rural areas are peaceful and quiet with less traffic and congestion than urban areas. There is low-density development with open spaces allowing for privacy. A sense of community is retained and local control is exercised input is respected in land use decisions." Land use changes can be brought about in ways other than incentive programs.

The motion was seconded.

Brenner suggested a friendly amendment "input is respected considered."

Weimer accepted the friendly amendment.

The motion carried by the following vote:

Ayes: Brenner, Mann, Browne, Buchanan, Weimer and Donovan (6)

Nays: None (0)

Absent: Sidhu (1)

Brenner moved to amend Comprehensive Plan page 2-1, lines 14-19, "The Land Use chapter and map include a set of adopted land use designations which combine the predicted needs of future populations with the availability of land and the desires of residents. These needs and desires are expressed through the goals, and policies, and actions included below as well as through implementation of the land use map. This chapter is divided into sections that address: ..."

Matt Aamot, Planning and Development Services Department, stated action items were deleted from each chapter because they were either incorporated into the policies, have been completed, or are no longer relevant. Now they have goals and policies in the text, without action items.

Weimer stated most of the action items have been taken out. He wasn’t sure they need to reference them if they’re no longer there.
**Brenner withdrew** her motion.

Buchanan referenced the Proposed Council Changes to Comprehensive Plan for Chapter 2 – Land Use, and councilmembers discussed the Oxford comma.

**Brenner moved** to approve items four through nine of the proposed changes in the meeting packet.

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Browne, Buchanan, Weimer and Donovan (6)

**Nays:** None (0)

**Absent:** Sidhu (1)

**Weimer moved** to amend Comprehensive Plan page 2-4, lines 17-21, “The goal of growth management is to provide sufficient land area with adequate facilities and utilities either presently available or economically feasible to accommodate future growth. This means having an adequate distribution of [developable land](#) to provide housing, services, jobs, and resource land for the expected population.”

Aamot stated some resource lands, such as commercial forestry, aren’t really developable.

The motion was seconded.

Brenner asked the definition of “developable.” Aamot stated he would check the code, but there is not development in commercial forestry. It does allow living quarters for crews.

**Weimer withdrew** the motion. **He moved** to amend Comprehensive Plan page 2-4, lines 31-35, “A key need for meeting land demands to generate family wage employment is land that is “ready to go” for industrial development. Most [Many](#) potential industrial employers seeking to locate in Whatcom County require large tracts of land where the infrastructure and site improvements are already in place.”

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Browne, Buchanan, Weimer and Donovan (6)

**Nays:** None (0)

**Absent:** Sidhu (1)

**Brenner moved** to amend Comprehensive Plan page 2-5, lines 19-20, “The [Growth Management Act](#) requires and the [Vision statement](#) encourages concentrating growth in urban growth areas.”

The motion was seconded.

Brenner stated there are too many subjective definitions of “vision.”
Weimer stated there is a vision statement for Chapter 2, which says they will concentrate growth in urban areas. He is opposed to the motion.

The motion failed for a lack of a majority by the following vote:

Ayes: Brenner, Mann, and Browne (3)
Nays: Weimer, Donovan, and Buchanan (3)
Absent: Sidhu (1)

Brenner moved to amend Comprehensive Plan page 2-5, Goal 2A, “Ensure designation of sufficient land, water and densities to accommodate the growth needs of Whatcom County and protect the local economy, rural lifestyle, habitat, fish and wildlife which are the cornerstone qualities that make the county a desirable place to live.”

The motion was seconded.

Donovan stated it’s important to reference water.

The motion carried by the following vote:

Ayes: Brenner, Mann, Browne, Buchanan, Weimer and Donovan (6)
Nays: None (0)
Absent: Sidhu (1)

Weimer moved to amend Comprehensive Plan page 2-6, Policy 2A-7, “Establish sufficient levels of developable residential, commercial, and industrial lands informed by approved population and economic forecasts, inventory of existing use, land capacity outside of critical areas and buffers, cost of infrastructure, legally available water availability, and goals and policies of all chapters of this plan.”

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Browne, Buchanan, Weimer and Donovan (6)
Nays: None (0)
Absent: Sidhu (1)


Matt Aamot, Planning and Development Services Department, referenced a staff memo from Mark Personius to the Council dated March 24, 2016 regarding the Comp Plan Update – Chapter 2 (Land Use) suggesting language for a new policy 2A-14 and gave a staff report.

Weimer stated they’ve been talking about doing this for ten years. Everyone agrees it’s important. However, nothing has been done. This is an attempt to get something done. The Planning staff’s alternate recommendation is good. He doesn’t know if there is a way to apply to the urban growth area (UGA) expansions they will approve in June. Include language that ensures the group will get to work.
Brenner stated that if they are going to work on UGAs, it’s because it’s necessary, not because the County will hold the small Cities hostage. It’s up to the County to develop a workable transfer of development rights (TDR) program that doesn’t blackmail the Cities.

Browne stated he supports the principle. The challenge is the lack of receiving areas. The problem is that the value of TDR increases the cost of housing. Focus on where the receiving areas should be. One idea is using certain rural areas to selectively increase cluster developments. Take a development right from an area zoned rural with good agricultural soil and put it on another rural area with poor soil and that won’t be used for agriculture.

Weimer stated increasing density in rural areas is a challenge because of the Growth Management Act (GMA). When establishing UGAs, there is a significant upzone. People get wealthy overnight by the decision. It makes sense to share it. Others are doing this. King County has a program that requires a 4-to-1 program. Other counties and cities have successful programs. There are examples from all over, they just need to get the program together. Get a group of smart planners together to figure out what is fair in Whatcom County. TDR programs work in other places.

Brenner stated the County funds the purchase of development rights (PDR) program. The County should fund a TDR program, too.

Browne stated the GMA allows flexibility about rural density, according to staff. If there is a windfall due to an upzone, there is an opportunity to fund it. If people buy lands that are already zoned with a higher density, don’t ask them to spend extra to develop the lots. He moved to approve Staff’s recommended changes to proposed policy 2A-14, as shown in the staff report from Mr. Personius to the Council and Executive dated March 24, 2016, without the last two bullet items and without the reference to the exchange for UGA expansions in the last paragraph.

The motion was seconded.

The councilmembers discussed options for amending the motion, whether or not they would tie a program to UGA expansions, including a deadline for the work, allowing a broader approach for receiving areas than just expanded UGAs, considering the nexus of UGA expansions into agricultural lands and TDR programs, and forfeiting the County’s leverage over the Cities.

Browne amended and restated his motion to approve Staff’s recommended changes to proposed policy 2A-14, as shown in the staff report from Mr. Personius to the Council and Executive dated March 24, 2016, with changes:

- Strive to establish by December 2017 a clear, predictable...
- Identifying receiving areas within existing UGAs, including areas within cities and urban areas.
- Identifying other factors and/or growth management tools relevant to UGA expansions.
Based upon ...or resource lands in exchange for UGA expansions and other upzones.

The motion carried by the following vote:

Ayes: Brenner, Mann, Browne, Buchanan, Weimer and Donovan (6)
Nays: None (0)
Absent: Sidhu (1)

OTHER BUSINESS

There was no other business.

ADJOURN

The meeting adjourned at 4:57 p.m.

The Council approved these minutes on ______________, 2016.

ATTEST: WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

______________________________  ______________________________
Dana Brown-Davis, Council Clerk   Barry Buchanan, Council Chair

______________________________
Jill Nixon, Minutes Transcription
CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 9:30 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.

Absent: None.

PUBLIC COMMENT

The following people spoke:

Linda Twitchell, Building Industry Association of Whatcom County, stated the building community has a problem getting permits for land use. The problem needs to be recognized and addressed. She submitted a lahar map (on file) and stated language on Comprehensive Plan pages 11-18 and 11-19 may need to be in the critical areas ordinance because they are action items. If it’s really a public safety issue, they have to go beyond limiting businesses to six or fewer people. Because lahars are rare and unpredictable, assess the risk. The law does not require they prohibit development in those areas. Assess the risk and let people decide if they want to put in a business. Also, make sure any last minute proposals are posted to the website as soon as possible.

Mann asked if there will be further discussions on lahars. Twitchell stated she will follow up.

Mann stated that if they want to get into it, they could wait for the critical areas ordinance to work on it in detail, but don’t do anything in the Comprehensive Plan that will tie their hands.

Brenner stated there are many types of risks.

Twitchell stated the Growth Management Act allows them to pick and choose how they assess risk and act accordingly. There may be a different way they want to approach some of these geologic hazards.

Brenner asked when was the last lahar. Twitchell stated the last major eruption of Mt. Baker was 6,600 years ago. Lahars were originally defined as the debris and mud flow from a major eruption. There are other types of mud flows.
Browne stated there is an immediate impact of a lahar and a later impact when rivers are dammed up. It may be appropriate to create zones based on potential damage or their ability to warn and evacuate.

Jim Hanson, Whatcom Environmental Work Group, submitted a handout (on file) and stated he supports the revisions in his handout and the suggestions of Futurewise and ReSources. Strong environmental protections are the foundation of prosperity. Create a balance between incentives and regulations.

Brenner stated incentives are practical to use if they work. Hanson stated incentives should encourage people to go beyond what is regulated.

Roger Almskaar, Land Use Consultant, stated there is a severe over-regulation problem in the county. He supports the findings on page eight, because they acknowledge there is a problem with the multitude of regulations and agencies. He will submit a proposal to revise goal 11B.

Skip Richards stated he emailed his testimony. Regarding the findings of fact, staff is telling the Council false and misleading information about the watershed management project. Get rid of Appendix G. The Comprehensive Plan is supposed to have goals and supporting policies, so they don’t need Appendix G. Delete anything that doesn’t relate directly to furthering the goals and policies in the Comprehensive Plan.

Carole Perry stated the number of different documents makes the process confusing. Lahars should be addressed in the critical areas ordinance. According to KGMI, the Environmental Protection Agency (EPA) and Puget Sound Partnership had a meeting with the Joint Board about a process to get money that is too bureaucratic that it’s confusing and doesn’t work. Economic vitality is leaving the county. The land base and tax base are going. Officials are trying to get money from the Puget Sound Partnership and EPA, but generate economic vitality instead so they can pay themselves.

DISCUSSION AND PRELIMINARY DIRECTION

1. DISCUSSION AND PRELIMINARY COUNCIL DIRECTION ON COMPREHENSIVE PLAN CHAPTER 11, ENVIRONMENT, AND APPENDIX G, WATER RESOURCES PROGRAM AND SALMON RECOVERY PROGRAM (AB2016-047K)


Weimer moved to approve Items 1 through 17 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22, which concern comma usage and may be considered in a single motion.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)
Weimer moved to approve items 18 through 59 and 61 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22, which concern other non-substantive grammatical changes and may be considered in a single motion.

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Brenner referenced item 62 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and stated these are goals that they want to get to. Everyone wants to figure out how to ensure long-term sustainability. She moved to amend Comprehensive Plan page 11-2, lines 13-20, "This chapter is composed of an introduction and four sections organized by topic heading. The first section, entitled "General Environmental Management," addresses general environmental goals and policies. The remaining three sections deal with Natural Hazards, Water Resources, and Natural Systems. Together, the sections of this chapter provide the direction necessary to ensure/promote long-term sustainability of the environment in Whatcom County."

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Brenner referenced item 63 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and stated the goal is to eliminate these things. Goals are what you strive for. They don’t necessarily get to all these solutions, but it’s important that is what they’re trying to get to. She moved to amend Comprehensive Plan page 11-3, lines 13-22, "Relative to environmental protection, Whatcom County's County-Wide Planning Policies (CWPP) give the most attention to water issues. They state, "The quality of life and economic health of Whatcom County communities depend on the maintenance of a safe and reliable water supply. All jurisdictions and water purveyors should cooperate to ensure the protection and quality of the area's water resources." Specific policies address water, promoting inter-jurisdictional cooperation in conserving, protecting, and managing the water resource, and in reducing eliminating water pollution."

The motion was seconded.

Brenner asked if it will require more restrictions.

Mark Personius, Planning and Development Services Department, stated it’s not an issue. This is a narrative section that speaks to the countywide planning policies (CWPP), which use the language about reducing, not eliminating.

Brenner withdrew her motion.
**DISCLAIMER:** This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

Brenner referenced item 64 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and stated she thought it was due to a number of things, including flooding. Sometimes the Nooksack River is milky colored due to different stuff. She *moved* to amend Comprehensive Plan page 11-5, lines 6-7, “The milky color of the Nooksack River is partially due to the same kind of rock flour, created by glacial activity on the slopes of Mount Baker.”

Mann asked if there is any scientific evidence supporting the motion. Brenner stated the river is different colored due to different activity. She *withdrew* her motion.

Brenner referenced item 65 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and stated it’s a grammar change. She *moved* to amend Comprehensive Plan page 11-6, lines 45-47, “They provide important beneficial uses to the community such as: clean drinking water; management of stormwater run-off and flood hazard management; support for a wide variety of fish and wildlife; fresh air and a sense of place that in which residents invest.”

The motion was seconded.

Mann stated he disagrees with the grammar in the motion.

Brenner *withdrew* her motion.

Brenner referenced item 66 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and stated people don’t understand the information. Having information and understanding are two different things.

Browne *moved* to amend Comprehensive Plan page 11-7, line 13-14, “Much of the environmental degradation and destruction to property occurs as a result of a lack of information/understanding rather than willful action.”

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Donovan referenced item 67 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and stated he tried to make the statement more emphatic. He *moved* to amend Comprehensive Plan page 11-7, Policy 11A-4, “Manage designated Critical Areas (ECAs) as needed, to minimize or protect environmental degradation and reduce the potential for losses to property and human life.”

The motion was seconded.

The motion carried by the following vote:
Ayes:  Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays:  None (0)

Donovan referenced 68 in the Proposed Council Changes to Comprehensive Plan for
Chapter 11 beginning on Council packet page 22.

**Browne moved** to amend Comprehensive Plan page 11-7, Policy 11A-6, “Aim to
meet or exceed national, state, and regional air quality standards. Work with the
Northwest Clean Air Agency to ensure compliance with applicable air quality standards.”

The motion was seconded.

Weimer stated he supports the intent, but the County has no authority over air
quality standards. He asked if the change requires the County to meet the standards. The
County can only work with the Northwest Clean Air Agency.

Personius stated the County coordinates with the Northwest Clean Air Agency, but is
not directly involved. The County can help with funding, land use, or permitting. The
language change would be fine.

Sidhu stated he prefers to keep the language as it is, given the reason
Councilmember Weimer indicated. They can aim to meet regulations set by the Northwest
Clean Air Agency.

**Browne withdrew** the motion.

Weimer referenced item 69 in the Proposed Council Changes to Comprehensive Plan
for Chapter 11 beginning on Council packet page 22 and stated it was a suggestion from
someone to make sure they are talking about best available science.

**Mann moved** to amend Comprehensive Plan page 11-8, Policy 11A-7, “Support
efforts using best available science to educate and inform the public as to the benefits of a
healthy and viable environment, ecologically fragile areas, and their economic and social
value.”

The motion was seconded.

The motion carried by the following vote:

Ayes:  Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays:  None (0)

Weimer referenced item 70 in the Proposed Council Changes to Comprehensive Plan
for Chapter 11 beginning on Council packet page 22 and stated they ought to show
leadership in addition to coordination.

**Mann moved** to amend Comprehensive Plan page 11-8, Policy 11A-8, “Lead and
coordinate efforts with property owners, citizen groups, and governmental and non-
governmental agencies in furthering Whatcom County’s environmental goals and policies.”

Buchanan stated fix the capitalization error.
Brenner stated the County doesn’t always lead. She suggested “Lead or coordinate.”

Mann accepted the suggestion as a friendly amendment, “Lead and/or coordinate.”

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Brenner stated she withdraws her proposed item 71 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22. She referenced item 72 and stated they don’t have to be citizens. They are just talking about county residents. She **moved** to amend Comprehensive Plan page 11-8, Policy 11A-12, “Broadly inform the citizens of the county residents of the locations of potential development constraints associated with natural conditions. Information should include known natural hazards, and an assessment of the potential danger to both the property owner and the public.”

The motion was seconded.

Weimer stated residents are more permanent than citizens, according to the dictionary. They want to inform all people, not just permanent residents.

**Brenner amended her motion and moved** to amend Comprehensive Plan page 11-8, Policy 11A-12, “Broadly inform the citizens of the county people of the locations of potential development constraints associated with natural conditions. Information should include known natural hazards, and an assessment of the potential danger to both the property owner and the public.”

The amended motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Weimer referenced item 73 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and stated it is an accurate statement that had been removed.

Brenner stated people have a hard time figuring out what it all means. It’s a clear sentence that had been removed.

**Weimer moved** to amend Comprehensive Plan page 11-8, lines 38 - p.11-9, line 2, “There are currently a multitude of regulations and administrative processes at the federal, state and local level that together have become excessive and difficult to understand. Conflicting regulations and complicated administrative processes can create undue hardship on community members and result in reduced levels of environmental protection. **Regulatory inspection and enforcement of environmental regulations are currently**
inconsistent and lack effectiveness. The combination of complex regulations and inadequate enforcement have led to a lack of administrative predictability, widespread violations, and ultimately to environmental deterioration. Thoughtful and efficient regulations play an important part in protecting the environment.”

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)


Cliff Strong, Planning and Development Services Department, stated advanced mitigation is an official term.

**Brenner** stated she would withdraw her proposed item 74. She referenced item 75 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and moved to amend Comprehensive Plan page 11-9, Policy 11B-7, “Keep **Ensure** regulations are as simple as possible and maintain effective inspection, compliance, and enforcement measures.”

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

**Brenner** referenced item 76a in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and stated it should be voluntary, also. Don’t make it required. She moved to amend Comprehensive Plan page 11-10, Policy 11C-3, “Emphasize an approach to environmental protection by encouraging the use of conservation easements, open space taxation, land acquisition, purchase/voluntary workable transfer of development rights....”

The motion was seconded.

Brenner stated some councilmembers seem to agree that this is supposed to be voluntary, not required.

Donovan stated other language in that section doesn’t change the policy that much.

Brenner stated the program doesn’t work. Don’t force people to do something that has never worked.

The motion carried by the following vote:

**Ayes:** Brenner, Sidhu, Browne, and Donovan (4)

**Nays:** Buchanan, Mann, and Weimer (3)
Donovan referenced item 76b in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and stated it doesn’t add anything of value. He moved to amend Comprehensive Plan page 11-10, Policy 11C-3, “Emphasize an approach to environmental protection by encouraging the use of conservation easements, open space taxation, land acquisition, purchase/transfer of development rights, and other mechanisms that assist affected property owners. Avoid extreme standards and procedures that are defined as those likely to require compensation to property owners or invalidation of such rules.”

The motion was seconded.

Brenner stated she likes the language. She suggested a friendly amendment to keep the sentence as it is, and add “wherever possible.”

Donovan did not accept the friendly amendment. They can’t define extreme standards.

Sidhu stated defining “extreme” is very subjective.

Browne suggested a friendly amendment, “...procedures that are defined as...”

Donovan did not accept the friendly amendment. He has a problem with the term “extreme standards.”

Brenner stated extreme standards are defined as standards and procedures that are likely to require compensation to property owners or invalidation of such rules. That’s the definition.

Browne suggested a friendly amendment “Emphasize an approach to environmental protection by encouraging the use of conservation easements, open space taxation, land acquisition, purchase/transfer of development rights, and other mechanisms that assist affected property owners. Avoid extreme standards and procedures that are defined as those likely to require compensation to property owners or invalidation of such rules.”

Donovan accepted the friendly amendment.

Brenner asked for a definition of extreme standards. Personius stated there isn’t a standard of what would define an “extreme” procedure. There are legal requirements for property rights takings. Those are legal standards.

Mann stated he is frustrated they are spending time wordsmithing things that should be self-evident. Of course they want things that are successful and don’t want things that are extreme, illegal, or violate the Constitution. He supports the original proposal to avoid extreme standards and things that require compensation. Don’t single out those issues in certain sections. It’s self-evident throughout the document, not just in this section.

Brenner stated she likes the language. It’s very important.
Mann stated it shouldn’t be in just this section. The policy should apply to all sections.

Browne stated he understands Councilmember Mann’s point. Include a section with the overarching approach to dealing with all the regulations. There is room for other things in that type of section, such as performance metrics used to measure results over time. He **withdrew his friendly amendment.** He would support Councilmember Donovan’s motion to strike this language if they try to simplify the document and make it consistent overall.

Brenner stated people worry about whether government will take their land when it comes to environmental protection, which is what this chapter is about.

**Sidhu suggested a friendly amendment** to amend and move the sentence from Policy 11C-3 to follow the sentence on lines 19 and 20 on Comprehensive Plan page 11-10, “To that end, the law must protect the public good from detrimental private actions. Avoid standards and procedures that are likely to require compensation to property owners or invalidation of such rules.” And to delete the sentence in Policy 11C-3, “…affected property owners. Avoid extreme standards and procedures that are likely to require compensation to property owners or invalidation of such rules.”

**Donovan accepted** the friendly amendment.

The amended motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

**Brenner moved** to amend all references to transfers of development rights in this same section, which should be amended, “voluntary workable transfer of development rights.”

Buchanan stated it’s already in there. It’s in the same paragraph.

**Brenner withdrew** her motion. She referenced item 77 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and stated and **moved** to amend Comprehensive Plan page 11-11, lines 18-21, “The CIG confirms that global climate models project mid-21st century temperatures in the Pacific Northwest that are will be higher than the natural range of temperature observed in the 20th century.” They are talking about something in the future. She believes in climate change, but not that people cause it all. She won’t support something is happening in the future.

The motion was seconded.

Browne stated this sentence references what climate change models project, not what is happening.

Brenner stated the grammar is future tense, and the sentence should say it that way.
The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Longman referenced a handout of additional changes from Councilmember Browne *(on file)*.

Brenner stated she hasn’t had enough time to look at it. She moved to table these items to the next meeting.

Mann stated they don’t need a motion.

Buchanan stated there seems to be consensus.

Browne stated the changes are presented in writing. Councilmembers frequently present complex verbal motions that are voted on.

Brenner stated she needs time to go over all this language. Councilmembers were given plenty of time to work on the information in the Council packet. It’s not fair to do this.

Browne stated he withdraws consideration of the items in the handout from today’s meeting.

**Donovan** referenced item 78 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and *moved* to amend with different language, “**Where** higher winter streamflow in rain-fed river basins, if winter precipitation increases as projected, will result in scouring floods that negatively affect salmon population.”

Weimer stated it’s not rain and snow, it’s rain on snow, which is a specific phenomenon that deals with flooding and which is different from precipitation. He suggested amending Comprehensive Plan page 11-11, lines 29-30, “**Where** higher winter streamflow in rain-fed river basins, if winter precipitation **and** rain-on-snow events increase as projected, will result in scouring floods that negatively affect salmon population.”

**Donovan accepted the suggestion** as a friendly amendment.

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

**Donovan** referenced item 79 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and *moved* to amend Comprehensive Plan page 11-12, Policy 11D-1, “Whatcom County’s natural resource-based economic sectors, natural systems, water resources, infrastructure, emergency management and public health all face potentially noteworthy climate change related risks in the future...” They will face noteworthy climate changes.
The motion was seconded.

Brenner stated climate change may or may not happen. She supports the existing language.

Browne stated it a risk and does not have a defined end. It’s not a certain event. The word “potential” is redundant.

Brenner stated that something with a small risk is not noteworthy.

The motion carried by the following vote:

Ayes: Mann, Browne, Buchanan, Weimer and Donovan (5)
Nays: Brenner (1)
Absent: Sidhu (out of the room) (1)

Weimer referenced item 80 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22. He moved to amend Comprehensive Plan page 11-13 to create a new policy, “11D-6: Convene a climate impact advisory committee by 2017. The advisory committee should consist of (but not be limited to) experts in energy efficiency and carbon emission reduction, representatives from Whatcom County, and interested community members. The committee will be tasked with:

- Evaluating Whatcom County’s compliance with meeting targets set forth in the 2007 Climate Plan;
- Establishing new targets that meet or exceed state and federal climate impact goals;
- Updating the Climate Plan, at minimum every five years, or as needed to meet targets; and
- Recommending updates to the Whatcom County Comprehensive Plan in accordance with meeting Whatcom County’s emission reduction goals.

- Ensuring that Whatcom County government facilities and operations are designed to meet or exceed goals and standards resolved in the 2007 Climate Protection and Energy Conservation Action Plan and future updates.”

The motion was seconded.

Brenner asked if staff agrees with the motion. Personius stated the plan was done in 2007 and focused on County operations and facilities, such as fleet operations and building operations. It’s Council’s discretion to see what they would like in that plan. The Council would have to establish the committee and get specific about what the Council wants to see in this plan. The resolution would be specific. It’s okay.

Browne stated there is an opportunity to leverage what Vancouver, B.C. is trying to do locally to become one of the greenest cities in North America. The plan should understand what the City of Vancouver is doing, and then integrate local economic development to take advantage of that. The Committee should understand what the City of Vancouver is doing, and take advantage of those economic opportunities.

Brenner stated don’t be specific to Vancouver, but they could reference what other cities and counties are doing.
The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

**Donovan** referenced item 81 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22. He **moved** to amend Comprehensive Plan page 11-13 to create a new policy, "11D-7: Encourage sustainability by developing strategies and practices to increase the use of renewable, non-carbon energy in Whatcom County facilities and County vehicles, with a goal of net zero carbon emission by 2050."

The motion was seconded.

**Brenner suggested a friendly amendment,** ... with a goal of significant reduction of manmade net zero carbon emission by 2050.” Don’t set impossible goals.

**Donovan accepted a portion of the motion** to amend Comprehensive Plan page 11-13 to create a new policy, “11D-7: Encourage sustainability by developing strategies and practices to increase the use of renewable, non-carbon energy in Whatcom County facilities and County vehicles, with a goal of net zero manmade carbon emission by 2050.” Ambitious goals will create successful policies. Many organizations are working toward that goal by 2050. Having that set goal with other organizations and municipalities is healthy.

Brenner stated she’s not comfortable with a goal of net zero carbon emissions.

**Browne suggested a friendly amendment** to the motion to amend Comprehensive Plan page 11-13 to create a new policy, “non-carbon net neutral carbon.”

**Donovan accepted** the friendly amendment and restated the motion to amend Comprehensive Plan page 11-13 to create a new policy, "11D-7: Encourage sustainability by developing strategies and practices to increase the use of renewable, net neutral carbon energy in Whatcom County facilities and County vehicles, with a goal of net zero manmade carbon emission by 2050."

The motion carried by the following vote:

**Ayes:** Sidhu, Mann, Browne, Buchanan, Weimer and Donovan (5)

**Nays:** None (1)

Abstains: Brenner (1)

Donovan referenced item 82 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and **moved** to amend Comprehensive Plan page 11-13 to create a new policy, “11D-8: Encourage sustainability by developing strategies and practices to reduce landfill waste from Whatcom County facilities to zero.”

The motion was seconded.

Sidhu asked if it references County government-owned facilities or all facilities, public and private, in Whatcom County.
Donovan stated it does refer to County government-owned facilities.

Browne stated some materials cause more environmental damage when attempting to recycle them than putting them into the landfill, such as Styrofoam. It’s not practical to store Styrofoam in a 40-foot container and then drive it somewhere to find a way to recycle it. There was a lower environmental footprint in landfilling it.

Weimer suggested a friendly amendment to the motion, “to near zero.”

Donovan accepted the friendly amendment and restated the motion to amend Comprehensive Plan page 11-13 to create a new policy, “11D-8: Encourage sustainability by developing strategies and practices to reduce landfill waste from Whatcom County government facilities to near zero.”

Brenner stated they don’t need to go to zero for things such as wood and paper.

Browne stated they found people who wanted to take the waste and use it as stock for something else. It didn’t go to the landfill. The secret to achieving that is the consistency and cleanliness of the particular item. Sortation is the key.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

Brenner stated she withdraws proposed item 83 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22.

Donovan referenced Comprehensive Plan page 11-13, the Background Summary, and the sections being removed regarding specific landslides. He asked if there is a substantive impact to removing the specific references. Strong stated there is not.

Brenner referenced item 84 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and asked if “over-steepened” is a technical term. Strong stated the condition of the soil and water is more of a factor of the steepness. It refers to the point of being over-steep.

Mann stated it’s a geological term.

Brenner stated she withdraws her proposed motion in item 84.

Browne referenced item 80 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and asked if they will be locked into the plan. He moved to reconsider item 80 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22.

The motion to reconsider was seconded.

The motion to reconsider carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)
**Browne moved** to amend the last bullet point in that section to strike “2007” and “and future updates” and use whatever plan is the current plan. “Ensuring that Whatcom County government facilities and operations are designed to meet or exceed goals and standards resolved in the 2007 Climate Protection and Energy Conservation Action Plan and future updates.” Don’t get locked into 2007.

The motion was seconded.

Brenner stated the language includes future updates to the plan.

Browne stated the current language means they have to comply with both the 2007 plan and the future updates. His language makes it clear about complying with the current plan, whatever date that is.

Buchanan asked if “2007” is in the title or just the date of publication. Strong stated it’s just the date of publication.

**Mann suggested a friendly amendment**, “…resolved in the 2007 current Climate Protection and Energy Conservation Action Plan and future updates.”

**Browne accepted** the friendly amendment.

The amended motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Brenner referenced item 85 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 regarding Comprehensive Plan page 11-16, lines 4-5, “All of the formerly active mines are now no longer worked active and are abandoned.” Mines are either active or not active. Some were closed properly and some were abandoned.

Mann stated he would like to know if they are all abandoned. He doesn’t know if the language is a true statement.

Browne stated a mine is active if some mining is done periodically. A mine is abandoned if someone closes the mine or decommissions the mine voluntarily.

Mann stated he would like staff to find out if these are technical terms and if the statements are accurate.

**Brenner** referenced item 86 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and **moved** to amend Comprehensive Plan page 11-16, lines 11-12, “Landslides – Siting human development on or adjacent to known landslide hazard areas can create health and safety risks for humans and their property.”
The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Brenner stated she withdraws proposed item 87.

**Donovan** referenced item 88 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22 and stated the amendment is more geologically accurate. He **moved** to amend Comprehensive Plan page 11-17, lines 1-6, “Volcanos – A volcanic eruption or mudflow at Mount Baker could potentially severely affect river flow on the Nooksack River or Baker River and cause severe property damage near the volcanoes or along lahar routes. A lahar is an extremely rare and unpredictable occurrence. Evacuation routes should be planned and made public. Development should be regulated according to the Critical Areas Ordinance.” It’s not rare in geologic time.

The motion was seconded.

Brenner stated there is a difference between being rare and being unpredictable.

Mann stated they aren’t talking about geologic time. They are talking about human time, and lahars are extremely rare. Given the monitoring technology that exists, he doesn’t know if they’re unpredictable. Delete the entire sentence, “A lahar is extremely rare and unpredictable occurrence.”

**Donovan withdrew** the motion.

**Sidhu moved** to amend Comprehensive Plan page 11-17, lines 1-6, “Volcanos – A volcanic eruption or mudflow at Mount Baker could potentially severely affect river flow on the Nooksack River or Baker River and cause severe property damage near the volcanoes or along lahar routes. A lahar is an extremely rare and unpredictable occurrence. Evacuation routes should be planned and made public. Development should be regulated according to the Critical Areas Ordinance.” It’s too onerous. Earthquakes, tsunami areas, and extreme hazards are not covered in the Critical Areas Ordinance (CAO). Contrary to staff, the County can forewarn and minimize the risk. Informed residents must bear some responsibility to handle undefined risks. The County can’t afford to stand in for these unpredictable, unforeseeable risks. These events are speculative. The right action is to forewarn, minimize, and take actions such as evacuation.

The motion was seconded.

Donovan asked what it means to regulate lahars through the CAO. Strong stated the Growth Management Act says they must regulate geologic hazards as critical areas. The County Council can adopt whatever regulation it wants, but it must consider the hazards and try to minimize the risk.

Sidhu stated they should put some limits to the CAO, not apply it everywhere.
Brenner stated the hazards must be regulated differently. They need to figure out different levels within the CAO, not apply the same restrictions to all hazard areas. She asked if this went through the Planning Commission. Strong stated the Planning Commission adapted the language from suggestions from the Building Industry Association. All natural hazards are covered in the CAO. There are policies to consider these hazards through a public process and for the County Council to define the risk. They don't need that sentence in there because it is regulated by the CAO.

Sidhu asked how the CAO handles earthquakes in addition to code requirements for building construction. Strong stated the CAO includes maps showing the most hazardous areas. There are different building standards for the different earthquake zones.

The motion carried by the following vote:

- **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
- **Nays:** None (0)

Brenner referenced item 89 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22. She moved to amend Comprehensive Plan page 11-18, Policy 11F-3, “Broadly inform the citizens of the county of the locations of known natural hazards, and the potential for adverse impacts of such natural hazards to the health, safety, and welfare of people and their property.”

The motion was seconded.

The motion carried by the following vote:

- **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
- **Nays:** None (0)

Brenner referenced item 90 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22. She moved to amend Comprehensive Plan page 11-18, Policy 11F-5, “Allow permitted uses that do not require human habitation so long as probable adverse off-site impacts to other properties or natural systems (those impacts resulting from the interaction of the natural hazard and the proposed development) are minimized or mitigated. Probable adverse impacts should be prevented or avoided in habitats of state or federally listed sensitive plant and animal species.” They are talking about uses, not development.

The motion was seconded.

The motion carried by the following vote:

- **Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
- **Nays:** None (0)

Brenner referenced item 91 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22. She moved to amend Comprehensive Plan page 11-19, Policy 11F-7, “Maintain a comprehensive program of regulatory and non-regulatory mechanisms to achieve Natural Hazard goals and policies. This program should include such mechanisms as education, tax incentives, zoning, land...
use regulations, conservation easements, purchase of development rights, voluntary workable transfer of development rights, and public acquisition.”

The motion was seconded.

Browne suggested a friendly amendment to replace “workable” with “economically-viable.”

Brenner did not accept the friendly amendment.

The motion failed by the following vote:
Ayes: Brenner and Browne (2)
Nays: Mann, Sidhu, Buchanan, Weimer and Donovan (5)

Brenner stated she withdraws proposed item 92 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22.

Weimer referenced item 93 in the Proposed Council Changes to Comprehensive Plan for Chapter 11 beginning on Council packet page 22. Make it clear they will deny development permits only when necessary to protect human life. He moved to amend Comprehensive Plan page 11-19, Policy 11F-11, “Require applicants for development permits located in natural hazard areas to provide development plans designed to minimize the potential to exacerbate the natural hazard as well as the risk of damage to property or threats to human health and safety. In natural hazard areas where engineering solutions cannot be designed to withstand the forces expected to occur under the design event of a particular natural hazard, or off-site adverse impacts to adjacent properties or natural systems cannot be adequately mitigated, Whatcom County will may deny development permits intended for permanent or seasonal human habitation where necessary to protect human life.”

The motion was seconded.

Weimer asked if it conflicts with the CAO. Strong stated he can look into it.

Personius stated staff prefers to keep “may.” The amendment does not allow any discretion to decide. The Planning Commission is going through the review to find a balance between risk and public safety, given the best available science. He likes the term, “where necessary to protect human life.” It qualifies the context of why they apply these regulations.

Weimer withdrew the motion to defer the discussion about these risks to when the CAO comes forward.

Sidhu stated that in terms of the CAO, the notion that the County must protect people from these types of hazards is a problem. The County can forewarn people and minimize the risk. It can’t stand in to protect everything. Protection has limits. The citizens must bear some responsibility. Personius stated he agrees, especially with catastrophic events with low probability. The question is how to identify the right regulatory application to these catastrophic events, which may be more about public notification and
evacuation and about emergency management actions rather than applying a regulation to restrict private property.

Browne stated they must hold a different standards for public buildings, such as schools.

OTHER BUSINESS

There was no other business.

ADJOURN

The meeting adjourned at 11:52 a.m.

The Council approved these minutes on ______________, 2016.

ATTEST:  WHATCOM COUNTY COUNCIL
          WHATCOM COUNTY, WASHINGTON

______________________________  ______________________________
Dana Brown-Davis, Council Clerk   Barry Buchanan, Council Chair

______________________________
Jill Nixon, Minutes Transcription
CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 3:40 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Ken Mann, Satpal Sidhu, Carl Weimer, Todd Donovan, Rud Browne and Barry Buchanan.

Absent: None.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

DISCUSSION AND PRELIMINARY DIRECTION

1. DISCUSSION AND PRELIMINARY COUNCIL DIRECTION ON COMPREHENSIVE PLAN CHAPTER 2, LAND USE (AB2016-047B)

Forrest Longman, Council Office, referenced the proposed Council changes beginning on Council packet page 191.

Brenner referenced item one in the Proposed Council Changes to the Comprehensive Plan for Chapter 2 on Council packet page 191 and moved to amend Comprehensive Plan page 2-8, Policy 2B-7, “Master Planned Resorts should only include other residential uses within their boundaries if residential uses are integrated into and support the on-site recreational nature of the resorts.”

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

Donovan referenced item two in the Proposed Council Changes to Comprehensive Plan for Chapter 2 beginning on Council packet page 191 and moved to amend Comprehensive Plan page 2-10, Policy 2D-2, “Eliminate regulations that could be more effectively achieved through incentive or education programs.” He’s not invested in this motion.

The motion was seconded.
Brenner stated she would rather that Councilmember Donovan withdraw the motion.

**Donovan withdrew** the motion.

*Brenner* referenced item three in the Proposed Council Changes to Comprehensive Plan for Chapter 2 beginning on Council packet page 191 and **moved** to amend Comprehensive Plan page 2-11, Policy 2D-9, line 34, “...or zone 6 (traffic pattern zone) as shown in the Safety Compatibility Zone Examples...”

The motion was seconded.

The motion carried by the following vote:

| Ayes:       | Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7) |
| Nays:       | None (0)                                                      |

*Brenner* referenced item four in the Proposed Council Changes to Comprehensive Plan for Chapter 2 beginning on Council packet page 191 and **moved** to amend Comprehensive Plan page 2-13, lines 32-35, “Property rights are an important issue in Whatcom County. People want to use their land as they wish **Land can be used as desired** as long as it doesn’t conflict with the rights of others. It is not necessary for the preservation of property rights and protection of the environment and resources to conflict with one another.” She doesn’t like references to an unspecified group of people.

The motion was seconded.

Browne stated it’s a statement of the community’s wish, not a statement of what certain people wish.

The motion carried by the following vote:

| Ayes:       | Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7) |
| Nays:       | None (0)                                                      |

*Brenner* referenced item five in the Proposed Council Changes to Comprehensive Plan for Chapter 2 beginning on Council packet page 191 and **moved** to amend Comprehensive Plan page 2-14, Policy 2H-2, “Establish programs such as cluster density bonuses in urban growth areas, purchase of development rights and transfers of development rights, where appropriate, to compensate property owners when rights are unduly infringed upon.”

The motion was seconded.

*Browne suggested* a friendly amendment “...when **if** rights are unduly infringed...”

*Brenner accepted* the friendly amendment.

Mann stated they don’t unduly infringe on rights at all. He’ll support the motion, but they should remove the entire policy. They could incentivize property owners.
Brenner stated it should be voluntary, not required. They could add language, “Establish incentive programs such as cluster density bonuses in urban growth areas, purchase of development rights and transfers of development rights where appropriate, to compensate property owners when rights are unduly infringed upon.”

Browne stated it may be appropriate to leave the rest of the sentence. This language is in a section about property rights.

**Brenner withdrew** her motion.

**Browne moved** to amend Comprehensive Plan page 2-14, Policy 2H-2, “Establish incentive programs such as cluster density bonuses in urban growth areas, purchase of development rights and transfers of development rights where appropriate, to compensate property owners when rights are unduly infringed upon.”

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

**Brenner moved** to amend Comprehensive Plan page 2-14, Policy 2H-2, “Establish incentive programs such as cluster density bonuses in urban growth areas, purchase of development rights and voluntary workable transfer of development rights, where appropriate, to compensate property owners if rights are unduly infringed upon.”

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Sidhu, Browne, and Donovan (4)

**Nays:** Weimer, Mann, and Buchanan (3)

**Brenner** referenced item six in the Proposed Council Changes to Comprehensive Plan for Chapter 2 beginning on Council packet page 191 and **moved** to amend Comprehensive Plan page 2-15, Policy 2K-3, “Prohibit expansion of urban growth areas into floodplains, except where allowed under the GMA, and consider danger to individuals related to flooding when designating land use in other areas.” She asked why they are considering things in other areas.

Matt Aamot, Planning and Development Services Department, stated it distinguishes between urban growth areas. The GMA says they can’t expand a UGA into the flood plain unless certain criteria are met. It also considers danger in other areas.

Brenner asked if they have to consider danger to areas related to flooding when designating land use. Aamot stated the GMA specifically addresses the urban growth areas. A new provision was added to the GMA in the last several years that prohibits the expansion of urban growth areas into flood plains unless specific criteria are met. Either way would be fine.
Brenner withdrew the motion. She referenced item seven in the Proposed Council Changes to Comprehensive Plan for Chapter 2 beginning on Council packet page 191 and moved to amend Comprehensive Plan page 2-15, lines 28-30, “Not all parts of Whatcom County have the same available resources and land use options. A one-size-fits-all approach to comprehensive planning does not adequately serve the needs of different regions of the county.” Not all parts of Whatcom County have the same available resources and land use options. Don’t create a one-size-fits-all policy. The motion was not seconded.

Weimer referenced item eight in the Proposed Council Changes to Comprehensive Plan for Chapter 2 beginning on Council packet page 191 and moved to amend Comprehensive Plan page 2-18, Goal 2M, “Protect and encourage restoration of habitat for fish and wildlife populations including adequate in-stream flows.”

The motion was seconded.

Brenner asked if they are supposed to protect and encourage restoration anyway. Aamot stated the County is involved in water planning to address instream flow.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

Weimer referenced item nine in the Proposed Council Changes to Comprehensive Plan for Chapter 2 beginning on Council packet page 191 and moved to create a new policy, “2M-7: Engage in efforts to better define ground water resources and connection to surface water, current water usage, water rights, adequate in-stream flows, and policy barriers that create conflicts between these things.”

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

Longman referenced items 10a, 10b, and 11 in the Proposed Council Changes to Comprehensive Plan for Chapter 2 beginning on Council packet page 191 and stated these could be considered part of the proposed multijurisdictional planning effort.

Brenner stated these items change the densities to which the jurisdictions have agreed.

Browne stated it encourages the jurisdictions to change the density.

Weimer stated item 11 needs an interjurisdictional discussion. He asked if the density changes in items 10a and 10b change the capacity analysis.

Gary Davis, Planning and Development Services Department, stated that if these are meant to be the overall density average, they will have to reconsider and look at the assumptions of each individual UGA land capacity analysis to make sure the average ends
DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

Aamot stated they’ve tried to work collaboratively with the cities. A question is whether a change in the density here would create internal inconsistency with the development regulations. It’s something to think about.

Brenner stated the interjurisdictional group should consider these changes before the Council approves such a motion.

Sidhu stated he prefers to increase the density, but don’t arbitrarily create a conflict. Aamot stated staff has been trying to work collaboratively with the cities on these questions. Mr. Personius proposes that they defer consideration until after the work group finishes its work.

Weimer stated the work group won’t be done until after the Council adopts the Comprehensive Plan update in June. Delay this question to find out whether the cities are already meeting these densities or are feasible. He’s fine putting off this motion, but discuss it again before June.

Aamot stated he can bring it up at the next City/County Planner meeting.

Buchanan stated they will table this until it comes back.

The Committee concurred.

Brenner referenced item 12 in the Proposed Council Changes to Comprehensive Plan for Chapter 2 beginning on Council packet page 191 and moved to amend Comprehensive Plan page 2-25, Policy 2Q-5, “Encourage and assist the citizens of Birch Bay and Columbia Valley Urban Growth Areas with the requirements to incorporate when appropriate.”

The motion was seconded.

Browne stated they don’t talk about Sudden Valley, which has been taken out of this whole section because it’s not in a UGA. He asked if that’s the correct thing to do.

Brenner stated policies shouldn’t encourage growth at Sudden Valley.

Aamot stated that State law requires that an area must be an urban growth area to incorporate.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

Nays: None (0)

Donovan referenced item 13 in the Proposed Council Changes to Comprehensive Plan for Chapter 2 beginning on Council packet page 191 and asked the reason for the original change and why they want to get rid of the language. Davis stated this relates to items 29a and 29b regarding growth monitoring for nonurban areas. Staff is trying to make the two
monitoring policies consistent and consolidated into one process. They are inconsistent because Policy 2S-5, which covers urban areas, says they will monitor land capacity and compare it to growth allocations. Policy 2DD-1, which is the nonurban areas, says they will compare estimated growth with the growth allocation, which seems to make a little more sense. Comparing land capacity with growth allocation compares acreage with population numbers. That requires a new land capacity analysis all over again. They don’t do that annually. This land capacity analysis started in 2012. It’s a very involved process. Cities don’t have staff to do an annual land capacity analysis. Staff proposes making the urban and nonurban monitoring policies consistent by comparing the estimated population growth. They have those annual numbers for urban areas from the Office of Financial Management (OFM).

Another inconsistency is that Policy 2S-5 says they will look at the growth trend over several years to determine whether they need to take action. Policy 2DD-1 implies they will do an annual review to determine whether they need to take action. If there is one year when the estimated growth is a little higher, the question is whether the County must take action that year even though there is no real trend. In nonurban areas for the past eight years, the annual estimated growth was under the allocation, except for 2009. Make the urban and nonurban language consistent to look at the trend over several years. The term “over several years” may be vague, and they can come up with a certain timeframe.

Sidhu stated specify five years. Davis stated he agrees.

**Sidhu moved** to amend Policy 2S-5, “…trends over time **five years** in comparison with…several five years.…”

The motion was seconded.

The motion carried by the following vote:

**Ayes:** Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)

**Nays:** None (0)

Donovan asked how the maps get updated. Aamot stated the Yew Street area is already an urban reserve. Caitac is not at this time. It is rural. The Council took a preliminary vote to not add it to the urban growth area. There was no further motion.

Longman referenced Council packet page 189 and the proposed language from Bellingham on their UGA.

**Donovan moved** to approve the language on Council packet page 189 regarding the Bellingham Urban Area on Comprehensive Plan page 2-102, “The south Yew St. and the south Caitac areas have been designated as Urban Growth Area Reserves. Prior to re-designating the south Yew St. area to UGA, need for additional land capacity must be demonstrated, planning for adequate public facilities and services must be completed, and potential impacts on Lake Padden water quality must be addressed. Prior to re-designating the south Caitac area to UGA, need for additional land capacity must be demonstrated and planning for adequate public facilities and services must be completed. There are no areas proposed for Urban Growth Area Reserve adjacent to the Bellingham Urban Growth Area.”

The motion was seconded.
Browne stated the applicant for the South Yew Street UGA reserve has consistently made an appeal for the area to be included in the UGA. He told the applicant he must resolve his conflict with the City of Bellingham and get their support, rather than asking the County to impose it upon the City of Bellingham.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

Weimer referenced item 14 in the Proposed Council Changes to Comprehensive Plan for Chapter 2 beginning on Council packet page 191 and moved to amend Comprehensive Plan page 2-35, the Bellingham UGA Map, to show South Caitac and South Yew Street as UGA Reserve.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Mann, Sidhu, Browne, Buchanan, Weimer and Donovan (7)
Nays: None (0)

Weimer stated he would withdraw proposed items 15 through 23 in the Proposed Council Changes to Comprehensive Land for Chapter 2 beginning on Council packet page 191.

OTHER BUSINESS

There was no other business.

ADJOURN

The meeting adjourned at 4:30 p.m.

The Council approved these minutes on ______________, 2016.

ATTEST:       WHATCOM COUNTY COUNCIL
               WHATCOM COUNTY, WASHINGTON

______________________________  ______________________________
Dana Brown-Davis, Council Clerk   Barry Buchanan, Council Chair

______________________________
Jill Nixon, Minutes Transcription
WHATCOM COUNTY COUNCIL  
Committee Of The Whole  

April 5, 2016  

CALL TO ORDER  

Council Chair Barry Buchanan called the meeting to order at 6:00 p.m. in the Council Conference Room, 311 Grand Avenue, Bellingham, Washington.  

ROLL CALL  

Present: Barbara Brenner, Satpal Sidhu, Rud Browne, Barry Buchanan, Ken Mann, Todd Donovan and Carl Weimer  

Absent: None  

COMMITTEE DISCUSSION  

1. DISCUSSION OF POTENTIAL LITIGATION REGARDING RUTSATZ ROAD EMERGENCY PROJECT (AB2016-018)  
Attorney Present: Daniel Gibson  

2. DISCUSSION WITH SENIOR DEPUTY PROSECUTOR KAREN FRAKES REGARDING POTENTIAL LITIGATION, GPT PERMIT PROCESS (AB2016-018)  
Attorney Present: Karen Frakes  

Buchanan stated that discussion of agenda items one and two may take place in executive session pursuant to RCW42.30.110 (1)(i). Executive session will conclude no later than 7:00 p.m. If the meeting extends beyond the stated conclusion time, he will step out of the meeting to make a public announcement.  

Browne moved to go into executive session until no later than 7:00 p.m. to discuss the agenda items pursuant to RCW citations as announced by the Council Chair. The motion was seconded.  

The motion carried by the following vote:  
Ayes: Sidhu, Browne, Buchanan, Mann, Donovan and Weimer (6)  
Nays: None (0)  
Absent: Brenner (out of the room) (1)  

COMMITTEE DISCUSSION (OPEN DISCUSSION)  

1. COUNCIL LEGISLATIVE ANALYST FORREST LONGMAN TO PRESENT UPDATE ON WORK ASSIGNMENTS (AB2016-018)
Forrest Longman, Council Office, asked for guidance on how the Council would like to receive information from him.

Mann stated that Mr. Longman can schedule items on the Council or a committee agenda to present information.

The Committee concurred.

Longman described the results of his inventory of the County’s boards and commissions and recommended options to strengthen the boards and commissions.

Mann stated councilmembers also need to give Mr. Longman more information and direction to maximize his value. He would like more special reports from Mr. Longman on the agenda.

OTHER BUSINESS

There was no other business.

ADJOURN

The meeting adjourned at approximately 7:00 p.m.

The Council approved these minutes on ______ 2016.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

______________________________  ______________________________
Dana Brown-Davis, Council Clerk   Barry Buchanan, Council Chair

______________________________
Jill Nixon, Minutes Transcription
Whatcom County Council  
Special Surface Water Work Session  
April 12, 2016  

CALL TO ORDER  

Council Chair Barry Buchanan called the meeting to order at 10:30 a.m. in the Civic Center Garden Level Conference Room, 322 Commercial Avenue, Bellingham, Washington.

ROLL CALL  

Present: Barbara Brenner, Satpal Sidhu, Barry Buchanan, Ken Mann, Todd Donovan and Carl Weimer  
Absent: Rud Browne

SURFACE WATER WORK SESSION (AB2016-024)  

1. COORDINATED WATER SYSTEM PLAN (CWSP)/JOINT BOARD/PLANNING UNIT UPDATE  

Gary Stoyka, Public Works Department, gave an update on the meeting schedules. A final vote of the Water Utility Coordinating Committee (WUCC) on the coordinated water system plan is upcoming. It will be submitted to the Planning Department, have a public hearing before the Council, and will be forwarded to the State Department of Health for final adoption and approval.

The Planning Unit is reviewing all water issues in the Comprehensive Plan and a proposal for outreach and education. They will give a quarterly update at the May Surface Water Work Session.

The Puget Sound Partnership and Environmental Protection Agency (EPA) met with the Joint Board regarding the Local Integrating Organization (LIO) to create an action agenda that qualifies the County for grant funds from the National Estuary Program. They are still working to combine the Joint Board with the Salmon Recovery Board via an interlocal agreement.

Work is proceeding on phase 2 of the groundwater modeling project, which mainly involves data collection. Creating the model is still unfunded.

The Water Supply Coalition staff group began meeting to quantify and plan for water needs.

2. FLOOD BUDGET – OVERVIEW OF PROGRAMS  

Gary Stoyka, Public Works Department, submitted and read from a presentation (on file) and answered questions about the long-term plan for the Water Action Plan, which is to get the shellfish beds reopened and keep them open.
The Water Action Plan is partially grant funded from the Environmental Protection Agency (EPA). The main two issues are septic systems and livestock. He described the steps taken if they find specific septic system or livestock problems, which includes funding. He answered questions about the frequency of septic system inspections for people who have brand new systems.

Stoyka continued the presentation on salmon recovery, Lake Whatcom Management Plan, stormwater capital program, and water resources inventory area (WRIA) 1 program.

Paula Harris, Public Works Department, concluded the presentation on the flood program and answered questions about the shorter timeframe of the systemwide improvement framework (SWIF) process that did not allow for comprehensive flood planning, how to balance levee integrity with providing riparian habitat, an appropriate size for sediment traps on High Creek, and whether the material trapped will be usable.

3. UPDATE ON RUTSATZ ROAD EMERGENCY FLOOD REPAIR

Paula Harris, Public Works Department, showed photos of the Rutsatz Road emergency repairs and gave a staff report on the project.

4. LOW IMPACT DEVELOPMENT (LID) CODE UPDATE

Cliff Strong, Planning and Development Services Department, referenced the paperwork in the work session packet and submitted and read from a presentation (on file).

Mike Kershner, Planning and Development Services Department, continued the presentation on what exists now for stormwater regulations and answered questions about the reason that different conditions apply to different areas; whether staff have spoken to the development or agricultural communities, and; making the regulations less confusing for staff, which may make it more difficult and costly for developers.

Mark Personius, Planning and Development Services Director, stated this is in early stages. They need some Council direction to narrow the options. Once the options narrow, it will go to the Planning Commission.

Brenner stated she’s not comfortable giving direction yet. This seems to create a burden for people who pay the costs.

Roger Almskaar, Land Use Consultant, stated there is no difference in this proposal between rural and urban densities. He supports the staff trying to simplify things.

Noel Higa, Public Works Department, continued the presentation on the options and answered questions. At a minimum, they must adopt the 2014 State Department of Ecology (DOE) stormwater manual in the phase II areas.

Kershner continued and concluded the presentation on options #2B and #2C and the recommendations.
Weimer stated he agrees with the recommendation for option #2B.

The councilmembers discussed how putting regulations in the zoning code makes the regulations simpler, consolidating regulations into one location for the public, getting more input on the options from the development community and the public, and the stakeholder group that has reviewed the options.

Mann stated the recommendation is fine.

Brenner stated staff needs to meet with other organizations to get more input before making a recommendation to the Council.

Almskaar stated the staff can set up a workshop with the Building Industry Association (BIA).

Strong stated their next steps will generally be writing the low impact development (LID) rules into the Code.

Mann stated it’s best to get participation from certain stakeholders at the beginning of the process, not the end of the process. He encourages staff to reach out to stakeholder groups and have informal workshops to get their feedback. That is a good next step.

Buchanan asked if there is a deadline. Strong stated they only have to incorporate the 2014 manual into the phase II areas by the end of the year.

Weimer stated he supports reaching out to the stakeholder groups, especially about where the thresholds should be.

The councilmembers discussed which specific groups would be approached for their input, which would include environmental, development, agriculture, and sales groups. Focus the workshop on the options.

ADJOURN

The meeting adjourned at 12:32 p.m.

The Council approved these minutes on ________________, 2016.

ATTEST: WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

______________________________  ______________________________
Dana Brown-Davis, Council Clerk  Barry Buchanan, Council Chair

Jill Nixon, Minutes Transcription
**WHATCOM COUNTY COUNCIL AGENDA BILL**

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Originator:</td>
<td>AH</td>
<td>3-8-16</td>
<td></td>
<td>3-22-16</td>
<td>Introduction</td>
</tr>
<tr>
<td>Division Head:</td>
<td>J</td>
<td>3-9-16</td>
<td></td>
<td>5/3/2016</td>
<td>Council-Hearing</td>
</tr>
<tr>
<td>Dept. Head:</td>
<td>H</td>
<td>3-9-16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prosecutor:</td>
<td>Y</td>
<td>03/10/16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchasing/Budget:</td>
<td>X</td>
<td>3/14/16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive:</td>
<td>J</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TITLE OF DOCUMENT:** In the Matter of a Vacation for the Realignment of an Unnamed Alley Within the Birch Bay West End Estates Plat

**ATTACHMENTS:**
1. Cover Memo
2. Resolution
3. Neighboring Land Owner’s Petition
4. Map of Site
5. Engineer’s Report
6. Right of Way Deed

**SEPA review required?** ( ) Yes ( ) No
**SEPA review completed?** ( ) Yes ( ) No

**Should Clerk schedule a hearing?** (X) Yes ( ) No
**Requested Date:**

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

The attached resolution in the matter of a Vacation for the Realignment of an Unnamed Alley Within the Birch Bay West End Estates Plat is submitted per RCW 36.87 and WCC 12-20.

The County Engineer’s report has been prepared and is being submitted in favor of this road vacation. A public hearing will need to be scheduled.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**
3/22/2016: Introduced

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
Resolution approving the vacation of an unnamed alley within the Birch Bay West End Estates Plat, filed by Brian Southwick and Linda Kiens

The road proposed to be vacated is legally described as follows: That portion of Lot 19, "Plat of Birch Bay West End Estates," Whatcom County, Washington, according to the plat thereof, recorded in Volume 8 of Plats, Page 79, records of said County and State more particularly described as follows: Commencing at the Southeast corner of said Lot 19; thence North 34°42'40" East along the Easterly line of said lot, 125.00 feet to the Northeast corner of said lot; thence South 26°55'49" West, 45.54 feet; thence South 47°51'12" West, 14.09 feet; thence South 24°02'41" West, 25.04 feet; thence South 32°15'23" West, 37.70 feet to intersect the northerly right of way margin of Birch Bay Drive; thence North 77°10'00" West along said margin, 10.77 feet to the Point of Beginning.

The petitioner offers the following pertinent facts in support of the petition: “The slight relocation of the public right-of-way will create a more functional and usable route to Birch Bay Dr. The home located at 8332 Birch Bay Dr. currently owned by Brian Southwick and Linda Kiens is in very close proximity to the right-of-way. This is not uncommon as the home was built in 1959 according to Whatcom County Assessor’s records, at a time when physical survey of property would not have been a requirement for approval of a building permit. The proposed relocation will have no measurable impact or effect on the public’s use of the right-of-way or safety of the persons using it (see attached exhibit drawings showing the relocation).”

The County Engineer recommends: Said road should be vacated. The County Engineer recommends approval of this resolution.
MEMORANDUM

To: The Honorable County Executive Jack Louws and Honorable Members of the County Council

Through: Jon Hutchings, Director

From: Andrew Hester, Real Estate Coordinator

Date: March 8, 2016

Re: A Resolution in the Matter of a Vacation for the Realignment of an Unnamed Alley within the Birch Bay West End Estates Plat

The attached petition asks for vacation of a portion of an unnamed alley in exchange for replacement of the vacated portion with a new alignment of equal value, within the Birch Bay West End Estates Plat.

Recommended Action
The County Engineer’s report has been prepared and is being submitted in favor of this road vacation. It is recommended that the County Council set a hearing date for the requested vacation, publish the vacation request, and direct County staff to post the appropriate public notices.

Please contact me at extension 6216 if you have any questions regarding this action.

Encl.
BEFORE THE WHATCOM COUNTY COUNCIL

IN THE MATTER OF VACATION OF
THE COUNTY ROAD KNOWN AS
BIRCH BAY WEST END FRASER S
ALLEY

PETITION FOR VACATION
OF PLATTED ROAD

(RCW 58.17 AND 36.87)

Petitioned for by:
BRIAN J. SMITH/UCK
LISA D. KIENS
et.al.

Pursuant to Whatcom County Ordinance No. 1-72, dated February 14, 1972, the undersigned and those
signing attached petition, which bears signatures and property descriptions of five land owners residing in
the vicinity of said road, request vacation of the county road hereinafter described, and agree with the
statements below:

1. Petitioners are residents of Whatcom County and owners of real property in the vicinity of the road
sought to be vacated.

2. The road sought to be vacated is legally described as follows: SEE ATTACHED

3. The pertinent facts in support of this petition are: SEE ATTACHED

4. The road to be vacated is useless as a part of the County road system and the public will benefit by its
vacation and abandonment.

5. Petitioners will pay all costs and expenses incurred by the County in examination, report, notice and
proceedings pertaining to this petition.

6. A bond in the penal sum of $790.00, payable to Whatcom County Treasurer, accompanies this petition.

7. The application fee accompanies this petition.

WHEREFORE, petitioners request the County Road Engineer to report upon this petition, that a
hearing take place on this report, and that an order be entered vacating and abandoning said road.

CONTACT PERSON:

DAN TAYLOR
702 KENTUCKY ST. #907
BELLEW VWA 98225
(360) 410-6745

Signed this 2nd day of April, 2015.

Page 1 of 2
WHEREFORE, petitioners request the County Road Engineer to report upon this petition, that a hearing take place on this report, and an order be entered vacating and abandoning said road. (NOTE: A minimum of five signatures is required by law; see statement near the beginning of page 1).

PETITIONERS' NAMES: Property owned by petitioner (part of sec. or name of plat, see lot), TWP, (Blk) Range:

1. Linda Kiews 405 124 062239 0000
   Brian Southwick 405 124 068235 0000
   405 124 056240 0000

2. Bruce Hesketh Hesketh 8397 8397 405 124 024109 0000
   Dan Hesketh

3. Carol Dance 8350 Grove Crek Dr., Blaine, WA 98230
   405 124 063300 0000

4. Laura Gruen 8344 Buck Bay Dr., Blaine, WA 98230
   405 124 068234 0000

5. Marcia Whalen 8324 Farm Crest, Blaine WA 98230
   405 124 091392 0000

6. Brynn Cunningham 5179 Seacrest Dr., Blaine, WA 98230
   405 124 161227 0000

A map of the road proposed to be vacated and surrounding properties, with each of the above signed petitioners properties indicated thereon, shall be attached to this petition in order for it to be accepted in the County Council Office.

Page 2 of 2
Pertinent facts supporting the case for Southwick/Kiens vacation:

The slight relocation of the public right-of-way will create a more functional and usable route to Birch Bay Dr. The home located at 8352 Birch Bay Dr. currently owned by Brian Southwick and Lisa Kiens is in very close proximity to the right-of-way. This is not uncommon as the home was built in 1970 according to Whatcom County Assessor’s records, at a time when a physical survey of property would not have been a requirement for approval a building permit. The proposed relocation will have no measurable impact or effect on the public’s use of the right-of-way or safety of the persons using it (see attached exhibit drawings showing the relocation).
AREA OF DEDICATION FROM LOT 20

THAT PORTION OF LOT 20, "PLAT OF BIRCH BAY WEST END ESTATES", WHATCOM COUNTY, WASHINGTON, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 8 OF PLATS, PAGE 76, RECORDS OF SAID COUNTY AND STATE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 20; THENCE NORTH 34°42'40" EAST ALONG THE WESTERLY LINE OF SAID LOT, 121.77 FEET; THENCE SOUTH 25°55'49" WEST, 46.72 FEET; THENCE SOUTH 47°51'12" WEST, 13.92 FEET; THENCE SOUTH 24°02'41" WEST, 23.65 FEET; THENCE SOUTH 32°15'23" WEST, 34.89 FEET TO INTERSECT THE NORTHERLY RIGHT OF WAY MARGIN OF BIRCH BAY DRIVE; THENCE NORTH 77°10'00" WEST ALONG SAID MARGIN, 10.60 FEET TO THE POINT OF BEGINNING.
PATHWAY PORTION TO BE VACATED

THAT PORTION OF LOT 19, "PLAT OF BIRCH BAY WEST END ESTATES", WHATCOM COUNTY, WASHINGTON, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 8 OF PLATS, PAGE 76, RECORDS OF SAID COUNTY AND STATE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 19; THENCE NORTH 34°42'40" EAST ALONG THE EASTERLY LINE OF SAID LOT, 125.00 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTH 25°55'49" WEST, 45.54 FEET; THENCE SOUTH 47°51'12" WEST, 14.09 FEET; THENCE SOUTH 24°02'41" WEST, 25.04 FEET; THENCE SOUTH 32°15'23" WEST, 37.70 FEET TO INTERSECT THE NORTHERLY RIGHT OF WAY MARGIN OF BIRCH BAY DRIVE; THENCE NORTH 77°10'00" WEST ALONG SAID MARGIN, 10.77 FEET TO THE POINT OF BEGINNING.
REPORT OF THE COUNTY ENGINEER
(Whatcom County Code 12.20.050)

IN THE MATTER OF THE VACATION OF A COUNTY

ROAD  Portion of Un-named Alley in Birch Bay West End Estates

PETITIONED BY  Brian Southwick and Linda Kiens et al.

I, the undersigned County Engineer of Whatcom County, State of Washington, being duly directed by the Whatcom County Council to examine and report on County Road

Un-named alley in Birch Bay West Estates, Birch Bay, Washington proposed for vacation by the petition of: Brian Southwick and Linda Kiens et al.

did examine said road and report as follows:

<table>
<thead>
<tr>
<th>IN FAVOR  X</th>
<th>NOT IN FAVOR</th>
</tr>
</thead>
</table>

Said road should be vacated.

Said road should not be vacated.

Fair Market Value (12.20.060 E)

0 acres @ $ __________ $

Said road is now in use as a County road. 1.

It will be advisable to preserve this road.

The public will not be benefited by this vacation.

2. Classification (12.20.060 F)

<table>
<thead>
<tr>
<th>Class A</th>
<th>Public expenditures made</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class B</td>
<td>X No public expenditures made or non-ascertainable from records</td>
</tr>
<tr>
<td>Class 1</td>
<td>No part thereof lies in any plat</td>
</tr>
<tr>
<td>Class 2</td>
<td>X Part or all lies within a platted subdivision</td>
</tr>
<tr>
<td>Class 3</td>
<td>Did not remain unopened for public use for five or more years after the order made or authority granted for opening it.</td>
</tr>
<tr>
<td>Class 4</td>
<td>Remained unopened for public use for five or more years after the order made or authority granted for opening it.</td>
</tr>
<tr>
<td>Class 5</td>
<td>Is contained within that portion of a plat which is to be replatted</td>
</tr>
<tr>
<td>Class 6</td>
<td>X Abandoned in fact due to relocation of right-of-way</td>
</tr>
<tr>
<td>Class 7</td>
<td>Informalities exist in the records of title which are construed to invalidate and divest the public of any right, title, or interest in the right-of-way.</td>
</tr>
</tbody>
</table>

The public will be benefited by this vacation. yes  X  no

Joe Rutan, P.E.
Whatcom County Engineer

3/8/16

Date /n:\maerley\council forms\engineers rpt 5th or telegraph.doc
PROPOSED BY: Public Works
INTRODUCTION DATE: March 22, 2016
RESOLUTION NO. ____________

APPROVING A VACATION FOR THE REALIGNMENT OF AN UNNAMED ALLEY WITHIN THE BIRCH BAY WEST END ESTATES PLAT

WHEREAS, on April 2, 2015, Brian Southwick and Linda Kiens submitted a petition for the vacation of a portion of an unnamed alley in exchange for replacement of the vacated portion with a new alignment of equal value, within the Birch Bay West End Estates Plat lying within the unincorporated area of Whatcom County, accompanied by the penal sum of $790.00, and,

WHEREAS, as described in RCW 36.87.010, when a county road or any part thereof is considered useless, the Whatcom County Council may declare its intention to formally consider vacation, by resolution.

WHEREAS, the County Council voted 4-0 on October 13, 2015, to consider this vacation request and direct the County Engineer’s office to report; and

WHEREAS, the County Engineer’s office has reviewed the portion of the street which is a Class B-2,6 right-of-way, wherein no public expenditures were made or they are non-ascertainable from records, and part or all lies within a platted subdivision, and in the exercise of his judgment has determined the public will benefit from said vacation; and

WHEREAS, public utilities are located within the portion of the right-of-way to be vacated and an easement for said utilities will be retained by the County; and

WHEREAS, the amount of right-of-way to be vacated will be equal to the amount of right-of-way to be dedicated so no compensation is required for the vacation; and

WHEREAS, the petitioner has met all of the petition requirements, as set forth by Chapter 12.20 Whatcom County Code, and all other applicable laws; and

WHEREAS, the applicant has six calendar months from the date of the Preliminary Order of Vacation to pay any remaining fees to the Whatcom County Council office, which checks should be made payable to the Whatcom County Treasurer, prior to the vacation becoming effective; and

WHEREAS, this vacation does not become effective until the fees are paid, and until applicant executes a Right of Way Deed for the required right of way dedication area, and the Final Order and Resolution area recorded with the County Auditor;

NOW, THEREFORE, BE IT RESOLVED that it is the intention of the Whatcom County Council to vacate, in conjunction with dedication of a similar amount of right-of-way nearby, the following described right of way:
That portion of Lot 19, "Plat of Birch Bay West End Estates", Whatcom County, Washington, according to the plat thereof, recorded in Volume 8 of Plats, Page 76, records of said County and State more particularly described as follows:

Commencing at the Southeast corner of said Lot 19; thence North 34°42’40" East along the Easterly line of said lot, 125.00 feet to the Northeast corner of said lot; thence South 25°55’49" West, 45.54 feet; thence South 47°51’12" West, 14.09 feet; thence South 24°02’41" West, 25.04 feet; thence South 32°15’23" West, 37.70 feet to intersect the northerly right of way margin of Birch Bay Drive; thence North 77°10’00" West along said margin, 10.77 feet to the Point of Beginning.

SUBJECT TO and/or together with all easements, covenants, restrictions and/or agreements of record or otherwise.

SUBJECT TO an easement retained by the County in respect to the vacated portion of right-of-way for the construction, repair, and maintenance of any and all public utilities and services, now located on or in the vacated portion.

BE IT FURTHER RESOLVED that upon applicants’ completion of payment of all fees, and execution of a right-of-way deed for the area required by the County to be dedicated, a Final Order of Vacation shall be prepared by Council Staff, signed by the appropriate parties, and recorded with the County Auditor; and

BE IT FURTHER RESOLVED that upon applicants’ completion of payment of all fees, and execution of a right-of-way deed for the area required by the County to be dedicated, the Right of Way Deed for that portion to be dedicated by applicant will be recorded with the County Auditor; and

BE IT FURTHER RESOLVED that if the conditions set forth above are not fulfilled within six months from the date of the passage of this Resolution, the Preliminary Order of Vacation which is hereby authorized shall be withdrawn, and the right-of-way shall not be deemed to have been vacated.

APPROVED this ___ day of __________________, 2016

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council
Barry Buchanan, Council Chair

APPROVED AS TO FORM:

Chief Civil Deputy Prosecutor
After recording return document to:

Whatcom County Public Works
Real Estate Coordinator
322 N. Commercial, Suite 210
Bellingham, WA 98225

Document Title: RIGHT-OF-WAY DEED
Reference Number of Related Documents: None
Grantors: Brian J. Southwick and Linda D. Kiens
Grantee: Whatcom County
Legal Description: Ptn Lot 20 Birch Bay West End Estates, S24, T40N, R1W
Additional Legal Description is on Page 3 of Document.
Assessor's Tax Parcel Number: 405124 068237 0000

RIGHT-OF-WAY DEED

The Grantors, BRIAN J. SOUTHWICK AND LINDA D. KIENS, both unmarried individuals, for and in consideration of a requirement imposed for County Road Vacation of other property, do grant, bargain, sell and convey as right-of-way, and for all purposes and uses consistent therewith, to WHATCOM COUNTY, A WASHINGTON MUNICIPAL CORPORATION, the following described real property, and any after acquired interest therein, situated in Whatcom County, in the State of Washington:

For legal description and additional conditions
See Exhibit A attached hereto and made a part hereof.

Also, the undersigned hereby request the Assessor and Treasurer of said County to set-over to the remainder of the herein described Parcel "A" the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon Whatcom County unless and until accepted and approved hereon in writing for the County by the County Executive.

Page 1 of 3 Pages

Parcel No. 4051240682370000
RIGHT-OF-WAY DEED

Grantors:

________________________________________
Brian J. Southwick

________________________________________
Linda D. Kiens

Date: __________________________

Accepted and Approved

WHATCOM COUNTY

By: __________________________
Jack Louws, County Executive

Approved as to form:
Prosecuting Attorney’s Office

Date: __________________________

Daniel Gibson, Chief Civil Deputy Prosecutor

Date: __________________________

STATE OF WASHINGTON )
: ss
County of ______________________ )

On this ____________________________ day of __________________ 2016, before
me personally appeared Brian J. Southwick and Linda D. Kiens, to me known to be the
individuals described herein and who executed the foregoing instrument, and
acknowledged that they signed the same as their free and voluntary act and deed for the
uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

________________________________________
Notary Public in and for the State of
Washington,
residing at __________________________
My commission expires __________________________

Page 2 of 3 Pages

Parcel No. 4051240682370000
EXHIBIT A

That portion of Lot 20, “Plat of Birch Bay West End Estates”, Whatcom County, Washington, according to the plat thereof, recorded in Volume 8 of Plats, Page 76, records of said County and State more particularly described as follows:

Commencing at the southwest corner of said Lot 20; thence north 34°42’40” east along the westerly line of said lot, 121.77 feet; thence south 25°55’49” west, 46.72 feet; thence south 47°51’12” west, 13.92 feet; thence south 24°02’41” west, 23.65 feet; thence south 32°15’23” west, 34.89 feet to intersect the northerly right of way margin of Birch Bay Drive; thence north 77°10’00” west along said margin, 10.60 feet to the point of beginning.
### WHATCOM COUNTY COUNCIL AGENDA BILL

**No.** 2016-157 A

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Originator:</td>
<td>JPR</td>
<td>4/6/2016</td>
<td></td>
<td>4/19/2016</td>
<td>Introduction</td>
</tr>
<tr>
<td>Division Head:</td>
<td>JPR</td>
<td>4/6/2016</td>
<td></td>
<td>5/3/2016</td>
<td>Hearing</td>
</tr>
<tr>
<td>Dept. Head:</td>
<td></td>
<td>4/6/2016</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prosecutor:</td>
<td></td>
<td>04/01/16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchasing/Budget:</td>
<td>F</td>
<td>12/14</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TITLE OF DOCUMENT:**

Ordinance change to the Whatcom County’s Code Title 12.60 Road Naming System including Honorary Road Naming.

**ATTACHMENTS:**

1. Memo
2. Ordinance
3. Exhibit A: Proposed Changes to Whatcom County Code 12.60

<table>
<thead>
<tr>
<th>SEPA review required?</th>
<th>( ) Yes</th>
<th>( X ) NO</th>
<th>Should Clerk schedule a hearing?</th>
<th>( ) Yes</th>
<th>( X ) NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPA review completed?</td>
<td>( ) Yes</td>
<td>( X ) NO</td>
<td>Requested Date:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Amendment of Whatcom County’s Road Names System, Whatcom County Code 12.60 to include Honorary Naming of Roads.

**COMMITTEE ACTION:**

4/19/16: Introduced

**COUNCIL ACTION:**

4/19/16: Introduced

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).
PROPOSED BY: Public Works - Engineering
INTRODUCTION DATE: __

ORDINANCE NO._______

AMENDING WHATCOM COUNTY CODE ROAD NAMING SYSTEM 12.60

WHEREAS, Whatcom County citizens have requested Honorary Names of County Roads; and

WHEREAS, the Whatcom County Code (WCC) has no system to include Honorary Road Naming; and

WHEREAS, the Public Works Department has identified additional changes to WCC 12.60 to improve the implementation and administration of the code; and

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the following Honorary Road Naming (WCC 12.60) is hereby amended as shown on Exhibit A.

ADOPTED this ___ day of ________________, 2016.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

( ) Approved  ( ) Denied

Chief Civil Deputy Prosecutor

Jack Louws, Executive
Date: _________________________

468
Chapter 12.60
ROAD NAMING SYSTEM

Sections:
12.60.010 Purpose.
12.60.020 Definitions.
12.60.030 Responsibilities of the public works department.
12.60.040 Appointment and responsibilities of the citizen address and road name appeals committee.
12.60.050 Requirement for road name.
12.60.060 Criteria for road name selection.
12.60.070 Name assignment procedure.
12.60.080 Road name signs.
12.60.090 Road sign specifications.
12.60.100 Address numbering system.
12.60.110 Correction of address number sequence.
12.60.120 Address number assignment.
12.60.130 Life, safety and property protection standards for address designation markers.
12.60.140 Road name changes and procedures.
12.60.150 Honorary Road Naming
12.60.150 12.60.160 Master map.
12.60.160 12.60.170 Compliance requirements and penalties.
12.60.190 Severability.

12.60.010 Purpose.
The purpose of this chapter is to provide for a logical system of road naming and address numbering, which is consistent with the desires of Whatcom County residents, with the Whatcom County Comprehensive Plan, and with the practical needs of county residents, emergency service providers, and visitors. (Ord. 96-049).

12.60.020 Definitions.
A. "Address" means the appropriate combination of address number, directional prefix or suffix, road name, and road type, e.g., 100 East Bakerview Road.

B. "Address grid system" means an imaginary network of uniformly spaced horizontal and perpendicular lines used to establish regularly spaced intervals as the basis for assigning address numbers.

C. "Address marker" means a marker with numbers on two sides used to designate an address number along a road, or numbers affixed to a building.

D. "Address number" means the assigned property number which is written ahead of the road name, e.g., '525' Noon Road, and shall be numerical only.
E. "Alpha road name" means a word, usually a proper or common noun, or a combination of words used to identify a road, e.g., 'Smith' Road, 'Trout Lake' Road.

F. "Applicant" means the individual or entity responsible for initiating the creation or expansion of a road, or requesting the change of the name of an existing road.

G. "Block number" means the 100 number interval based on the address grid system.

H. "Building address number including building designation" means the property number assigned to a building.

I. "Directional prefix" is the word such as "West" or "East" placed ahead of the name of a road.

J. "Directional suffix" is the word such as "West" or "East" placed after the road type, e.g., Willow Lane East.

K. "Driveway": Primary function is to provide direct access to property.

L. "Joint driveway" means a driveway with primary function to provide direct access for up to four properties.

M. "Mobile home park" means any parcel of land or adjacent parcels of land in the same ownership which is utilized for occupancy by more than two mobile homes.

N. "Numeric road name" means an ordinal number used to identify a road, e.g., '2nd Street', '31st' Avenue.

O. "Private road" means a road which is on private property and which is maintained with private funds.

P. "Recreational vehicle park" means a parcel of land in which three or more sites are primarily for occupancy by recreational vehicles for travel, recreation or vacation uses.

Q. "Right-of-way" means a legal right of passage over a piece of land, generally established by either dedication, ownership, or easement.

R. "Road" means a travel way intended for the use of motorized vehicles or other modes of transportation.

S. "Road name sign" means a sign designating the name of a travel way.

T. "Road name type" follows the road's alpha road name and indicates the type of travel way, e.g., Britton 'Road', Sunset 'Lane'. (Ord. 96-049).

12.60.030 Responsibilities of the public works department.
A. Whatcom County department of public works, hereinafter called the department, is directed to assign and/or change address numbers to buildings and unimproved property, to facilitate and record the naming of roads, and to assure placement of road name signs, according to the provisions of this chapter.

B. The department will recommend to the executive for approval by the county council rules and regulations regarding all address numbering and road naming policies.

C. The department and the applicant shall work cooperatively and in a timely manner to facilitate and expedite the procedures required by this chapter. (Ord. 96-049).

12.60.040 Appointment and responsibilities of the citizen address and road name appeals committee.
A. The county council shall appoint a citizen address and road name appeals committee, hereinafter called the “citizen appeals committee”, of five members representing the diversity of Whatcom County residents. Committee members shall serve three-year overlapping terms and shall be eligible for reappointment.

B. The responsibilities of the citizen appeals committee shall be as follows:

1. Consider and decide appeals of address numbering, and road name assignments and corrections;

2. Review and decide appeals in enacting the policies and procedures of this chapter;

3. Develop a list of preapproved road names from which applicants may choose;

4. May propose changes or additions in the county’s address numbering, road naming, and sign policy.

C. Decisions by the citizen appeals committee may be appealed to the county council. (Ord. 96-049).

12.60.050 Requirement for road name.
A. Road names shall be required for all public roads and private roads now existing or hereafter created when such roads:

1. Are any length and serve five or more lots; or

2. Are 1,000 feet or greater in length and serve three or more lots.

B. Roads that are not required to be named per WCC 12.60.050A above may also be named at the unanimous request of all the property owners served by the road when said road serves three or four existing lots. (Ord. 96-049).

12.60.060 Criteria for road name selection.
A. Objectives. Names should be pleasant sounding, appropriate, and easy to read and pronounce (so that the public, and children in particular, can handle the name in an emergency situation) and shall meet What-Comm (9-1-1) computer programming requirements.

B. Recommended Types of Names. Names of local historic families, individuals, landmarks and events, features of the natural terrain, plants and animals, names of aesthetic or community significance.

C. Unacceptable Names. Numeric (e.g., 42nd, 56th, Fifty-Fifth, etc.) if they have already been used or if they do not conform to the address grid system; alphabetical letters (A, B, C, etc.); frivolous, complicated or unseemly names (e.g., My Road, Slick Road).

D. Avoidance of Name Duplication. Similar sounding names shall be considered duplication regardless of spelling. No duplication of names shall be permitted within Whatcom County. Road type shall not be used to distinguish road names within these areas, except in logically compelling instances where there is contiguity (e.g. Oak Circle at the end of Oak Street; but not Oak Lane at a location not contiguous with Oak Street). Directional indicators (e.g., North, South, Northeast) shall not be allowed as street names to distinguish noncontiguous roads (i.e., if there were an existing Wilson Road, “North Wilson Road” could not be considered a distinct, nonduplicative name).

E. Road Type Designations. Due to existing road names, “view”, “vista”, “trail”, and “plaza” shall not be permitted as a road name type. The designation “highway” shall be reserved for state and federal administered roads. The road name types “road” and “street” shall be reserved for Whatcom County public roads only.

F. Directional Prefixes. Roads running east-west which intersect (cross or abut) the Guide Meridian shall be prefixed “East” on the east side of the Guide and “West” on the west side of the Guide.

G. Directional Suffixes. Directional suffixes shall not be allowed in road names. (Ord. 96-049).

12.60.070 Name assignment procedure.
A. The applicant for a new road may propose three original names: a preferred name and two alternates. The department shall provide the road applicant with a copy of this chapter and a list of preapproved names from which a road name may be selected, if the applicant prefers not to propose an original name.

B. If preapproved name is not selected, the road name approval process shall consist of submission to the department for review including What-Comm 9-1-1 and the local fire chief according to the criteria set forth in WCC 12.60.060.

C. If an appeal is made, the citizen appeal committee shall evaluate the appeal with regard to compliance, review proposed road names for appropriateness, and make recommendations on new road names and road name changes.
D. When the recommendations of the department and the citizen appeals committee do not agree, or when the applicant contests the decisions of the department and the citizen appeals committee, the matter may be referred to the council for consideration. (Ord. 96-049).

12.60.080 Road name signs.
A. Signs on public county roads shall be placed and maintained by the county. When an applicant dedicates a road to the public, the applicant shall pay for the initial installation of the road name sign(s).

B. Signs on new private roads shall be installed and maintained by the applicant in accordance to Whatcom County Development Standards. On existing private roads, the responsibility for installation and maintenance of signs shall rest collectively with the owners of real property which abuts or may use the private road as access or as outlined in the plat covenants. (Ord. 96-049).

12.60.090 Road sign specifications.
A. For Arterial Roads. The color and letter size shall be consistent with current county road signs for all public county roads.

B. For Private Roads. Signs designating private roads shall be the same style as public road signs in accordance with Whatcom County Development Standards.

12.60.100 Address numbering system.
A. An address numbering system following a grid pattern of 400 three- or four-digit numbers per mile meets current and projected future needs in Whatcom County. This system provides for one address number every 26.4 feet on either side of the road. (Ord. 96-049).

B. Except for Point Roberts, the horizontal (east-west) base line is the Whatcom County and Skagit County border. Numbers 0 to 99 are reserved for parcels in Skagit County that access and are addressed on Whatcom County roads. The base line is 100, and addresses increase to the north by 100 numbers per quarter-section line, 400 numbers per approximate mile.

C. Except for Point Roberts, the vertical (north-south) base line is the dividing line between range 2 east and range 3 east (Guide Meridian for most of the county). The base line is 100 and addresses increase going east and increase going west by 100 numbers per quarter-section line, 400 numbers per approximate mile.

D. For Point Roberts, the horizontal (east-west) base line is the theoretical western section line of 40N 3W 33. The base line is 1000 and addresses increase going east by 100 numbers per quarter-section line, 400 numbers per approximate mile. The vertical (north-south) base line is the Canadian border. The base line is 0, and numbers increase to the south by 100 numbers per quarter-section line, 400 numbers per approximate mile.

E. Addresses on the north side of an east-west running road will be even numbers; addresses on the
south side of an east-west road will be odd numbers. Addresses on the east side of a north-south running road will be even numbers; addresses on the west side of a north-south road will be odd numbers.

12.60.110 Correction of address number sequence.
The department shall make corrections where necessary to accomplish full implementation of the address numbering system for all county addresses in accordance with the following time-line and criteria:

A. The department shall correct addresses beginning in 1997, and shall continue until the entire county has been reviewed and corrected.

B. Notices of address corrections shall be mailed to affected property owners and become effective six months after notification by the department.

12.60.120 Address number assignment.
A. The department shall assign address numbers to previously unaddressed lots prior to issuance of a building permit.

B. New address number assignments and address number corrections shall follow the address number system. New address numbers shall logically fit into the existing numbering system of the particular area. When incorrect address numbers are found during the permit process, corrections should be made to those addresses at that time.

C. One address per legal lot of record shall be assigned, and except when the lot of record hosts:

1. One or more individual multiple dwelling or multiple occupant buildings (e.g., apartment buildings, condominiums, duplexes, quadplexes, office buildings, strip malls), then each building shall have a separate address.

2. One or more permitted detached accessory dwelling units, then each unit shall have a separate address.

D. For nondwelling type detached accessory structures (e.g., shops, garages, barns), separate addresses shall not be assigned different from the primary lot of record address.

E. For multiple dwelling and multiple occupant building, alpha designator or suite number suffixes shall also be used in combination with the primary lot of record address.

F. For permitted attached accessory dwelling units, alpha designator suffix use is optional in combination with the primary lot of record address.

G. For mobile home and recreational vehicle parks, site numbers shall be assigned to the individual mobile home or recreational vehicle sites and not to the mobile homes or recreational vehicles
themselves. One address number shall be assigned to the mobile home or recreational vehicle park as a whole. The address of any one unit in the mobile home or recreational vehicle park shall consist of the mobile home or recreational vehicle park address followed by the site number.

12.60.130 Life, safety, and property protection standards for address designation markers.
A. The owner of real property on which any building is located which is habitable or tenantable for residential, commercial, business, storage, or other purposes shall be responsible for ensuring that the proper address numbers are placed in such a position as to be plainly visible and legible from the road fronting the property.

B. Address Designation Marker. Where the building is not visible from the road or the address is not legible from the road, or more than one building is on a site, one address designation marker per building or address shall be provided at the junction of the driveway and the named road, and another address designation marker should be provided at the intersection of the individual driveway and the joint driveway. The ultimate responsibility for health and safety issues on private property rests with the property owner.

1. Placement. Address designation markers shall be placed so that the numbers are not obstructed by grass or landscaping. Installation and maintenance are the responsibility of the property owner.

2. Installation. Installation and maintenance of temporary address designation markers during all permitted construction shall be the responsibility of the permit applicant in compliance with subsections B and C of this section.

3. Specifications. Address designation markers must be visible at night. The minimum standard shall be three-inch numbers arranged horizontally or vertically on a clearly contrasting background. Reflective numbers and reflective backgrounds are recommended. Blue and white are the recommended colors to be used on address designation markers.

C. The property owner(s) of mobile home and recreational vehicle parks are responsible for ensuring that each space is marked with the individual site number. The site number shall be easily visible and legible and affixed to some permanent structure located on the space. In mobile home and recreational vehicle parks with multiple access lanes, the access lanes shall be marked with the range of site numbers served.

D. Map Signs. In complexes where multiple buildings exist, map signs are recommended to be posted at the main entrance of the complex. (Ord. 96-049).

12.60.140 Road name changes and procedures.
Some road names warrant being changed in order to reduce confusion arising from duplicate names or by different names on segments of the same travel way (which may or may not change direction). In addition, a request may be made to change an existing road name. Whenever possible, road name
changes shall be made concurrently with correction of address number sequencing (refer to WCC 12.60.110). The road(s) shall be renamed by the following procedure:

A. For department-initiated road name changes, the department shall notify all property owners with addresses that use the current road name that their road(s) requires a name change. Within this notification, the property owner shall be informed of the opportunity they have to participate in the selection of the new road name, and the department shall also outline the following:

First Notification:

1. The reason for the road name change (duplication, merging roads, etc.);
2. The two (or more) existing affected road names;
3. The department may recommend road name(s) or changes based on the following criteria:
   a. WCC 12.60.060, Criteria for road name selection,
   b. WCC 12.60.070, Name assignment procedure,
   c. Historical records (deeds, plats, etc.),
   d. Date on which road(s) were named,
   e. Number of affected residents and/or property owners of record located on each road,
   f. Extenuating circumstances known by the department,
   g. Preapproved road name list;
4. The date at which a response is due back to the department, any additional circumstances to be considered, and the road name proposals (a three-week period).

Second Notification:

1. A brief summary of prior notice;
2. A list of all proposed road names submitted by residents;
3. A date in which the residents need to submit their top two choices (a two-week period).

Third Notification:

1. Tallied results from responses for new road name. The department will strive to obtain consensus.
Exhibit A

2. An outline of the appeal process with the deadline to submit an appeals request (three weeks from date of third notice);

3. The department will make the official road name announcement;

4. The date when the new road name may become effective (additional three-week period). (Ord. 96-049).

B. For non-department-initiated road name changes, the requestor(s) shall submit a road name change application form (which the department shall create and maintain consistent with this chapter) to the department, together with the fees per the Whatcom County Unified Fee Schedule.

1. Each road name change application shall include the following:

a. A vicinity map showing the existing road.

b. The current name of the road.

c. The proposed name of the road.

d. The reason for the road name change.

e. List of names, mailing addresses, and parcel numbers of all road-abutting property owners.

f. Typed, self-adhering (self-stick) mailing labels containing the names and addresses of all road abutting property owners.

g. A notarized affidavit certifying that the above statements and the information contained in any papers or plans submitted are true and accurate to the best of the applicant’s knowledge, and that the list of road-abutting property owners is complete and current.

2. The department will send a notice of the requested road name change to the road-abutting property owners, What-Comm 9-1-1, and the local fire district(s), asking for comments on the requested road name change.

3. The notice will provide a 30 day comment period.

4. The department will provide a staff report to the Whatcom County Council including, but not limited to, the following information:

a. The comments received on the requested application.
b. An analysis on the name change meeting the criteria of WCC 12.60.060.

c. Cost of changing the road signs.

5. The Whatcom County Council will hold a public hearing and make a decision on the request.

6. If the Whatcom County Council approves the request, the ordinance changing the road name will include the requirement for the applicant to reimburse the department for the actual cost of the road sign changes.

12.60.150 Honorary Road Naming.

1. An honorary road name is a subsidiary designation for a road or a portion of a road that does not replace the legal name of the road. The honorary road name shall be denoted by signs that augment but do not replace signs for the legal road name required for emergency service access. If a road or a portion of a road, except intersecting roads, has been designated with an honorary road name, no other honorary name shall be given to the road or section of a road. Honorary signs shall meet the standard road sign criteria for size and shape with a brown background and white lettering, and shall be placed underneath signs designating the legal road name.

2. The council shall designate an honorary name for a road or portion of a road by the adoption of an ordinance. Honorary road names shall be limited to recognition of individuals, organizations, entities and events of local significance to the county as determined by the county council. The actual costs of manufacturing, designing and installing or replacing signs due to damage, theft or vandalism shall be paid to the Public Works Department by the applicant requesting the honorary designation before the signs are manufactured and installed.

3. An application to the council for honorary road renaming shall contain a list of all persons having ownership in properties addressed on the road to be given the honorary name and the signatures of the majority of those persons indicating acquiescence in the honorary road name. The application shall include a statement recognizing that costs defined in subsection 2 of this section shall be borne by the applicant and noting that the legal name of the road will not change.

4. The council shall mail notice of a proposed honorary name to all property owners on the affected road at least twenty days before council action.
12.60.150 Master map.
The department shall develop a master map of all public and private roads in Whatcom County in conjunction with WCC 12.60.110 and shall maintain and keep current thereafter. (Ord. 96-049).

12.60.160 Compliance requirements and penalties.
A. All address assignments or changes duly required by the department shall be recorded on title transfers.

B. Any person, firm, or corporation violating any of the provisions of this chapter, or of the codes adopted by reference by this chapter, shall be deemed guilty of a civil offense and shall be given 30 days to correct the situation and shall be fined not more than $250.00 for each offense. (Ord. 96-049).

12.60.190 Severability.
If any portion of this chapter is deemed to be invalid or inoperative, all remaining sections shall continue in effect. (Ord. 96-049).
Public hearing on County Council preliminary draft of Comprehensive Plan Chapter 6, Transportation

Related paperwork can be found at: www.co.whatcom.wa.us/2346/Comprehensive-Plan-Update-Process

The Whatcom County Council will hold a public hearing on May 3, 2016, regarding the periodic update of the Whatcom County Comprehensive Plan, Chapter 6, Transportation (AB2016-047F). This hearing will give the public an opportunity to provide comments to the County Council relating specifically to Chapter 6.

The Council is conducting the Whatcom County Comprehensive Plan and urban growth area (UGA) review as required by the Growth Management Act under RCW 36.70A.130. It is anticipated that the County Council will adopt an ordinance amending the Whatcom County Comprehensive Plan and UGAs by the end of June 2016.

COMMITTEE ACTION:
3/22/2016: Briefed and discussed
4/19/2016: Comment received
4/19/2016: Discussed and provided preliminary direction

COUNCIL ACTION:

Related County Contract #: AB2016-047
Related File Numbers: AB2016-047
Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
Chapter 6 – Transportation

1) 15) p. 6-16; **New Policy 6C-1:** Conduct a ferry feasibility study to inform the next Comprehensive Plan update so that sufficient planning, engineering, design and cost detail is available to use in competing for grants and other sources of funding for a replacement ferry. The ferry feasibility study should determine type of boat, dock and other amenities that will be needed for a replacement ferry; estimate sea level rises over the next 50-70 years; and address elements such as, but not limited to, future demand and use based on projected demographics, boat size, boat technology, service plan, dock and other amenities, safety, and costs, including operating and maintenance costs, a timeline for implementation, a funding strategy and a public review process. LIFAC should provide input on the scope of work and any consultants or vendors retained, as well as reviewing and providing input on key milestones. (Brenner, Weimer)

2) p. 6-18; **New Policy 6E-4:** Work with Bellingham Whatcom County Tourism and the cities to develop and implement a common Countywide Way-Finding system that encourages people traveling between Vancouver BC and Seattle on the I5 corridor to detour and easily find the many tourist attractions that Whatcom County has to offer. (Browne)

3) p. 6-18; **Goal 6F:** Develop a system of bicycle and pedestrian facilities that encourages enhanced community access, promotes healthy lifestyles and supports the recreational segments of our economy. (Browne)

4) p. 6-19; **Policy 6F-4:** Identify, analyze and prioritize pedestrian and bicycle projects based on the following criteria: (Browne)

5) p. 6-20; **Policy 6F-5:** Develop a six-year Non-Motorized Transportation Improvement Plan (NMTIP) along the lines of the existing process the County employs for motorized vehicle transportation planning. Give priority to construction of pedestrian and bicycle facilities on streets within and between urban growth areas and rural communities where practical, and give priority to Walkways along roadways within a one-mile radius of schools as well as facilities that support the local recreation and tourism needs. (Browne)

6) p. 6-20; **New Policy 6F-8:** Develop plans and prioritize facilities for the County to become internationally recognized as a “Trail-Town” tourist destination (one that offers a 100 miles or more of contiguous walking/hiking trails) by 2027. (Browne)

7) p. 6-32; **Restore lines 6-19:**

**Commercial Transportation**

In addition to the commercial traffic that serves Whatcom County industries and residents themselves the county’s transportation system carries heavy cross border truck traffic between the United States and Canada. Freight vehicles’ access to industrial and commercial areas, safety on roads shared with private vehicles, efficient long-distance movement of goods, and coordination of commercial transportation with rural land uses are all issues for Whatcom County. Trucks make up the bulk of the commercial traffic, but rail, air, and ship transportation are involved as well. (Browne)

8) p. 6-32; **Restore Goal 6P:** Provide for safe, efficient movement of commercial vehicles in Whatcom County. (Browne)

9) p. 6-32; **Restore and edit Policy 6P-1:** Support and participate in studies to evaluate freight movement which supports economic development. Give priority to maintaining service levels for existing commercial/industrial areas. New commercial/industrial developments shall not materially diminish the transportation service levels to/from previously established commercial/industrial developments. (Browne)
Chapter Six
Transportation

"Transportation planners and cardiologists face similar problems. Both are concerned about uninterrupted flow from the smaller collectors and through the major arterials to the destination. When blockages occur, the cardiologist does bypass surgery (building a new arterial) or angioplasty surgery (widening of existing arterials). The onset of arteriosclerosis is hastened by a diet rich in cholesterol. The cholesterol of our transportation system is the single-occupant vehicle (SOV), the proliferation of which leads to "arterial SOVosis" (i.e. the clogging and blockage of arterials by our transportation diet predominant with the single-occupant vehicle: (SOV))."

Bob Hughes
ETAC

Reason for change: Omitted for brevity and because limiting SOV vehicular trips is only one aspect of the chapter

Introduction

Purpose

Whatcom County plans and maintains the County-owned portion of the region’s transportation system. This chapter sets goals and priorities for Whatcom County’s transportation facilities over the next 20 years. It inventories current facilities, projects future needs, and guides the planning and implementation of projects and programs to meet those needs. Its overall purpose is to ensure that Whatcom County’s transportation system continues to allow for the movement of people and goods throughout the county in a way that is safe, efficient, environmentally responsible, accessible to all users, and cost effective.

The Growth Management Act provides for a systematic approach for estimating and planning for future transportation needs based on an analysis of existing conditions and a projection of future conditions. The purpose of this approach is to provide transportation facilities that meet the service standards desired and adequately serve the demand produced by the growth in land use in future years.

Process

This chapter was created in several steps. A consultant, JHK & Associates, was retained by the county to assist in preparation of the transportation element of the Comprehensive Plan. The first step was an assessment of existing traffic conditions and transportation services. The next step was a transportation plan built on forecasts of future land use, traffic patterns, and funding. It describes the level of service Whatcom County intends to maintain. The preferred road network alternative described in the transportation plan supports the goals and policies included in this chapter.
Public participation has been instrumental in identifying the priorities of county residents. To help develop the transportation plan, Whatcom County established a community-based planning effort including a Citizens’ Transportation Advisory Committee (CTAC). The CTAC met regularly throughout the development of the plan and this chapter, and was active in formulating these documents’ visions, improvement alternatives, goals and policies. The CTAC was instrumental in prioritizing the transportation needs in the county based on the cost-effectiveness and the projected benefits of the improvements. In the process, the CTAC drew on the expertise of the Technical Transportation Advisory Committee under the Whatcom County Council of Governments, a group of technical experts from throughout Whatcom County representing different agencies and jurisdictions.

Reason for change: Edited for brevity and to remove outdated material.

**GMA Goals, County-Wide Planning Policies, and Visioning Community Value Statements**

By being designed to accommodate an urban concentration land use model for Whatcom County, this chapter addresses the GMA goals of encouraging development in urban areas where adequate facilities are provided and of reducing sprawl. The GMA goal encouraging efficient multi-modal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans is addressed through goals and policies in this chapter, through coordination with the Regional Transportation Planning Organization, and through urban growth area planning. (See Chapter 2: Land Use for other aspects of UGA planning.) Many other GMA goals are incidentally supported throughout this chapter.

This chapter supports County-Wide Planning Policies by encouraging alternative modes of transportation through goals, and policies, and actions. It includes policies on demand management strategies and considers inter-county and international transportation links.

The Whatcom County: The Next Generations Visioning Community Value Statements are also supported by concentrating growth in urban areas and providing for an adequate system to support agriculture and economic development. The chapter recognizes the geographic differences among various parts of the county identified in Visioning features. This chapter emphasizes increasing the capacity of existing roads, encourages more public transit and bicycle facilities, prioritizes safety measures and makes provision for intermodal connections. Transportation improvement plans are within the county's financing capability.

**GMA Requirements**

The Growth Management Act (GMA) requires county comprehensive plans to contain “a transportation element that implements, and is consistent with the land
use element.” This chapter, together with the Capital Facilities Plan in Appendix E, provides that transportation element, incorporating the sub-elements also required by GMA, including inventory of facilities; level of service standards for highways, locally owned arterials and transit routes; estimated traffic impacts to state-owned transportation facilities; land use assumptions; financing; intergovernmental coordination efforts; demand-management strategies; and a pedestrian and bicycle component. (RCW 36.70A.070(6)(a))

The GMA also has a concurrency provision that requires counties to “adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development.” (RCW 36.70A.070(6)(b)) Whatcom County’s concurrency management program is codified in Whatcom County Code Chapter 20.78, based on levels of service established in below in Policy 6A-1.

The Growth Management Act requires jurisdictions to adopt a transportation element which includes land use assumptions, estimated traffic impacts to state-owned transportation facilities, a facilities and services inventory, level of service standards for arterials and transit routes, actions to bring services below level of service standards into compliance, forecasts of traffic for ten years consistent with the land use plan, identification of system expansion needs and a management system to meet the needs. It also requires a financing analysis of funding capability, a multi-year financing plan and alternatives in case funding falls short. Demand management strategies are to be created.

This comprehensive plan addresses the above requirements through this chapter, the six-year transportation improvement program, the Whatcom County Transportation Plan (including the Whatcom County Transportation Plan Existing Conditions Report), incorporated herein by reference, and Chapter 4: Capital Facilities. Land use assumptions used for transportation planning, inventories, level of service standards, traffic projections and alternative system expansion needs are quantified in the Whatcom County Transportation Plan. Financing analysis and multi-year financing plans are in the six-year transportation improvement program.

Goals, policies and actions, level of service standards, actions to take in case funding falls short, demand management strategies and specific recommended improvements are included in this chapter.

GMA requires adequate transportation facilities to be provided concurrent with development. In the goals and policies of this chapter, Whatcom County establishes the acceptable levels of service (LOS) for county-owned transportation facilities. Per GMA, any development that would cause the level of service on a county facility to fall below the adopted LOS must be denied, unless improvements that accommodate the impacts of the development—or other strategies that
accommodate the growth, such as increased transit service—are made concurrent with the development.

Reason for change: Edited for brevity and to remove outdated material

Inventory

Map 6-1 shows the existing countywide transportation system. Whatcom County owns and maintains 943 miles of public roads. The county uses the federal function classification system to classify those roads; 3 percent of county roads are classified as arterials, 18 percent are major collectors, 17 percent are minor collectors, while 62 percent are local access roads (see Table 6-1). About 23 miles of county roads include bike lanes or are designated as bike routes. There are 217 miles of state highways; 119 miles are highways of statewide significance and 98 miles are highways of regional significance.

The Port of Bellingham owns and operates three seaport facilities within the city of Bellingham, (Bellingham Shipping Terminal, Squalicum Harbor, and Bellingham Cruise Terminal) and one in the city of Blaine (Blaine Harbor). The Bellingham Cruise Terminal acts as the southern terminus of the Alaska State Ferry system and host to private cruise vendors. Adjacent to the Port’s Bellingham Cruise Terminal is the Port’s Fairhaven Transportation Station, Whatcom County’s only passenger rail station and a terminal for the private Greyhound bus line. Whatcom County owns and operates a vehicle and passenger ferry on the 0.9-mile run between Gooseberry Point and Lummi Island, and the City of Blaine owns a passenger-only ferry between Blaine Harbor and the Semiahmoo resort within the Blaine city limits. There are no Washington State-owned ferry facilities in Whatcom County. Three privately-owned shipping terminals serve major industries in the Cherry Point Major Port Industrial UGA and small privately-owned recreational marinas exist in several rural communities, including Point Roberts, Sandy Point, and Sudden Valley, as well as Birch Bay Village, which is part of the Birch Bay UGA.

The Port of Bellingham owns and operates Bellingham International Airport in the unincorporated UGA of Bellingham. The City of Lynden owns and operates the Lynden Municipal Airport located inside the Lynden city limits. Privately owned and operated airports exist in Whatcom County, including Point Roberts (Point Roberts Airpark), and on Lake Whatcom (Floathaven SPB), near Custer (Meadow Mist), and Eliza Island.

The Burlington Northern Santa Fe railway owns a north-south rail line that runs through Bellingham, Ferndale, and Blaine, and a parallel line that runs through Acme, Deming, Nooksack, and Sumas. Both lines are used to transport freight, and have industrial spurs that serve industries in the Cherry Point Urban Growth Area.

---

1 Required by RCW 36.70A.070(6)(a)(iii)(A) Transportation element must include “An inventory of air, water, and ground transportation facilities and services....”

Whatcom County Comprehensive Plan

6-4
and Lynden, respectively. The line though Bellingham also accommodates passenger service, the Amtrak Cascades between Seattle and Vancouver, BC. Whatcom Transit Authority operates the public transit system in Whatcom County, including fixed-route and dial-a-ride service. The system serves all seven of Whatcom County’s incorporated cities, the County’s non-city UGA’s, Birch Bay and Columbia Valley, and rural areas in between. The transit system includes transit stations in Bellingham, Ferndale, and Lynden, three of which include park and ride lots. There are currently a total of nine park and ride lots in Whatcom County.

Goals and Policies Background-Summary

Traffic volume on roads in Whatcom County varies widely from less than a hundred vehicles per day to as many as 55,000 per day on I-5 (2000 Annual Traffic Report, Washington State Department of Transportation). Whatcom County facilities are less impacted by the issue of road congestion than they are by the issue of road condition. However, there are several county roads where congestion is also a problem. Congestion and inadequate road conditions both contribute to traffic accidents, which represent a significant (if mostly hidden) cost to the traveling public and potential tort liability to Whatcom County.

Some of Whatcom County’s traffic problems may be attributable to the increasing volume on roads which were designed and built for rural traffic. There are also several areas of development that have created unusual amounts and patterns of traffic. Some of these are the Casino on the Lummi Reservation, Bellis Fair Mall, and the Mount Baker Recreation Area. Canadian border auto crossings decreased, while truck border crossings increased significantly in the 1990’s. Map 14 indicates traffic volumes on county and state roads.

For the most part, land use and associated traffic volumes dictate the type of roadway to be provided. That traffic includes a variety of users. Along with cars and trucks, Whatcom County roads serve transit vehicles, school buses, farm vehicles, bicycles and pedestrians. While these users currently represent only about ten percent of the total, their numbers are increasing. For them to share the road safely with other traffic they need facilities like paved shoulders and bus turnouts.

Roads are only part of the transportation network. Whatcom County provides ferry service between Lummi Island and Gooseberry Point—the only public transportation link between the island and the mainland. It carries about 400,000 passengers per year. The Port of Bellingham operates the Bellingham Cruise Terminal, which serves the Alaska Marine Highway System ferries and commercial cruise-ship lines. Other non-road transportation facilities within Whatcom County include off-street bikeways, harbor facilities, three airports, and two north-south freight rail lines. Passenger rail service, that was discontinued in 1981, resumed operation in 1995. Beginning in 1999 two Amtrak trains per day began visiting Whatcom County. One stops in Bellingham, then continues to Vancouver, BC. The other stops in Bellingham but continues no farther due to freight rail congestion that is caused by
Canadian rail lines in the Vancouver BC area. It is recognized that with greater service, ridership would increase significantly. The state’s twenty-year goal is to increase Whatcom County/cross-border passenger rail service. The two rail tracks in Whatcom County are both owned by Burlington Northern Santa Fe Railway (BNSF). The BNSF main line is along the shoreline through Bellingham and proceeds up the I-5 corridor. The second line, referred to by BNSF as their secondary main line, is aligned generally along State Route 9 and crosses the Canadian border at Sumas. The secondary main line is used infrequently, but does offer certain options and advantages. Transfer points, where people or goods transfer from one mode of transportation to another, are vital linkages in the transportation system. In Whatcom County transfer points include air, rail, bus, and ferry terminals, plus a freight terminal near the US-Canadian border at Sumas where cargo is transferred between truck and rail modes, and several shipping terminals where cargo is moved among rail cars, barges, and ships. Map 15 indicates the location of intermodal sites in Whatcom County.

Reason for change: Edited for brevity and to provide a more complete inventory.

**Level of Service – Motor Vehicles**

GMA requires counties to adopt level of service (LOS) standards for arterials. For purposes of concurrency management, Whatcom County adopts level of service (LOS) standards for motor vehicle travel on county-owned arterials and major collectors, per GMA requirements. In addition, it is appropriate to included concurrency for the county-owned ferry service (see Policy 6A-1 and Map 6-2). Levels of service for other facilities, which are used for planning purposes but not for concurrency management, are established in subsequent policies. The Whatcom Council of Governments sets LOS standards for state highways of regional significance (SR 11, 542, 544, 547, and 548). WSDOT, in consultation with local governments, sets LOS standards for highways of statewide significance (I-5, SR 9, SR 20, SR 539, SR 543, and SR 546). Level of service standards for state-owned facilities are included in this plan to help the state monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county’s or city’s six-year street, road, or transit program and the department of transportation’s ten-year investment program. Whatcom County does not use LOS standards on state-owned facilities for concurrency evaluation purposes.

For roadway segments (between but not including intersections) level of service is expressed as letters A-F, which correspond to the ratio of volume to capacity for a

---

2 Required by RCW 36.70A.070(6)(a)(iii)(B) Must include “Level of service standards for all locally owned arterials and transit routes...” Major collectors are also included because only 3% of County roads are classified as arterials per the federal functional classification system, and most roads classified as major collectors are important links, functioning like arterials.

3 Required by RCW 36.70A.070(6)(a)(iii)(C) Must include “Level of service standards for highways...”
segment (see Table 6-1). That ratio is determined by dividing the projected weekday afternoon peak hour traffic volume of a roadway segment by the calculated per-hour capacity of that segment. Adopted LOS for all County and State-owned facilities are shown on Map 6-3. Whatcom County's concurrency management system is established in Whatcom County Code Chapter 20.78, and is based on roadway segment volume to capacity ratios.

For intersections, the LOS is determined by the time delay (seconds per vehicle) of the stopped approach vehicle, per the current Highway Capacity Manual (see Table 6.2). Congestion at intersections due to capacity and delay issues are identified and mitigated through the SEPA process. Intersection LOS is not used for concurrency evaluation purposes.

Table 6-1 County Roadway Volume/Capacity Range by LOS Designation

<table>
<thead>
<tr>
<th>LOS Designation</th>
<th>V/C Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>0-0.59</td>
</tr>
<tr>
<td>B</td>
<td>0.60-0.69</td>
</tr>
<tr>
<td>C</td>
<td>0.70-0.79</td>
</tr>
<tr>
<td>D</td>
<td>0.80-0.89</td>
</tr>
<tr>
<td>E</td>
<td>0.90-0.99</td>
</tr>
<tr>
<td>F</td>
<td>&gt;1.00</td>
</tr>
</tbody>
</table>

Level of Service – Other Modes

GMA also requires counties to include a level of service for transit routes in the transportation element.4 Whatcom Transit Authority, the only public transit agency in the County, establishes its levels of service in its Strategic Plan document; this chapter references those adopted standards. For modes of transportation other than motor vehicles, and transit, and ferry, Whatcom County does not establish levels of service based on volumes, but instead focuses on the quality of service through planning and design (see Goals 6D and 6E below).

Ferry service to Lummi Island does not comprise an arterial or transit route; therefore it is not subject to concurrency under GMA. It is, however, the only point of access for Lummi Island. For the purposes of future infrastructure planning, a LOS standard based on an estimate of the available passenger trips per capita Lummi Island population is established in Policy 6A-2. (See Lummi Island Ferry LOS methodology in Appendix J).

Issues, Goals, and Policies

Whatcom County's transportation system is a network of structures—highways, arterial streets, rural roads, rail, marine, airport, bikeways, ferries, and many other facilities. At the same time, the transportation system is a link among land use

---

4 Required by RCW 36.70A.070(6)(a)(iii)(B)
patterns, population growth, economic opportunities, energy consumption, environmental stress, and other facets of Whatcom County growth. The Growth Management Act requires the county to plan for the future of both network and linkage aspects of the transportation system.

To be sure of providing adequate facilities, Whatcom County must prepare to meet future demand. Population projections, land use plans, and traffic patterns suggest that the county will need to upgrade or expand some of its facilities, in addition to maintaining the current network. Since funding is limited, Whatcom County must prioritize the improvements it would like to make. The criteria for those choices include traffic congestion, safety, mobility, use by transit, bicycles, and pedestrians, and access to modes of transport such as airplanes, railways, and ferries. Additionally, the impact to endangered species, along with mitigation costs and delays associated with gaining approval for transportation projects that affect such species, must be considered.

To manage transportation systems, including their economic, social, and environmental impacts, Whatcom County must be aware of the ways transportation influences—and is influenced by—other aspects of growth. Identifying the relationships allows the county to dovetail its plans for the various aspects so all the plans work toward compatible goals:

**Overall County Transportation**

Over the next two decades Whatcom County will be shaping its transportation network with several fundamental goals in mind. The system must be cost-effective; it must be compatible with subarea, county, and regional plans; it must be properly maintained and upgraded; it must provide access for transit and non-motorized travel; and it must offer acceptable levels of service and safety.

The LOS standards adopted for county-owned transportation facilities in Policy 6A-3 are measures of traffic congestion on arterial and collector roadway segments, expressed as a ratio of estimated volume in weekday afternoon peak hours to roadway capacity. Levels of service range from completely unrestricted flow of traffic (LOS A) to stop-and-go traffic jams (LOS F). At LOS C or better the road segment is less than or equal to 80% full (or a volume-to-capacity ratio of less than or equal to 0.80). The flow of traffic is generally stable, though individual users are significantly affected by the presence of other vehicles. At LOS D the volume-to-capacity ratio is greater than 0.80 but less than or equal to 0.9. At LOS D small increases in flow may cause some delays and decreases in speed during the afternoon peak hour.

The Washington State Department of Transportation (WSDOT) has adopted levels of service for highways of statewide significance and the Regional Transportation Planning Organization, in consultation with WSDOT, has adopted levels of service for other state highways. For state highways in Whatcom County the standards are LOS D in urban areas and LOS C in rural areas. Similar to the LOS adopted on
state highways, Whatcom County generally adopts for its roadways a LOS D in urban areas and LOS C in rural areas, though for some of the rural roads that function as primary routes connecting major activity centers (as designated in the regional Whatcom Transportation Plan), the county adopts a LOS D to reflect higher peak-hour volumes.

Reason for change: Edited for brevity and to remove outdated material.

**Goal 6A:** Provide for the safe and efficient movement of people and goods by establishing and maintaining standard levels of service for motor vehicle traffic volumes compared to roadway capacity.

**Policy 6A-1:** Make safety and mobility the primary considerations in ranking transportation improvements.

**Policy 6A-2:** Use the transportation planning process to identify transportation system needs throughout the county in order to provide adequate transportation facilities and services to meet current and future travel needs; identify and protect specific transportation corridors and alignments where transportation facilities including auto, commercial, bicycle, transit and rail are needed.

**Policy 6A-31:** Establish the following levels of service (LOS) for purposes of maintaining transportation concurrency:

- The Level of Service (LOS) standard for county arterials and major collectors located outside of urban growth areas A volume-to-capacity ratio less than 0.75 during weekday p.m.-peak hours is C or better, except for specified primary routes as shown on Map 6-2, which shall have a LOS of D or better, for county arterials and collectors located outside of urban growth areas, except for specified primary routes as shown on Map 14A, which shall have a volume-to-capacity ratio less than or equal to 0.90 (LOS-D).

- The LOS standard for county arterials and major collectors within urban growth areas not associated with cities during weekday p.m. peak hours is D or better A volume-to-capacity ratio less than or equal to 0.90 (LOS D or better) during weekday p.m., peak hours for county arterials and collectors within urban growth areas not associated with cities, which may be reduced for concurrency evaluation purposes in accordance with Policy 6A-4.
• The LOS standard for county arterials and major collectors within city urban growth areas weekday during p.m. peak hours is D or better. A volume-to-capacity ratio less than or equal to 0.9 during weekday p.m. peak hours (equivalent to LOS D) for county arterials and collectors within city urban growth areas, which may be reduced for concurrency evaluation purposes in accordance with Policy 6A-4.

• Coordinate with Whatcom Transit Authority to ensure adequate transit service, in accordance with the level of service standards established in its current strategic plan in urban areas.

• Ferry LOS standard is currently 513 ferry passenger trips annually per capita Lummi Island population. Note: the Lummi Island Ferry Advisory Committee (LIFAC) is cooperating with Public Works to develop an updated LOS standard. LIFAC will present a revision to this section when that work is complete.

Policy 6A-2: Establish the following levels of service for county facilities other than arterials, major collectors, and transit routes (facilities not subject to concurrency requirements):

• The Level of Service (LOS) standard for county collectors located outside of urban growth areas during weekday p.m. peak is C or better.

• The LOS for county collectors within urban growth areas not associated with cities during weekday p.m. peak hours is D or better.

• The LOS for county collectors within city urban growth areas during weekday p.m. peak hours is D or better.

• The LOS for all county intersections is LOS D.

• 513 ferry passenger trips annually per capita Lummi Island population.

Policy 6A-3: List the following level of service standards for state highways\(^5\), as established by WSDOT and WCOG:

• The LOS for state highways in urban growth areas is D or better.

\(^5\) Required by RCW 36.70A.070(6)(a)(iii)(C)

Whatcom County Comprehensive Plan 6-10
Policy 6A-4: For proposed developments in designated–urban growth areas, increase the volume-to-capacity ratio standard for impacted transportation facilities by 0.05 if at least one of the following amenities is existing or is committed to being provided as part of the development:

- Transit service and stop within one quarter mile walking distance accessible from the development using non-motorized facilities that meet or are functionally equivalent to Whatcom County Road Standards.
- Non-motorized facilities that meet or are functionally equivalent to Whatcom County Road Standards along the impacted facility.

Policy 6A-5: Encourage extension of city concurrency review authority and LOS standards into their respective UGAs to provide for greater consistency in concurrency review for urban areas.

Policy 6A-6: Identify and mitigate safety and other impacts to transportation facilities caused by development during SEPA review, using standards adopted for intersections and other minimum standards established by WCC Development Standards.

Policy 6A-7: Consider implementation of Intelligent Transportation Systems (ITS) technology to increase safety, reduce traffic congestion, decrease delays, expedite commercial vehicle travel, and provide appropriate traveler information.

Reason for change: Edited for clarity and to more completely address GMA LOS requirements - and to use A-F reference system for LOS.

Policy 6A-7 moved to Policy 6J-7.

Current and Projected Levels of Service

Map 6-4 shows the 2013 daily motor vehicle traffic volumes in Whatcom County. Map 6-5 shows the 2013 volume-to-capacity data for County-owned arterials, based on the traffic volumes in Map 6-4 (adjusted to represent afternoon peak hour volume) and 2013 data on hourly roadway capacity for each road segment. When compared with the level of service standards adopted in Policy 6A and shown on Map 6-2, it is evident that there was only one road segment where roadway capacities were deficient in 2013 (where current volume-to-capacity ratios exceed the adopted level of service standards for those county-owned arterials): Lakeway Drive between the Bellingham City limits and Lowe Avenue.
WCOG has developed a motorized travel demand model and has projected future travel demands based on assumptions of planned development patterns established in Chapter Two Land Use.\(^6\) Comparing the projected demand for peak hour trips with the hourly vehicular carrying capacity of County roadways shows how well the roadways are predicted to function (predicted level of service) in future years. Map 6-6 shows projected daily traffic\(^7\) on County-owned arterials and state highways\(^8\) in 2036, based on the WCOG model, and Map 6-7 shows projected volume-to-capacity ratios for that year. For the roadways classified as arterials, the GMA requires the County to prohibit development approval – or assure needed improvements concurrent with development -- if the development causes the level of service to fall below adopted standards.\(^9\)

Map 6-7 highlights segments where the projected ratio exceeds the adopted levels of service established under Policy 6A-1 above. The segments where County-owned roadways classified as arterials fall below the adopted LOS standards in 2036 are Hannegan Road between Van Wyck Road and Kelly Road (1.01 mile), and Lakeway Drive between the Bellingham City Limits and Terrace Avenue (0.63 mile).

Reason for change: Section added to address GMA’s requirements to include forecasts and LOS. Information on deficiencies were added after EIS model run. These segments are included in the Capital Facilities Plan (Appendix E) to program improvements to correct these deficiencies.

Planning and Design of Transportation Improvements

This chapter provides The Capital Facilities Plan (Appendix E) includes a list of improvement projects planned for implementation over the next 20 years—(see Table 6.3 and Map 6.8). This list was developed in response to safety and capacity needs identified by Public Works and through various citizen planning efforts such as the Whatcom County Pedestrian Bicycle Plan and the Birch Bay Community Plan. This list would also include any projects (on County-and state\(^10\)-owned facilities) needed to bring into compliance any facilities that are currently below the established level of service standard, or are projected to fall below those standards within the 20-year planning period.

\(^6\) Required by RCW 36.70A.070(6)(a)(i) Must include “Land use assumptions used in estimating travel”
\(^7\) Required by RCW 36.70A.070(6)(a)(iii)(E) “Forecasts of traffic for at least 10 years”
\(^8\) Required by RCW 36.70A.070(6)(a)(ii) “Estimated traffic impacts to state-owned transportation facilities”
\(^9\) Required by RCW 36.70A.070(6)(b) Concurrency requirement
\(^10\) RCW 36.70A.070(6)(a)(i)(f) “Identification of state and local system needs to meet current and future demands.”
Each year the County adopts a six-year Transportation Improvement Program, which selects projects from the list of planned projects and assigns funding amounts to them, programming their construction over the next six years. Due to limited funding, not all the recommended projects can be programmed for construction.

Accordingly, in deciding how best to use its finite resources, the County must prioritize among many competing items, including new projects as well as preservation, operation, and maintenance of existing facilities. Improvements that are needed to reduce the risk of personal injury and property damage must be the County's top consideration. The next priority is preservation of current facilities, which not only supports the first priority of safety (preventing possible hazards from developing over time), but also addresses the need to maintain and operate the transportation system in a cost-effective manner, minimizing the need for costly reconstruction projects in the future.

The next priorities for implementation -- after safety and roadway preservation -- are projects aimed at increasing capacity and keeping facilities operating at acceptable levels of service. Projects that address deficiencies on County-owned arterials should be the highest priority in this category.

Reason for change: Section added to clarify priorities, and to better differentiate between the 20-year list of planned projects and the six year transportation improvement program.

**Financing**

The Growth Management Act is very specific in its requirement that transportation improvements must be based on financial capability. Furthermore the Act requires that improvements must occur concurrent with developments. It is therefore very important to coordinate funding and land-use driven transportation improvements.

The majority of county transportation dollars are spent on upkeep and maintenance of the existing road system with a much smaller amount available for major improvements and even less for actual capacity improvements. Potential additional revenue sources include a greater share of gas tax revenues and impact and/or mitigation fees. Gas tax revenues can only be imposed through a vote of the people. Impact and/or mitigation fees are enforced through a county ordinance and are intended to pay for improvements required as result of additional traffic generated by development.

GMA authorizes counties to impose impact fees that fund a proportionate share of transportation system improvements made necessary by planned growth. Whatcom County has identified future system improvements eligible for impact fee funding and has enacted a transportation impact fee system to fund a portion of those projects that are reasonably related to and reasonably benefit the planned growth.
Reason for change: Finance section moved to later in the chapter to better follow sequence of transportation facility planning from conceptual policy to implementation.

Goal 6B: Create a cost-effective transportation system that optimizes public investment prioritizes safety, roadway preservation, and concurrency.

Policy 6B-1: Funding—Programming of transportation programs and improvements should prioritize upgrading of unsafe and/or structurally deficient facilities and preservation and maintenance of the existing transportation system and upgrading of unsafe and/or structurally deficient facilities over new capital improvements. Exception to this policy should be allowed when a cost/benefit analysis indicates that the public interest is better served by new capital expenditures over rehabilitation preservation of existing infrastructure, or when capacity increasing improvements are necessary to correct level of service deficiencies on County-owned roads and ferries to meet GMA concurrency requirements.

Policy 6B-2: Develop—Utilize a fair and equitable formula to assess development for transportation improvements, including but not limited to transit, pedestrian facilities, bikeways, ferry, and roadways that are considered reasonably necessary as a direct result of proposed developments in Whatcom County.

Policy 6B-3: Consider incorporating the impact of additional traffic on existing substandard roads as part of defining level of service for county roads, in order to better define and prioritize transportation improvements and assess new development for its share of impact on existing roads.

Policy 6B-4: Adopt a prioritized bicycle capital facilities improvement plan.

Policy 6B-5: Identify and pursue funding sources for the proposed projects and improvements contained in the Whatcom County Comprehensive Plan and the six-year transportation improvement program.

Policy 6B-6: Utilize impact fees to fund a proportionate share of the costs of transportation system improvements that benefit and are reasonably-related to new development.

Reason for change: Impact fee policy revised and moved to Policy 6K-3.
Policy 6B-7: Identify and pursue funding sources for activities and improvements which encourage the use of transportation modes other than the single-occupant vehicle.

Policy 6B-7 moved to Policy 6K-1.

Policy 6B-8: Use the financial resources available for transportation improvements to support a program of capital facilities needed for a multi-modal transportation system. The priority ranking system should balance the overall system and individual improvement needs.

Policy 6B-9: Consider and address any major fluctuations between expected revenues and needed improvement costs during the annual review process of the comprehensive plan. Such resolution could result in a reassessment of land use allocation, level of service standards and/or revenue availability.

Policy 6B-9 moved to Policy 6K-2.

Policy 6B-10: Implement a methodology for public-private partnerships when it would result in a more efficient use of public resources.

Policy 6B-11: Explore the possibility of encouraging cooperative funding for bicycle trails.

Reason for change: Edited for brevity: omitted policies are moved, redundant or outdated.

Local-Arterial and Collector Improvements

The Citizens' Transportation Advisory Committee and Technical Transportation Advisory Committee worked out a list of criteria for judging the effectiveness of a transportation network. The elements include uncongested traffic flow; sound engineering and construction; safety; mobility; facilities for public transit, bicycles, and pedestrians; access to air, rail, and other forms of transportation; and cost effectiveness. Whatcom County's program of local arterial improvements has to address all these aspects.

Whatcom County's program of arterial and collector improvements addresses the following elements: uncongested traffic flow; sound engineering and construction; safety; mobility; facilities for public transit, bicycles, and pedestrians; access to air, rail, ferry, and other forms of transportation; and cost effectiveness.
GOAL 6H6C: Ensure an efficient regional system of arterials and collectors that is functional, safe, and consistent with regional priorities and city and county comprehensive plans.

Policy 6H-16C-1: For road classifications higher than local access roads, develop access control plans which may include joint driveways, for road classifications higher than local access roads and require new developments to minimize the number of access points to road classifications higher than neighborhood collector roads.

Policy 6H-26C-2: Where new arterials or collectors are necessary, such routes should follow topographic or land use patterns which minimize disruption to residential neighborhoods and the environment.

Policy 6H-56C-3: Identify a regional system of all-weather roads and develop emergency maintenance plans for adverse weather conditions.

Policy 6H-66C-4: Work towards making all designated arterials and rural major collectors that are all-weather roads.

Policy 6C-5: Provide for commercial vehicle access from I-5 to major commercial and industrial land uses via all-weather roads that have adequate turning radii and signage.

Policy-6H-76C-6: Set proper appropriate speed limits based on collision data, speed studies, road geometry, and vehicle types.

Policy 6H-86C-7: Minimize delay at intersections by timely provision of warranted traffic controls and other improvements.

Policy 6C-7: Study ways to improve east-west connectivity for commercial and passenger vehicle traffic between Interstate 5 and areas to the east.

Policy 6C-8: [policy on ferry feasibility study; wording to be proposed by PW and LIFAC]

Reason for change: Policy on east-west mobility revised and moved from Goal 6J.

Coordination with Land Use

The way land is developed affects the need for transportation facilities; conversely, the availability of transportation can influence development. This two-way...
relationship needs to be taken into account in both land-use and transportation planning. The Growth Management Act requires Whatcom County to link the two processes.

**Goal 6D:** Support land use planning efforts in Whatcom County which include land use types and densities that reduce reliance on single-occupant vehicles.

- **Policy 6D-1:** Allow densities and mixed uses in land-use planning urban areas to reduce the number and length of vehicle trips, increase opportunity to use public transportation, and encourage pedestrian and bicycle trips.

- **Policy 6D-2:** Discourage transportation improvements that would trigger development that is premature or not consistent with applicable comprehensive plans, policies, or zoning.

- **Policy 6D-3:** Support continual education of the public regarding the relationship between transportation and land use issues and ways to reduce traffic congestion.

- **Policy 6D-4:** Direct transportation planners to evaluate positive and negative impacts to the productivity of resource based industries when planning transportation corridors. Transportation improvements in areas designated "Resource Lands" should be constructed to facilitate the operations of those affected areas and industries.

- **Policy 6D-5:** Ensure that new developments provide safe and efficient infrastructure for pedestrians and bicyclists.

- **Policy 6D-6:** Encourage new housing developments to be located in urban growth areas to help provide a sense of community and safe, non-motorized transportation to community facilities and public transit nodes.

**Multimodal Approach**

Whatcom County's transportation facilities must accommodate a variety of transportation modes including automobiles, bicycles, pedestrians, buses, ferries, emergency vehicles, commercial vehicles, and agricultural equipment. In the planning, design, and construction of these facilities, the County must balance the needs of all users in all modes, and make the improvements appropriate to the context of the area.

**Goal 6E** Balance the needs of all users of all modes of transportation when planning and designing transportation facilities.
Policy 6E-1: Adopt and use design standards that follow current best practices for balancing the needs of all modes of transportation, including motorized modes (automobile, commercial trucks, agricultural equipment, emergency vehicles, buses, airplanes, boats, trains, and ferries) and non-motorized modes (bicyclists of all ages and skill levels, and pedestrians with or without disabilities). While not all modes can be accommodated fully in all areas, the County will work to achieve the best balance possible, given the context of the area and budgetary constraints.

Policy 6E-2: Use multimodal design in all new transportation facility improvement projects as well as roadway preservation and maintenance projects, unless physically or financially impracticable. An example would be employing new striping designs following resurfacing to better accommodate all modes.

Policy 6E-3: Multimodal design and implementation of that design shall consider the appropriate context established by land uses in the area. Urban pedestrian amenities such as sidewalks are appropriate in portions of urban growth areas and areas of more intensive rural development, but not in rural areas, where wide shoulders can suffice.

Reason for change: New section added to emphasize multimodal approach, combining existing policy principles with concepts from the WC Pedestrian-Bicycle Plan.

Bicycle and Pedestrian Facilities

A system of facilities for non-motorized travel enhances community access and promotes healthy lifestyles. These facilities can be adjacent to roadways or separated from them.

Level of service for pedestrians and bicyclists involves different characteristics than capacity and speed. Design should maximize the quality of the service rather than quantifiable measures of usage. Walkways serve pedestrians well when they provide a safe and convenient route. Pedestrians are well served by adequate crosswalks. Bicyclists may be well served by a low speed and traffic shared roadway lane in an urban location but may benefit from a wide shoulder on a rural higher speed road.

Reason for change: New section added to incorporate concepts from the WC Pedestrian and Bicycle Plan.
GOAL 6F: Develop a system of bicycle and pedestrian facilities that encourages enhanced community access and promotes healthy lifestyles.\textsuperscript{11}

Policy 6F-1: Planning and design shall emphasize connectivity to the greatest extent possible, creating regional networks of bicycle and pedestrian facilities. Regional networks include both an on-road bicycle facility and walkway network and a regional multi-use path network. These networks should be interconnected; for example, walkways connect seamlessly with pedestrian paths and bike lanes connect to shared-roadway bike routes. The networks should also be coordinated with public transportation hubs and activity centers to enable multi-modal trips of longer distances.

Policy 6F-2: Provide safe pedestrian facilities in all new construction and reconstruction transportation projects where there is the potential for significant use, unless physically or financially impracticable. An example of such a location would be in a traffic corridor within one mile of a school or community center that links residents to such facilities. Traditional curb/gutter/sidewalk designs may not always be the ideal approach for projects since they require large impervious surfaces and may detract from the rural atmosphere. Other separated walkway designs should be considered that provide a physical barrier from motorized traffic.

Policy 6F-3: An effective bicycle and pedestrian system for Whatcom County will require facilities for both regional connectivity and local access. Regional connectivity can be defined as transportation routes connecting major activity centers, towns, and cities within the region. A good example of a regional facility would be the proposed Nooksack Loop Trail or the existing bike route along Hannegan Road.

Policy 6F-4: Prioritize pedestrian and bicycle projects based on the following criteria:

- safety improvements are needed
- serves a residential or relatively high density rural or urban population area

\textsuperscript{11} Goal required by RCW 36.70A.070(6)(a)(vii); subsequent policies are based on policies from the Whatcom County Pedestrian and Bicycle Plan, approved by Resolution # 2011-003.
Policy 6F-5: Give priority to construction of pedestrian and bicycle facilities on streets within and between urban growth areas and rural communities where practical, and give priority to walkways and crosswalks along roadways within a one-mile radius of schools.

Policy 6F-6: For commercial and residential developments within urban growth areas and rural communities, developers shall fund on-street walkways, paths, crosswalks, and other pedestrian accommodations, along with internal walkways or paths for on-site circulation that are necessary to provide pedestrian access from public streets to building entrances and within and between buildings.

Policy 6F-7: In cases where environmental factors would limit or prohibit the construction of a uniform facility for the entire length of a roadway segment, a modified facility may be provided for a portion of the segment as an interim solution.

Intergovernmental Coordination and Implementation

Transportation planning is done in a regional context, involving many agencies and jurisdictions at the federal, state, tribal, and local levels. The Whatcom Council of Governments (WCOG), the region’s Regional Transportation Planning Organization, publishes the Whatcom Transportation Plan. That plan is a combined Metropolitan and Regional Plan required by federal and state law, and was most recently adopted by the WCOG Whatcom Transportation Policy Board in 2012. It is a multimodal plan setting general policies and establishing a regional Transportation Improvement Program, while referencing the transportation plans of local jurisdictions. The seven incorporated cities of Whatcom County, as well as the Lummi Nation, each have transportation elements in their comprehensive plans. The Washington State Department of Transportation (WSDOT) owns, plans, and maintains state highways. The Whatcom Transit Authority (WTA) and Port of Bellingham are also public
entities that adopt plans influencing transportation in the region. Whatcom County
eCouncil Members are part of the WCOG’s Whatcom Transportation Policy Board
and the WTA Board of Directors. The Whatcom County Health Department is also a
participant in transportation planning, as transportation issues affect the health and
safety of the community.

Responsibility for planning and providing transportation facilities in Whatcom
County is spread among a variety of governments and agencies. Consider a few
examples: the federal government is in charge of the facilities at the Canadian
border; state highways are the responsibility of Washington State; the Port of
Bellingham manages air, shipping and the Alaska ferry connection; and Whatcom
County and its cities operate local roads, ferries, and bikeways. These and many
other pieces have to be integrated. In addition, transportation facilities which cross
Whatcom County’s boundaries must mesh with the facilities of neighboring counties
and Canada.

Cooperation among jurisdictions is necessary in transportation planning. The
Growth Management Act reflects this need; it calls for a regional transportation
plan, and all the local jurisdictions’ plans must be consistent with it. Working
collaboratively can also lead to more effective use of the available funding.
"Collaboration" with users to reduce traffic congestion by getting more people to
use alternative modes of transportation is a useful strategy as well.

**Goal 6C6G:** Coordinate with international, federal, state, regional
(including Skagit and Okanogan Counties), and local
transportation laws, policies, and plans that relate to the
Whatcom County Transportation Plan A Combined
Metropolitan and Regional Plan, in order to be consistent
and compatible with regional priorities to other
governmental agencies in planning the County’s
transportation system.

**Policy 6C-16G-1:** Support the Regional Transportation Planning Organization
(RTPO) to coordinate transportation planning that affects
Whatcom County.

**Policy 6C-66G-2:** Participate in the Whatcom Council of Governments (WCCOG)
Transportation Technical Advisory Committee Group as a
mechanism to coordinate with the cities of Whatcom County, the
Whatcom Transportation Authority, as well as other
jurisdictions.

**Policy 6C-7:** Work with the Whatcom Council of Governments to develop
effective, ongoing mechanisms for city and county public works
engineers and planners to coordinate with transit and bicycle
planning.
Policy 6C-8: Coordinate county efforts with state activities toward compliance with the Americans with Disabilities Act.

Policy 6C-96G-3: Consistent with county land use planning, coordinate identification of new arterial routes with adjacent city jurisdictions.

Policy 6G-16G-4: In cooperation with the Whatcom Council of Governments, identify a regional transportation network that includes state highways as well as County-owned routes.

Policy 6C-106G-5: Coordinate with WSDOT for access management on all state highways in the county, to minimize the number of access points and maximize public safety and highway capacity. Develop a policy and agreement with the Washington State Department of Transportation to implement a locally managed improvement program for state highways based on local impacts.

Policy 6G-6: Coordinate with the Whatcom County Health Department regarding transportation’s role in promoting safe and healthy communities.

Policy 6G-7: Support state and federal agencies that regulate rail safety, in order to maximize safety of people and property along railroad corridors.

Policy 6G-8: Coordinate with the Port of Bellingham to facilitate convenient access to ports, airports, and other intermodal freight facilities.

Reason for change: Current Plan lacks policy on rail safety. Staff proposes this policy to support rail safety and clarify regulatory jurisdiction.

Policy 6C-11: Identify areas and mechanisms for potentially collaborative projects so that multiple jurisdictions can share costs and efficiencies.

Environment and Energy

The transportation network is a benefit to the community, but it can have unwanted side effects. Vehicles on the roads are noisy, and they contribute to air pollution and contaminated water run off. They also use up irreplaceable fossil fuel. Road construction can damage fragile wildlife habitats or intrude on scenic views. These effects can be mitigated through careful siting and design. Even more fundamentally, the effects can be minimized by reducing the amount of travel on the roads. Such “demand management” can include expanded public transit, ride-
sharing, bicycling, and telecommuting, to reduce the number of trips people make in single-occupant vehicles.

Reason for change: New section below combines environmental-related policies that are currently in separate places in the chapter – Goals 6E and 6T.

Environmental Practices

Transportation facilities can potentially create adverse environmental impacts. Effective design and construction practices can reduce or eliminate impacts on wildlife, water quality, and nearby residents.

Goal 6E: Provide a transportation system that minimizes environmental and social impacts, reduces reliance on fossil fuels.

Goal 6T6H: Construction and operation of transportation systems, including roads, should avoid adverse environmental impacts, including impacts to habitat of threatened and endangered fish and wildlife, water quality, and to adjacent residential areas. Species, and restore such habitat when possible. For County transportation projects, the County Council will determine when such restoration is financially feasible through adoption of the six-year transportation improvement program, the annual road construction program and the County budget.

Policy 6T-16H-1: Maintain and restore fish passage when constructing new transportation systems. Where existing transportation systems have fragmented habitat, such as where culverts prevent fish from migrating upstream, strive to restore fish passage at every opportunity. For County transportation projects, the County Council will determine when such restoration is financially feasible through adoption of the six-year transportation improvement program, the annual road construction program, and the County budget.

Policy 6T-26H-2: When constructing new transportation systems, ensure that stormwater generated by the transportation system is treated prior to discharge to waterways used by salmonid fish populations or which flow directly into such waterways. Provide for regular, systematic maintenance of transportation system related stormwater control and treatment facilities.

Policy 6T-36H-3: Avoid or mitigate future wetland impacts from transportation system construction and maintenance.
Policy 6T-46H-4: When constructing new or maintaining existing transportation systems, retain or restore native riparian vegetation along streams and rivers to the greatest extent possible.

Policy 6T-56H-5: Avoid or mitigate future impacts to feeder bluffs, accretion shoreforms, driftways, eelgrass, kelp beds and other elements of marine shoreline habitat when constructing or maintaining transportation systems.

Policy 6T-66H-6: Allow natural stream processes to continue by minimizing bank hardening and streambed disturbances to the greatest extent possible, while meeting transportation objectives.

Policy 6T-76H-7: Implement best management practices for erosion control to prevent sedimentation during transportation system construction or maintenance. Maintain such erosion control devices until no longer necessary to protect water quality.

Policy 6E-16H-8: Promote designs to preserve mature trees, unique wildlife habitats, water quality, and other elements of the natural environment, including environmentally sensitive areas and shorelines, during the design and construction of road improvement projects.

Policy 6E-26H-9: Support the use of natural noise reduction techniques and visual screens between high-volume transportation routes and other facilities adjacent to residential uses, wherever possible.

Policy 6E-36H-10: Minimize the amount of impervious surface whenever practicable by using natural engineering design methods such as the use of open, shallow, grassed street swales instead of curbs and gutters and, where feasible, encouraging alternate surfacing options.

Policy 6E-46H-11: Engineer, construct, and maintain road improvements to control pollutants affecting water quality and reduce run-off entering surface or groundwater consistent with water quality standards.

Reason for change: The following new section combines policies related to both congestion and emissions reduction, because measures typically address both topics simultaneously.

**Congestion and Emissions Reduction**

**Goal 6J:** Reduce the need for costly capacity-increasing roadway construction projects, and minimize emissions from combustion of fossil fuels, through the use of motor
vehicle travel demand reduction programs, transit, and intelligent transportation technology.

**Goal 6F:** Promote energy conservation by implementing demand management policies and encouraging the reduction of single-occupant vehicles on county roads and highways.

**Policy 6F-16J-1:** Develop programs that reduce single-occupant vehicle use and vehicle miles traveled, minimizing trip length and reducing travel during peak periods, in order to minimize fuel consumption and the emission of greenhouse gases. These programs include, but are not limited to, trip reduction programs in coordination with major employers, and other jurisdictions, and the WTA.

**Policy 6K-46J-2:** Support a regional public transit system that connects with various modes of transportation including auto, bicycle, and pedestrian travel and with the intercity bus, rail, ferries and airline facilities.

**Policy 6N-56J-3:** Coordinate with Whatcom Transportation Authority to establish rural transit service in unincorporated areas, including Rural Communities and Rural areas, consistent with county land use plans, based on cost effectiveness, location of major trip generators, distance between generators, and the needs of transit-dependent individuals.

**Policy 6N-86J-4:** In cooperation with Whatcom Transportation Authority and Washington State Department of Transportation to provide park-and-ride lots along major corridors and provide necessary and adequate services to encourage their use.

**Policy 6K-36J-5:** Support multi-modal use by encouraging, for example, provision of secure bicycle storage facilities at park-and-ride lots and other transit facilities, and allowing for the transporting of bicycles on public transit vehicles.

**Policy 6N-106J-6:** Consider, where needed, bus pull-outs on street/road improvements.

**Policy 6A-76J-7:** Consider implementation of Intelligent Transportation Systems (ITS) technology to increase safety, reduce traffic congestion, decrease delays, expedite commercial vehicle travel, and provide appropriate traveler information.

**Policy 6J-8:** Explore enhanced bus service to Sudden Valley to reduce traffic in the Lake Whatcom watershed.
Reason for change: Policy about enhanced bus service to Sudden Valley was moved from Policy 2BB-19 in Chapter 2 Land Use.

Funding of Transportation Improvements

GMA requires an analysis of funding capability\(^{12}\) to judge needs against probable funding resources, and a multi-year financing plan\(^{13}\) based on the needs identified in the plan. The Capital Facilities Plan, Appendix E of this plan contains the funding analysis and the current 20-year list of transportation projects. The CFP also contains the six-year Transportation Improvement Program, which is updated annually, and programs funding for specific projects over the next six years. In addition, GMA authorizes counties to impose impact fees that fund a proportionate share of transportation system improvements made necessary by planned growth. In the event that Whatcom County enacts a transportation impact fee system, it would need to identify future system improvements eligible for impact fee funding (projects that are reasonably related to and reasonably benefit the planned growth).

Goal 6K: Provide for adequate funding to keep Whatcom County’s transportation facilities in good condition and current in terms of capacity.

Policy 6B-76K-1: Identify and pursue funding sources for activities and improvements which encourage the use of transportation modes other than the single-occupant vehicle.

Policy 6B-96K-2: In the event expected revenues and available funding fall short of the amount needed to meet identified needs\(^{14}\) the County shall work to resolve the shortfall. Consider and address any major fluctuations between expected revenues and needed improvement costs during the annual review of the comprehensive plan. Such resolution could result in a reassessment and revision of land use plans and regulations (including uses and densities) of land-use allocation, level of service standards and/or revenue availability, or revenue sources (through revised impact or mitigation fees, or additional grant funding).

Policy 6B-66K-3 Utilize—Consider establishing impact fees to fund a proportionate share of the costs of transportation system improvements that benefit and are reasonably related to new development.

\(^{12}\) Required by RCW 36.70A.070(6)(a)(iv)(A)

\(^{13}\) Required by RCW 36.70A.070(6)(a)(iv)(B)

\(^{14}\) Required by RCW 36.70A.070(6)(a)(iv)(C)
Reason for change: The following omitted policies are moved (as noted), redundant or outdated.

State Highway Improvements

A number of state highways cross Whatcom County, forming an important part of the transportation network for county residents. Although state highways are not Whatcom County's direct responsibility, the county can be a voice for its citizens' interests with regard to those highways, working cooperatively with the Whatcom Council of Governments and the Washington State Department of Transportation.

Goal 6G: Ensure an efficient regional system of state highways that is functional and safe, and is consistent with regional priorities and city and county comprehensive plans.

Policy 6G-1: In cooperation with the Whatcom Council of Governments, identify a regional transportation network.

Policy 6G-2: Recommend access management classifications for all the state highways in the county in order to minimize the number of access points and maximize public safety and highway capacity.

Policy 6G-3: In cooperation with the Washington State Department of Transportation and other jurisdictions, adopt access management classes and designations for state highways.

Policy 6G-4: In cooperation with the Washington State Department of Transportation, investigate the feasibility of frontage roads along the Guide Meridian (SR 539) and other facilities, where appropriate, to consolidate and minimize necessary access points as development proposals are made.

Reason for change: Coordination with WCOG and state agencies is addressed under Goal 6G. Policy 6G-1 moved to Policy G-4.

Goal 6H: Ensure an efficient regional system of arterials that is functional, safe, and consistent with regional priorities and city and county comprehensive plans.

Policy 6H-1: Develop access control plans, which may include joint driveways, for classifications higher than neighborhood collector roads; and require new developments to minimize the number of access points to road classifications higher than neighborhood collector roads.

Policy 6H-1 revised and moved to Policy 6C-1.
Policy 6H-2: Where new arterials or collectors are necessary, such routes should follow topographic or land use patterns which minimize disruption to residential neighborhoods and the environment.

Policy 6H-2 moved to Policy 6C-2.

Policy 6H-3: Support the use of shared access roads from commercial and residential developments to limit intersections with arterials.

Policy 6H-4: Review design and maintenance standards for arterials for consistency between jurisdictions and develop continuity where appropriate.

Policy 6H-5: Identify a regional system of all weather roads and develop emergency maintenance plans for adverse weather conditions.

Moved to Policy 6C-3.

Policy 6H-6: Work towards making all county-designated arterials all weather roads.

Revised and moved to Policy 6C-4.

Policy 6H-7: Set proper speed limits.

Revised and moved to Policy 6C-5.

Policy 6H-8: Minimize delay at all intersections by timely provision of warranted traffic controls and other improvements.

Moved to Policy 6C-6.

East/West Mobility

The rectangular shape of Whatcom County, the Nooksack River and Interstate-5 create a problem with access between the eastern and western parts of the county. Suggestions for correcting this problem are expensive including such options as freeway interchanges and overpasses and major bridge crossings.

Goal 6J: Improve mobility between the eastern and western regions of Whatcom County.

Policy 6J-1: Prioritize for improvements the east/west routes that have been identified in the preferred alternative for improvements and weatherization.
Policy 6J-2: Support the possibility of transit and/or other alternative modes for east/west mobility.

East-west mobility now addressed in Policy 6C-7.

Non-Motorized and Public Transportation Improvements

Whatcom County’s transportation network serves other users besides automobiles and trucks. Railways, public transit, carpools, bicycles, and pedestrians place lower demands on the transportation system, so encouraging these kinds of uses—"demand management"—can reduce the need for new or expanded facilities. Demand management can also help minimize transportation’s negative side effects. The Growth Management Act requires Whatcom County to include demand management strategies in its comprehensive plan.

Goal 6K: Support the development and use of new technologies (e.g., fiber optics, other communication improvements) and approaches to planning in Whatcom County, so as to minimize the reliance on vehicular travel.

Policy 6K-1: Monitor new technologies and approaches and incorporate changes into transportation planning efforts.

Policy 6K-2: Incorporate alternatives to conventional petroleum-based technology systems into transportation planning.

Policy 6K-3: Support multi-modal use by encouraging, for example, provision of secure bicycle storage facilities at park-and-ride lots and other transit facilities, and allowing for the transporting of bicycles on public transit vehicles.

Policy 6K-3 moved to Policy 6J-5.

Policy 6K-4: Support a regional public transit system with various modes of transportation including auto, bicycle, and pedestrian travel and with the intercity bus, rail, ferries and airline facilities.

Policy 6K-4 moved to Policy 6J-2.

Goal 6L: Support commuter use and employer promotion of alternative modes of transportation (i.e., carpools, vanpools, transit, bicycles and pedestrian travel) where feasible and discourage reliance on the single-occupant vehicle.
Policy 6L-1: Facilitate the implementation of the Commute Trip Reduction Program.

Policy 6L-2: Assess the need and feasibility for preferential treatment for transit vehicles, vanpools, and carpools to improve competitive transit time with the single-occupant vehicle.

Policy 6L-3: Support educational efforts that emphasize non-motorized transportation alternatives.

Policy 6L-4: Support passenger rail service.

Reason for change: Congestion reduction now addressed under Goal 6J. CTR addressed in Policy 6J-1.

Goal 6M: Promote bicycle and pedestrian travel by systematically providing safe and convenient routes and facilities where feasible.

Policy 6M-1: Encourage safe and efficient bikeways that link populated areas of the county with travel destinations.

Policy 6M-2: Recognize public safety, education and law enforcement as integral to the development of bicycle transportation opportunities in Whatcom County.

Policy 6M-3: Where practical, identify site-specific on-street/road improvements needed for bicycle/pedestrian facilities along arterials and provide for regular shoulder sweeping and other maintenance as needed.

Policy 6M-4: Identify needed rights-of-way for bicycles.

Policy 6M-5: Include internal pedestrian circulation systems as well as links to external systems in development projects.

Policy 6M-6: Develop a system of off-road trail networks for non-motorized transportation to link population centers, employment centers and recreation areas.

Policy 6M-7: Implement a policy of providing safe pedestrian and bicycle access on county roads that have significant pedestrian and bicycle traffic as these roads are reconstructed, preferably by adding separated facilities or alternately by providing 4-foot minimum shoulders. Specifically, safe pedestrian facilities should be provided within a one-mile radius of community places such as schools, markets and libraries if there is residential or other
development that would generate significant foot-traffic within the one-mile radius.

Policy 6M-8: Implement as a priority the goals, policies and recommendations of the latest Whatcom County Bicycle Plan.

Reason for change: Revised pedestrian and bicycle policies now under Goal 6F.

Goal 6N: Support Whatcom Transportation Authority in providing high-quality, safe, convenient, accessible public transportation, where cost effective, for the public as an attractive alternative to single-occupant vehicles.

Policy 6N-1: Support public transit system design that encourages frequent and convenient access points, and that integrates various transportation modes into the transit services, such as bus systems, park-and-ride lots for cars and bicycles, and bus, railroad and airline terminal facilities.

Policy 6N-2: Assist Whatcom Transportation Authority in developing transportation plans that meet the specific operational and personnel needs of individual employers.

Policy 6N-3: Incorporate adopted plans and policies for non-motorized and public transportation in the permitting process for all development or land-use proposals, including provisions for efficient access and mobility, and convenient links between pedestrian, bicycle and transit facilities.

Policy 6N-4: Participate in investigating the potential for expanding express bus service and other forms of high capacity transit.

Policy 6N-5: Coordinate with Whatcom Transportation Authority to establish rural transit service in unincorporated areas, including Rural Communities, consistent with county land-use plans, based on cost-effectiveness, location of major trip generators, distance between generators, and the needs of transit-dependent individuals.

Transit now addressed under Goal 6J.
Policy 6N-5 moved to Policy 6J-3.

Policy 6N-6: Encourage Whatcom Transportation Authority to work with major employers to coordinate bus service with shift changes.

Policy 6N-7: Establish development regulations which offer incentives for projects which are transit compatible, considering density of
development, location relative to transit stops, design of project, and circulation to accommodate transit.

Policy 6N-8: In cooperation with Whatcom Transportation Authority and Washington State Department of Transportation, provide park-and-ride lots along major corridors and provide necessary services to encourage their use.

Policy 6N-8 moved to Policy 6J-4.

Policy 6N-9: Encourage provision of transit from the Canadian border to retail facilities in Whatcom County.
Policy 6N-10: Consider, where needed, bus pull-outs on street/road improvements.

Policy 6N-10 moved to Policy 6J-6.

Commercial Transportation
Reason for change: Commercial transportation (Goals 6P, 6Q, and 6R below) are addressed in a more general way in Policy 6E-1, calling for use of current best practices for balancing the needs of all modes, including commercial vehicles.

In addition to the commercial traffic that serves Whatcom County industries and residents themselves the county's transportation system carries heavy cross-border truck traffic between the United States and Canada. Freight vehicles' access to industrial and commercial areas, safety on roads shared with private vehicles, efficient long-distance movement of goods, and coordination of commercial transportation with rural land uses are all issues for Whatcom County. Trucks make up the bulk of the commercial traffic, but rail, air, and ship transportation are involved as well.

Goal 6P: Provide for safe, efficient movement of commercial vehicles in Whatcom County.

Policy 6P-1: Support and participate in studies to evaluate freight movement which supports economic development.
Policy 6P-2: Consider proposals for an east/west rail freight corridor.

Policy 6P-2 is redundant because it only requires the County to "consider proposals for" an east-west freight corridor. Nothing prevents the County from considering such a proposal.

Policy 6P-3: Develop and implement a program of incentives such as fast-track permitting for truck/rail transfer facilities when they
contribute to achievement of other transportation goals in this chapter and it can be shown that negative impacts from the facilities can be mitigated.

Policy 6P-4: Support commercial and industrial development adjacent to major transportation corridors, including I-5 and rail and air facilities within urban growth areas, as long as such facilities do not reduce safe, efficient movement of vehicles in Whatcom County.

Policy 6P-5: To better facilitate dispersal of commercial truck traffic, support the Lynden border crossing to open 24 hours a day.

Goal 6Q: Support intermodal connections (i.e., truck/rail facilities) that promote use of air, water, and/or rail freight where feasible.

Policy 6Q-1: Encourage the location and design of intermodal facilities for efficient freight transfer and access to the state and interstate highway, rail and ferry systems.

Policy 6Q-2: Support convenient access to ports, airports, other intermodal freight facilities, and international border crossings to enhance freight mobility.

Policy 6Q-3: Incorporate needs for access to ports and other intermodal freight facilities into capital facilities planning.

Goal 6R: Emphasize the importance of economically competitive and high-quality inland transportation services; foster the preservation, development and full implementation of freight rail; and plan intermodal linkage for long-distance movement of goods.

Policy 6R-1: Support efficient movement and access of freight vehicles within and through the county.

Policy 6R-2: Support efficient movement of goods and people with regard to land-use regulation and environmental and community impacts.

Policy 6R-3: Identify a recognized route system for trucks giving access to major commercial and industrial land uses which will minimize disruption of existing/projected rural land-use patterns.

Policy 6R-4: Facilitate the movement of trucks between industrial/commercial areas and I-5 and through the county by providing all-weather roads, adequate turning radii and signage.

Agricultural Vehicles
Agriculture is one of the largest industries in Whatcom County. Agricultural vehicles need to use county roads, but slow moving equipment can become a safety problem when it shares the road with other vehicles.

**Goal 6S:** Allow for safe movement of farm equipment on county roads where necessary, and reduce conflicts with other vehicles.

Policy 6S-1: Provide signage, where appropriate, warning of slow moving agricultural equipment.

Policy 6S-2: Provide for marked access points, wider shoulders and/or slow vehicle turnouts on routes where warranted to allow passenger vehicles to safely pass wide agricultural vehicles.

**Reason for change:** Agricultural vehicles (Goal 6S) are addressed in Policy 6E-1.

**Goal 6T:** Transportation systems, including roads, should avoid adverse impacts to habitat of threatened and endangered fish and wildlife species, and restore such habitat when possible. For County transportation projects, the County Council will determine when such restoration is financially feasible through adoption of the six-year transportation improvement program, the annual road construction program and the County budget.

Policy 6T-1: Maintain and restore fish passage when constructing new transportation systems. Where existing transportation systems have fragmented habitat, such as where culverts prevent fish from migrating upstream, strive to restore fish passage at every opportunity. For County transportation projects, the County Council will determine when such restoration is financially feasible through adoption of the six-year transportation improvement program, the annual road construction program and the County budget.

Policy 6T-2: When constructing new transportation systems, ensure that stormwater generated by the transportation system is treated prior to discharge to waterways utilized by salmonid fish populations or which flow directly into such waterways. Provide for regular, systematic maintenance of transportation system related stormwater control and treatment facilities.

Policy 6T-3: Avoid or mitigate future wetland impacts from transportation system construction and maintenance.
Policy 6T-4: When constructing new or maintaining existing transportation systems, retain or restore native riparian vegetation along streams and rivers to the greatest extent possible.

Policy 6T-5: Avoid or mitigate future impacts to feeder bluffs, accretion shoreforms, driftways, eelgrass, kelp beds and other elements of marine shoreline habitat when constructing or maintaining transportation systems.

Policy 6T-6: Allow natural stream processes to continue by minimizing bank hardening and streambed disturbances to the greatest extent possible, while meeting transportation objectives.

Policy 6T-7: Implement best management practices for erosion control to prevent sedimentation during transportation system construction or maintenance. Maintain such erosion control devices until no longer necessary to protect water quality.

Reason for change: All policies on adverse impacts to habitat (Goal 6T) have been moved to Goal 6H Environmental Practices.

Reason for change: Action Plan below is proposed for deletion because items are either completed, outdated, or addressed in policies or project lists in Chapter 6, as noted below:

Transportation Action Plan
Capital Facilities Planning, Funding, and Impact Fees

1. Adopt a twenty-year capital improvement plan and six-year transportation improvement plan consistent with the recommendations and priorities in the Whatcom County Transportation Plan and Comprehensive Plan. Make safety and mobility the primary considerations in ranking transportation improvements

[Done – see project list, six-year TIP and Goal 6B]

2. Develop an annual program of review for maintenance and upgrade of county facilities providing access to commercial and industrial areas.

3. Include bicycle facilities in the six-year capital improvement program (for trails that will be utilized by bikes) or the six-year transportation improvement program (for shoulder widening projects that will accommodate bikes).

[Done – nonmotorized transportation projects or components of projects are included in the TIP]
4. Maintain a system for level of service measurements which allows the county to assess the impact of growth-related additional vehicle trips on existing roads. Use this measurement in identifying needed improvements in capital facilities planning, and in establishing impact and/or mitigation fees, or in determining the desirability of the area to be serviced for additional growth.

[Done – PW Engineering]

5. Emphasize maintenance of the existing transportation system, upgrading unsafe and/or structurally deficient facilities, east/west connections, provision of all-weather roads, and support of a multi-modal transportation system.

[Covered through various policies]

6. Review levels of service and concurrency management practices as needed.

7. Within 12 months of adoption of the plan by the County Council, develop an impact and/or mitigation fee ordinance based on actual impacts.

[Impact fees considered in 2008-9, to be discussed again with 2016 update]

8. As the Whatcom County Comprehensive Plan is updated, ensure affected elements, transportation policies, and programs are also updated.

[2016 Update process ongoing]

9. Review subarea plans and this chapter to ensure consistency of policies and programs when implementing this plan.

[Done – newer SA plans checked, older SA plans being repealed]

10. Identify and protect specific transportation corridors and alignments through purchase, developer contribution, and land use regulation.

[Ongoing – e.g. WCOG/WSDOT’s I-5 Bakerview-Grandview study]

11. Update the map of the regional system of all-weather roads on an annual basis.

[PW does this]

12. Complete the Guide Meridian Study to ensure appropriate land use and transportation improvements on Guide Meridian.

[Outdated - most of study area annexed]
13.—Review and update Washington State Access Management Plans consistent with the Land Use chapter and the Transportation chapter.

[PW adopts WSDOT access management standards in Design guidelines Chapter 5]

14.—Develop a Whatcom County "Access Management Plan."

[PW administers access management through the Design guidelines, chapter 5, including adoption of WSDOT access standards]

15.—Amend existing regulations to support designs which address internal and external pedestrian circulation and transit access, and encourage the use of shared-access-roads

[WC Design Standards are kept up to date by PW Engineering]

Incentives

16.—Amend current regulations to offer incentives for projects which are transit compatible.

[See Policy 6A-4]

17.—Develop incentives in Whatcom County to provide designs that encourage usage of high-occupanecy vehicles.

18.—Develop incentives in Whatcom County to encourage safe, non-motorized transportation, such as scenic and efficient, off-road transportation corridors

Transit

19.—Initiate a program in conjunction with Whatcom Transportation Authority to identify and satisfy rural transportation needs.

[WTA includes rural area in their service planning; County representatives will be part of the 2015 WTA strategic plan process]

20.—Work with the Whatcom Transportation Authority to identify rights-of-way and property needed for park-and-ride lots and intersection improvements.

[P&R lots have mainly been located in cities. WTA coordinates with County on ROW/intersection issues and opportunities in the County.]

Education
21. Work with Whatcom Transportation Authority to increase public knowledge of public transit options.

[Covered by Policy 6D-3]

**Monitoring**

22. Gather additional information on passenger and commodity transportation to and from Canada.

[Done by WCOG]

23. Monitor fluctuations in Canadian commercial and passenger vehicle traffic and review recommendations in this plan based on changes in trends.

[Done by WCOG]

**Inter-Jurisdiction Coordination**

24. Formulate a recommendation to the Regional Transportation Planning Organization to explore new transportation funding sources and innovative solutions to transportation problems.

[WC participates in WCOG’s TTAG; see Policy 2F-2]

**Recommended Transportation Improvements**

[Outdated – new project list will be added into Chapter 6]

In addition to the above recommended actions, a preferred road improvement network is recommended. **Map 16** identifies necessary major road improvements over the next twenty years to accommodate future desired growth patterns. The plan is based on future projections of revenues balanced with needs to maintain desired levels of service and correct existing deficiencies. Recommended transportation improvements are based on the premise that the City of Bellingham will complete its project improvements. Within six years, they are as follows:

- **Yew Street Rd/Samish Connector:**
  Add a street connecting Yew Street (San Juan Boulevard) and Samish Way.

- **Sunset Drive:**
  From Woburn St. to City limits, widen to five lanes.

Major twenty-year County and State improvements described in the preferred alternative are the following:
• **Guide Meridian:**
  From Bellingham City Limits to Pole Road, widen Guide Meridian to five lanes.
  From Pole Road to the Canadian Border, widen Guide Meridian to four lanes;
  two lanes in each direction.

• **Mt. Baker Highway:**
  From Bellingham City Limits to the intersection with SR9 north, improve to
two lanes in each direction.

• **E. Badger Road:**
  From Garrison Road to Guide Meridian, widen existing lanes, improve
shoulders.

• **Hannegan Road:**
  From Bellingham City limits to Smith Road, widen to four lanes. From
Bellingham to Lynden, add turn lanes at intersections as needed.

• **SR9:**
  From Siper Road to Mt. Baker Highway, improvement for safety purposes;
recognizing the residential character.

• **SR9:**
  From Canadian border to Badger, realign.

• **Slater Road:**
  From Northwest to Hannegan, extend two lanes.

For long-range planning and future right-of-way use monitor the need for the
following improvements:
• **Lincoln**
  Widen and extend to Blaine Road.

• **Blaine Road:**
  From Birch Bay–Lynden road to I-5, widen to four lanes.

• **SR9:**
  From Badger to Nugent’s Corner, improve alignment.

• **Slater:**
  From Hannegan to Mt. Baker Highway, connect with two lanes.

• **Lake Louise Road:**
  Improve in conjunction with installation of Water District #10 sewer line.

Other recommended 20-year improvements, including road reconstruction projects;
are set forth in the Whatcom Transportation Plan—A Combined Metropolitan and
Revisions to the Growth Management Act, adopted under House Bill 1487 in 1998, indicate that the County’s Comprehensive Plan must incorporate planning for state highways, consistent with state and regional transportation planning efforts.

The Washington State Highway System Plan 2003-2022 was adopted by the state in February of 2002. This plan includes improvement strategies for the state highway system over a 20-year planning period. Specific state highway improvement strategies in this plan include:

- Widening I-5 from the Skagit County line to Blaine, improving interchanges along I-5, and constructing park and ride lots along I-5.

- Widening State Route 9 from the Skagit County line to Sumas.

- Widening State Route 539 (Guide Meridian) from Horton road to the border.

- Widening State Route 542 (Mt. Baker Highway) from Britton Rd. to Kendall.

- Widening State Route 544 (Pole Rd./Everson-Goshen Rd.) from the Guide Meridian to Nooksack.

- Widening State Route 546 (Badger Rd.) from Guide Meridian to State Route 9.

- Widening State Route 548 (Grandview Rd./Blaine Rd.) from I-5 to Blaine.

- Improving stormwater runoff and eliminating fish barriers along state highways.

[Outdated – current project list will be added to Chapter 6]

**Recommended Non-Motorized Transportation Facilities**

Develop detailed project proposals for a safe system of bikeways and walkways in Whatcom County, including identification of available funding sources and implementation plans, emphasizing the projects below. Implement these projects as funding becomes available.

**Map 17** displays a proposed system of bicycle routes and facilities in Whatcom County:

1. Install dedicated bicycle lanes in accordance with WSDOT standards on the following roadways:
   - Hwy 542 from Bellingham City limits to Hwy 9 southbound.
   - Bakerview Rd.
2. Pursue implementation of the following off-road transportation corridors:

- Coast Millennium Trail—Complete off-road segments between Marine Drive and Ferndale, including a possible bicycle/pedestrian bridge connecting Pioneer Park and Saunder Park. In addition, pursue scenic, non-motorized segments along the bluffs between Ferndale and Birch Bay, through purchase or long-term agreements with landowners.

- Hertz North Lake Whatcom Trail Extension—Between eastern terminus of existing trail and Blue Canyon Road. Also install a safe non-motorized route, including a separated path where physically and financially feasible, along North Shore road between Bellingham City limits and the North Shore trailhead.

- Bay to Baker Trail—Between Bellingham City limits and Maple Falls.

- Nooksack River Trail—between Ferndale and Glacier.

- Galbraith Connectors—Between Yew Street and Lake Louise Boulevard.

- Stewart Mt. Connectors—Between east end of Smith road and Van Zandt and between Y road, Northshore trailhead and the South Fork Nooksack Valley.
Memorandum

TO: WHATCOM COUNTY COUNCIL
FROM: Astrid Newell, Community Health Manager
DATE: MARCH 15, 2016
RE: HEALTH REVIEW OF 2016 COMPREHENSIVE PLAN--TRANSPORTATION CHAPTER

Overview:
As one step in the implementation of the County’s Healthy Planning Resolution #2015-038, Whatcom County Health Department (WCHD) staff will provide an overview of health recommendations for selected chapters of the 2016 Comprehensive Plan Update to the County Council. The attached matrix includes recommendations for the Transportation Chapter that were provided to County Planning and Development Services (PDS) staff and describes current status in the Planning Commission’s recommended draft.

Process:
The process for developing and incorporating the recommendations included:
- Technical review of the 2008 Comprehensive Plan by Alta Planning and Design (2013), identifying opportunities to strengthen specific policies in the plan from a health perspective
- Planning workshop to prioritize health topics and associated policy recommendations with Public Health Advisory Board (PHAB), PDS staff, Health Department staff, and community stakeholders (March 2014)
- Refinement of policy recommendations based on PHAB, County PDS, and stakeholder input (Spring 2014)
- Correspondence and connection with County PDS to integrate recommendations into draft chapters, as feasible and appropriate
- Support for PHAB feedback to Planning Commission on specific issues and recommendations
- Review and analysis of the status of health recommendations in the Planning Commission’s draft chapters.
**Recommendations:**
All of WCHD's policy recommendations were either included in the 2016 draft or otherwise adequately addressed. Additionally, two new sections in the 2016 Transportation Chapter, Multimodal Approach (Goal 6E) and Bicycle and Pedestrian Facilities (Goal 6F) address several of the priorities identified through the WCHD comprehensive plan review process and the policies recommended by WCHD staff. Several policies in the chapter acknowledge the need for bicycle and pedestrian services in areas of urban growth, which was one of the main priorities identified through WCHD's review process. Lastly, PDS also included language in the introduction to the section on Intergovernmental Coordination and Implementation that calls out WCHD as a "participant in transportation planning", acknowledging the critical link between transportation and health, and Policy 6G-6 directs PDS to "coordinate with the Whatcom County Health Department regarding transportation's role in promoting safe and healthy communities."
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>6A-4</td>
<td>Policy 6A-4: For proposed developments in designated urban growth areas, increase the volume-to-capacity ratio standard for impacted transportation facilities by 0.05 if at least one of the following amenities is existing or is committed to being provided as part of the development: • Transit service and stop within one quarter mile walking distance accessible from the development using non-motorized facilities that meet or are functionally equivalent to Whatcom County Road Standards. • Non-motorized facilities that meet or are functionally equivalent to Whatcom County Road Standards along the impacted facility.</td>
<td>Keep</td>
<td>Low</td>
<td>Retained</td>
<td>A, B</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6D</td>
<td>GOAL 6D: Support land use planning efforts in Whatcom County which include land use types and densities that reduce reliance on single-occupant vehicles.</td>
<td>Keep</td>
<td>High</td>
<td>Retained</td>
<td>A, B, G, I</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Key to Associated Evidence-based Health Impacts

Physical Activity
A: Walkable neighborhood design encourages physical activity.
B: Transit is associated with increased levels of physical activity.
C: Well-designed and accessible parks provide a space to be active, and are correlated with increased rates of physical activity.

Mental Health
D: Places that encourage or enable physical activity can help prevent and treat depression.
E: Neighborhood characteristics, including aspects of the built environment, are associated with mental health outcomes.

Injury & Safety:
F: Roadway design affects pedestrian, bicyclist, and motor vehicle safety.

Healthy Food Access
G: Proximity to a healthy food retail source is associated with better individual eating habits and reduced risk for obesity and diet-related diseases, such as type-2 diabetes.
H: Local food production increases access to healthy foods.
I: The types of stores available in a neighborhood affect food access.

Social Connectedness
J: Safe and inviting public places, such as open spaces, parks and community gathering places, promote social connectedness and health.
K: Walkable, mixed-use neighborhood design can encourage social cohesion.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>6D-1</td>
<td>Policy 6D-1: Allow densities and mixed uses in land use planning to reduce the number and length of vehicle trips, increase opportunity to use public transportation, and encourage pedestrian and bicycle trips.</td>
<td>Keep</td>
<td>High</td>
<td>Retained</td>
<td>A, B, G, I, D, E</td>
<td>&quot;land use planning&quot; changed to &quot;urban areas&quot;</td>
<td></td>
</tr>
<tr>
<td>6J-2</td>
<td>Policy 6J-2: Support the possibility of transit and/or other alternative modes for east/west mobility.</td>
<td>Keep</td>
<td>High</td>
<td>Retained; moved to Policy 6C-7</td>
<td>B</td>
<td>Multiple community input processes have identified this as a key barrier to accessing essential services.</td>
<td></td>
</tr>
<tr>
<td>6L-1</td>
<td>Policy 6L-1: Facilitate the implementation of the Commute Trip Reduction Program.</td>
<td>Keep</td>
<td>Low</td>
<td>Retained; moved to Policy 6L-1</td>
<td>A, B, D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6M-1</td>
<td>Policy 6M-1: Encourage safe and efficient bikeways that link populated areas of the county with travel destinations.</td>
<td>Change/Add</td>
<td>Medium</td>
<td>Changed; addressed in Goal 6F and Policy 6F-1</td>
<td>A, F</td>
<td>Add: pedestrian connections</td>
<td></td>
</tr>
<tr>
<td>6M-3</td>
<td>Policy 6M-3: Where practical, identify site-specific on-street/road improvements needed for bicycle/pedestrian facilities along arterials and provide for regular shoulder sweeping and other maintenance as needed.</td>
<td>Keep</td>
<td>High</td>
<td>Removed</td>
<td>A, D, F, K</td>
<td>Add: (1) Policy supporting walkability audits to identify locations Note: WCHD is a potential partner for walk audits and prioritization. (2) Policy that adds shoulders to rural roads.</td>
<td>Language on maintenance and sweeping removed as it is not the appropriate level of specificity for the comp plan. Policy 6F-2 addresses provision of bicycle and pedestrian facilities in areas of significant use and Policy 6F-1 address connectivity of bike/ped network.</td>
</tr>
<tr>
<td>Goal/Policy</td>
<td>2008 Comp Plan Goal Language</td>
<td>Recommendation</td>
<td>Priority Ranking (High-Medium-Low)</td>
<td>Status in Planning Commission Recommended Draft</td>
<td>Associated Health Impacts</td>
<td>2014 Notes to PDS:</td>
<td>2016 Notes:</td>
</tr>
<tr>
<td>-------------</td>
<td>----------------------------</td>
<td>----------------</td>
<td>-----------------------------------</td>
<td>-----------------------------------------------</td>
<td>--------------------------</td>
<td>------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>6M-4</td>
<td>Policy 6M-4: Identify needed rights-of-way for bicycles.</td>
<td>Change/Add</td>
<td>High</td>
<td>Removed, but addressed by Policies 6F-1 and 6E-2</td>
<td>A, D, F</td>
<td>Change: Identify needed rights of way to develop a connected network for bicycle and pedestrian travel.</td>
<td>Old policy was removed as it was not clear what specific action would be required. Policy 6F-1 and 6E-2 address WCHD recommendations through planning and design for connectivity and multimodal design.</td>
</tr>
<tr>
<td>6M-5</td>
<td>Policy 6M-5: Include internal pedestrian circulation systems as well as links to external systems in development projects.</td>
<td>Keep</td>
<td>High</td>
<td>Removed, but addressed in Policies 6F-2 and 6F-3</td>
<td>A, D, E, F</td>
<td>See PA policy priorities for more additions here. Prioritize projects located in low SES, high minority, and/or high youth areas.</td>
<td></td>
</tr>
<tr>
<td>6M-6</td>
<td>Policy 6M-6: Develop a system of off-road trail networks for non-motorized transportation to link population centers, employment centers and recreation areas.</td>
<td>Keep</td>
<td>Medium</td>
<td>Removed</td>
<td>A, D, F</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6M-7</td>
<td>Policy 6M-7: Implement a policy of providing safe pedestrian and bicycle access on county roads that have significant pedestrian and bicycle traffic as these roads are reconstructed, preferably by adding separated facilities or alternately by providing 4 foot minimum shoulders. Specifically, safe pedestrian facilities should be provided within a one mile radius of community places such as schools, markets and libraries if there is residential or other development that would generate significant foot-traffic within the one mile radius.</td>
<td>Change/High</td>
<td>High</td>
<td>Removed, but addressed in Policies 6E-2 and 6E-3 (multimodal approach) and in Policies 6F-2.</td>
<td>F</td>
<td>Add: Language that prioritizes facilities in areas with low SES, high minority, high youth populations. Change: &quot;Implement a policy for providing safe pedestrian and bicycle access on county roads that serve dense populations and link residents with services and destinations...&quot; Further prioritization for bike/ped facilities is also addressed in Policy 6F-4.</td>
<td></td>
</tr>
<tr>
<td>Goal/Policy</td>
<td>2008 Comp Plan Goal Language</td>
<td>Recommendation</td>
<td>Priority Ranking (High-Medium-Low)</td>
<td>Status in Planning Commission Recommended Draft</td>
<td>Associated Health Impacts</td>
<td>2014 Notes to PDS:</td>
<td>2016 Notes:</td>
</tr>
<tr>
<td>-------------</td>
<td>------------------------------</td>
<td>----------------</td>
<td>-----------------------------------</td>
<td>-----------------------------------------------</td>
<td>--------------------------</td>
<td>-----------------</td>
<td>-------------</td>
</tr>
<tr>
<td>6E</td>
<td>GOAL 6E: Provide a transportation system that minimizes environmental and social impacts, reduces reliance on fossil fuels....</td>
<td>Keep</td>
<td>Medium</td>
<td>Moved to Goal 6H</td>
<td>A, D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6F-1</td>
<td>Policy 6F-1: Develop programs that reduce single-occupant vehicle use and vehicle miles traveled, minimizing trip length and reducing travel during peak periods....</td>
<td>Keep</td>
<td>Low</td>
<td>Retained; moved to Policy 6I-1</td>
<td>A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6H</td>
<td>GOAL 6H: Ensure an efficient regional system of arterials that is functional, safe, and consistent with regional priorities and city and county comprehensive plans....</td>
<td>Keep</td>
<td>Low</td>
<td>Retained; moved to Policy 6C-1</td>
<td>D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6M-2</td>
<td>Policy 6M-2: Recognize public safety, education and law enforcement as integral to the development of bicycle transportation opportunities in Whatcom County.</td>
<td>Change/Add</td>
<td>Low</td>
<td>Removed</td>
<td>F</td>
<td>Add: pedestrian transportation</td>
<td>Policy removed as it was not actionable.</td>
</tr>
<tr>
<td>6B</td>
<td>GOAL 6B: Create a cost-effective transportation system that optimizes public investment.</td>
<td>Keep</td>
<td>Med</td>
<td>Retained</td>
<td>A</td>
<td></td>
<td>Additional language added that prioritizes projects based on safety, roadway preservation and concreancy.</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------------------------</td>
<td>-----------------------------------</td>
<td>------------------------------------</td>
<td>-----------------------------------------------</td>
<td>--------------------------</td>
<td>-------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>GB-2</td>
<td>Policy GB-2: Develop a fair and equitable formula to assess development for transportation improvements, including but not limited to transit, pedestrian facilities, bikeways and roadways that are considered reasonably necessary as a direct result of proposed developments in Whatcom County.</td>
<td>Keep</td>
<td>High</td>
<td>Retained.</td>
<td>A, D</td>
<td>&quot;Develop&quot; changed to &quot;use&quot;</td>
<td></td>
</tr>
<tr>
<td>GB-4</td>
<td>Policy GB-4: Adopt a prioritized bicycle capital facilities improvement plan.</td>
<td>Change/Add</td>
<td>High</td>
<td>Removed</td>
<td>A</td>
<td>Add: pedestrian facilities</td>
<td></td>
</tr>
<tr>
<td>GB-7</td>
<td>Policy GB-7: Identify and pursue funding sources for activities and improvements which encourage the use of transportation modes other than the single-occupant vehicle.</td>
<td>Keep</td>
<td>High</td>
<td>Retained; moved to 6K-1</td>
<td>A, B, D, K</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GB-8</td>
<td>Policy GB-8: Use the financial resources available for transportation improvements to support a program of capital facilities needed for a multi-modal transportation system. The priority ranking system should balance the overall system and individual improvement needs.</td>
<td>Change/Add</td>
<td>High</td>
<td>Addressed in new section on Multimodal Approach and in prioritization criteria included in Policy 6F-4.</td>
<td>A, B</td>
<td>Add: Language that prioritizes (1) improvements in low SES, high minority, high youth populations; (2) active modes of transportation. Delineate how priority ranking system will be administered</td>
<td></td>
</tr>
<tr>
<td>Goal/Policy</td>
<td>2008 Comp Plan Goal Language</td>
<td>Recommendation Change/Add</td>
<td>Priority Ranking (High-Medium-Low)</td>
<td>Status in Planning Commission Recommended Draft</td>
<td>Associated Health Impacts</td>
<td>2014 Notes to POS:</td>
<td>2016 Notes:</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------------------------</td>
<td>---------------------------</td>
<td>-------------------------------------</td>
<td>-----------------------------------------------</td>
<td>--------------------------</td>
<td>----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>6B-11</td>
<td>Policy 6B-11: Explore the possibility of encouraging cooperative funding for bicycle trails.</td>
<td>Change/Add</td>
<td>High</td>
<td>Removed</td>
<td>A, D, K</td>
<td>Add: pedestrian Change: &quot;encouraging&quot; to &quot;partnering to support&quot;</td>
<td>Policy removed as it was not actionable.</td>
</tr>
<tr>
<td>6C-7</td>
<td>Policy 6C-7: Work with the Whatcom Council of Governments to develop effective, ongoing mechanisms for city and county public works engineers and planners to coordinate with transit and bicycle planning.</td>
<td>Keep</td>
<td>High</td>
<td>Removed</td>
<td>A, B, D, K</td>
<td>Add: pedestrian</td>
<td>WCOC's Transportation Technical Advisory Group is the mechanism for this coordination; a policy is not required.</td>
</tr>
<tr>
<td>6D-5</td>
<td>Policy 6D-5: Ensure that new developments provide safe and efficient infrastructure for pedestrians and bicyclists.</td>
<td>Keep</td>
<td>High</td>
<td>Retained</td>
<td>F</td>
<td>Are there design guidelines already in place for this?</td>
<td></td>
</tr>
<tr>
<td>6K-3</td>
<td>Policy 6K-3: Support multi-modal use by encouraging, for example, provision of secure bicycle storage facilities at park-and-ride lots and other transit facilities, and allowing for the transporting of bicycles on public transit vehicles.</td>
<td>Keep</td>
<td>Low</td>
<td>Retained; moved to Policy 6I-5</td>
<td>A, D, F, K</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6K-4</td>
<td>Policy 6K-4: Support a regional public transit system with various modes of transportation including auto, bicycle, and pedestrian travel and with the intercity bus, rail, ferries and airline facilities.</td>
<td>Keep</td>
<td>Medium</td>
<td>Retained; moved to Policy 6I-2</td>
<td>A, B, D, K</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Goal/Policy</td>
<td>2008 Comp Plan Goal Language</td>
<td>Recommendation</td>
<td>Priority Ranking (High-Medium-Low)</td>
<td>Status in Planning Commission Recommended Draft</td>
<td>Associated Health Impacts</td>
<td>2014 Notes to PDS:</td>
<td>2016 Notes:</td>
</tr>
<tr>
<td>-------------</td>
<td>-----------------------------</td>
<td>----------------</td>
<td>------------------------------------</td>
<td>-----------------------------------------------</td>
<td>-------------------------</td>
<td>------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>GOAL 6L: Support commuter use and employer promotion of alternative modes of transportation (i.e., carpools, vanpools, transit, bicycles and pedestrian travel) where feasible and discourage reliance on the single-occupant vehicle.</td>
<td>Keep</td>
<td>Low</td>
<td>Removed, but addressed in Goal 6I and Policy 6I-1</td>
<td></td>
<td>A, B, D, K</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy 6L-3: Support educational efforts that emphasize non-motorized transportation alternatives.</td>
<td>Keep</td>
<td>Medium</td>
<td>Removed.</td>
<td></td>
<td>A, D, K</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GOAL 6M: Promote bicycle and pedestrian travel by systematically providing safe and convenient routes and facilities where feasible.</td>
<td>Change/Add</td>
<td>High</td>
<td>Removed, but addressed in Goal 6F</td>
<td></td>
<td></td>
<td>Add: Add policies that prioritize facilities within UGAs</td>
<td>Policies under Goal 6F make clear that urban growth areas are priorities for bicycle and pedestrian facilities.</td>
</tr>
<tr>
<td>Policy 6M-8: Implement as a priority the goals, policies and recommendations of the latest Whatcom County Bicycle Plan.</td>
<td>Keep</td>
<td>High</td>
<td>Removed, but addressed by Goal 6J and subsequent policies</td>
<td></td>
<td>A, D, F, K</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GOAL 6N: Support Whatcom Transportation Authority in providing high-quality, safe, convenient, accessible public transportation, where cost effective, for the public as an attractive alternative to single-occupant vehicles.</td>
<td>Keep</td>
<td>Medium</td>
<td>Removed, but addressed by Goal 6J and subsequent policies</td>
<td></td>
<td></td>
<td></td>
<td>B</td>
</tr>
<tr>
<td>532</td>
<td>Goal/Policy</td>
<td>2008 Comp Plan Goal Language</td>
<td>Recommendation</td>
<td>Priority Ranking (High-Medium-Low)</td>
<td>Status in Planning Commission Recommended Draft</td>
<td>Associated Health Impacts</td>
<td>2014 Notes to PDS:</td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
<td>------------------------------</td>
<td>----------------</td>
<td>------------------------------------</td>
<td>-----------------------------------------------</td>
<td>---------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>6N-1</td>
<td>Policy 6N-1: Support public transit system design that encourages frequent and convenient access points, and that integrates various transportation modes into the transit services, such as bus systems, park-and-ride lots for cars and bicycles, and bus, railroad and airline terminal facilities.</td>
<td>Keep</td>
<td>Medium</td>
<td>Removed, but addressed by Goal 6I and Policy 6I-4</td>
<td>B</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6N-4</td>
<td>Policy 6N-4: Participate in investigating the potential for expanding express bus service and other forms of high-capacity transit.</td>
<td>Keep</td>
<td>Low</td>
<td>Removed.</td>
<td>B</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6N-5</td>
<td>Policy 6N-5: Coordinate with Whatcom Transportation Authority to establish rural transit service in unincorporated areas, including Rural Communities, consistent with county land use plans, based on cost effectiveness, location of major trip generators, distance between generators, and the needs of transit-dependent individuals.</td>
<td>Keep</td>
<td>High</td>
<td>Retained; moved to Policy 6I-3</td>
<td>B</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6N-8</td>
<td>Policy 6N-8: In cooperation with Whatcom Transportation Authority and Washington State Department of Transportation, provide park-and-ride lots along major corridors and provide necessary services to encourage their use.</td>
<td>Keep</td>
<td>Medium</td>
<td>Retained; moved to Policy 6I-4</td>
<td>B</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Goal/Policy</td>
<td>2008 Comp Plan Goal Language</td>
<td>Recommendation</td>
<td>Priority Ranking (High-Medium-Low)</td>
<td>Status in Planning Commission Recommended Draft</td>
<td>Associated Health Impacts</td>
<td>2014 Notes to PDS:</td>
<td>2016 Notes:</td>
</tr>
<tr>
<td>-------------</td>
<td>-----------------------------</td>
<td>----------------</td>
<td>-----------------------------------</td>
<td>-----------------------------------------------</td>
<td>--------------------------</td>
<td>----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>6N-10</td>
<td>Policy 6N-10: Consider, where needed, bus pull-outs on street/road improvements</td>
<td>Keep</td>
<td>Medium</td>
<td>Retained; moved to Policy 6I-6</td>
<td>B, F</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TRANSPORTATION – ACTION PLAN</td>
<td>Change/Add</td>
<td>High</td>
<td>Transportation Action Plan removed</td>
<td>A, D, F, K</td>
<td></td>
<td>Action Plan items were removed and incorporated into policy. Bike/ped facilities are included in new section 6F.</td>
</tr>
</tbody>
</table>

**Possible additions:**

<table>
<thead>
<tr>
<th>Goal/Policy</th>
<th>Sample Language</th>
<th>Recommendation</th>
<th>Priority Ranking (High-Medium-Low)</th>
<th>Status in Planning Commission Recommended Draft</th>
<th>Associated Health Impacts</th>
<th>2014 Notes to PDS:</th>
<th>2016 Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Work with local transit agencies to ensure that bus routes provide service from underserved neighborhoods to healthy food retail outlets.</td>
<td>Add</td>
<td>High</td>
<td>Not added.</td>
<td>B, G</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>----------------</td>
<td>----------------------------------</td>
<td>------------------------------------</td>
<td>-----------------------------------------------</td>
<td>---------------------------</td>
<td>-----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>34</td>
<td>Design guidelines specific to USAs and subdivisions: a. Require developers to build facilities for walkers, bicyclists, and wheelchairs in all new developments (e.g., sidewalks, ramps, bicycle racks) b. Reduce parking requirements for developments that locate near transit (e.g., within a quarter-mile of a transit stop) and that provide walking, biking, and disability access facilities. c. Require transportation engineers to meet level of service standards for pedestrians and cyclists in addition to those established by cars (e.g., sidewalks, crosswalks, bike lanes). d. Support walkability audits to identify inconvenient or dangerous routes and prioritize infrastructure improvements in communities with the most need. e. Have street design guidelines address sidewalk width and materials, lighting, signage, landscaping, way finding, crosswalks, curb ramps, refuge islands, corner radii, and signals.</td>
<td>Add</td>
<td>High</td>
<td>a. Added in Policy 6F-6 b. Not added c. Not added; addressed by Policy 6E-2 and in the introduction to section 6F d. Not added e. Design guidelines address in Policy 6E-7.</td>
<td>A, B, D, E, F, I, K</td>
<td>c. The introduction to Section 6F notes that level of service for bicycle and pedestrian facilities is best addressed by quality of these facilities rather than quantifiable measures as for automobiles. See also Policy bike 6F-2.</td>
<td></td>
</tr>
</tbody>
</table>
### Possible additions:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Develop area plans and design schemes in ways that encourage safe and convenient pedestrian, bike and transit connections between neighborhoods and food sources. Ensure that pedestrian routes and sidewalks are integrated into continuous networks.</td>
<td>Add</td>
<td>High</td>
<td>Not added; connectivity of network addressed in Policy 6F-1</td>
<td>A, B, F, G, J, K</td>
<td></td>
<td>See also Policy 6F-1</td>
</tr>
<tr>
<td></td>
<td>Adopt roadway design guidelines that enhance street connectivity.</td>
<td>Add</td>
<td>High</td>
<td>Policy 6F-1 calls for the adoption of design guidelines</td>
<td>A, D, F, K</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ensure that pedestrian routes and sidewalks are integrated into continuous networks. Require high standards of connectivity in new developments, including short block sizes (USA specific).</td>
<td>Add</td>
<td>High</td>
<td>Added in Policies 6F-1, 6F-5 and 6F-6</td>
<td>A, D, F, K</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Where possible, establish &quot;one-off&quot; routes for cyclists and pedestrians that are parallel to major commercial streets or auto routes but with slower, lighter traffic.</td>
<td>Add</td>
<td>High</td>
<td>Not added</td>
<td>A, D, F, K</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Proposed Council Changes to Comprehensive Plan

Chapter 6 – Transportation

Page and line numbers reflect Planning Commission Recommended Draft (1/14/16). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1) p. 6-2; lines 29-32: This chapter supports County-Wide Planning Policies by encouraging alternative modes of transportation through goals, and policies, and actions. It includes policies on demand management strategies and considers inter-county and international transportation links. (Brenner)

2) p. 6-4; lines 16-20: The Port of Bellingham owns and operates three seaport facilities within the city of Bellingham, (Bellingham Shipping Terminal, Squalicum Harbor, and Bellingham Cruise Terminal) and one in the city of Blaine (Blaine Harbor). The Bellingham Cruise Terminal acts as the southern terminus of the Alaska State Ferry System and host to private cruise vendors. (Brenner)

3) p. 6-4; lines 34-36: Privately owned and operated airports exist in Point Roberts (Point Roberts Airpark), and on Lake Whatcom (Floathaven SPB), and near Custer (Meadow Mist). (Brenner)

4) p. 6-5; lines 4-6: The transit system includes transit stations in Bellingham, Ferndale, and Lynden, three of which include park and ride lots. There are a total of XX park and ride lots in Whatcom County. (Brenner)

5) p. 6-6; lines 19-22: GMA requires counties to adopt level of service (LOS) standards for arterials and for islands connected to the mainland only by ferry route. For purposes of concurrency management, Whatcom County adopts level of service (LOS) standards for motor vehicle travel on county-owned arterials, and major collectors and the ferry, per GMA requirements (see Policy 6A-1 and Map 6-2). (Brenner)

6) p. 6-7; lines 16-22: GMA also requires counties to include a level of service for transit routes in the transportation element. Whatcom Transit Authority, the only public transit agency in the County, establishes its levels of service in its Strategic Plan document; this chapter references those adopted standards. For modes of transportation other than motor vehicles, and transit, and ferry, Whatcom County does not establish levels of service based on volumes, but instead focuses on the quality of service through planning and design (see Goals 6D and 6E below). (Brenner)
7) p. 6-9; Policy 6A-1: Establish the following levels of service (LOS) for purposes of maintaining transportation concurrency:

- Ferry LOS standard is currently 513 ferry passenger trips annually per capita Lummi Island population. Note: The Lummi Island Ferry Advisory Committee (LIFAC) is cooperating with Public Works to develop an updated LOS standard. LIFAC will present a revision to this section when that work is complete. (Brenner)

8) p. 6-11; line 3-6: For the roadways classified as arterials, and ferries providing sole public transportation to islands, the GMA requires the County to prohibit development approval – or assure needed improvements concurrent with development -- if the development causes the level of service to fall below adopted standards. (Brenner)

9) p. 6-12; lines 9-12: The segments where County-owned roadways classified as arterials fall below the adopted LOS standards in 2036 are Hannegan Road between Van Wyck Road and Kelly Road (1.01 mile), and Lakeway Drive between the Bellingham City Limits and Terrace Avenue (0.63 mile). (Brenner)

10) p. 6-12; lines 38-40: Accordingly, in deciding how best to use its finite resources, the County must prioritize among many competing items, including new projects as well as preservation, operation, and maintenance of existing facilities. (Brenner)

11) p. 6-14; Policy 6B-1: Programming of transportation programs and improvements should prioritize upgrading of unsafe and/or structurally deficient facilities and preservation and maintenance of the existing transportation system over new capital improvements. Exception to this policy should be allowed when a cost/benefit analysis indicates that the public interest is better served by new capital expenditures over preservation of existing infrastructure, or when capacity-increasing improvements are necessary to correct level of service deficiencies on County-owned roads and ferries to meet GMA concurrency requirements. (Brenner)

12) p. 6-14; Policy 6B-2: Use a fair and equitable formula to assess development for transportation improvements, including but not limited to transit, pedestrian facilities, bikeways, ferry, and roadways that are considered reasonably necessary as a direct result of proposed developments in Whatcom County. (Brenner, Weimer)

13) p. 6-15; lines 31-35: Whatcom County's program of arterial and collector improvements addresses the following elements: uncongested traffic flow; sound engineering and construction; safety; mobility; facilities for public transit,
bicycles, and pedestrians; access to air, rail, ferry, and other forms of transportation; and cost effectiveness. (Brenner, Weimer)

14) p. 6-15; Policy 6C-1: For road classifications higher than local access roads, develop access control plans which may include joint driveways, and require new developments to minimize the number of access points. (Brenner)

15) p. 6-16; New Policy 6C-1: Conduct a ferry feasibility study to inform the next Comprehensive Plan update so that sufficient planning, engineering, design and cost detail is available to use in competing for grants and other sources of funding for a replacement ferry. The ferry feasibility study should determine type of boat, dock and other amenities that will be needed for a replacement ferry; estimate sea level rises over the next 50-70 years; and address elements such as, but not limited to, future demand and use based on projected demographics, boat size, boat technology, service plan, dock and other amenities, safety, and costs, including operating and maintenance costs, a timeline for implementation, a funding strategy and a public review process. LIFAC should provide input on the scope of work and any consultants or vendors retained, as well as reviewing and providing input on key milestones. (Brenner, Weimer)

16) p. 6-17; lines 25-30: Whatcom County’s transportation facilities must accommodate a variety of transportation modes including automobiles, bicycles, pedestrians, buses, ferries, emergency vehicles, commercial vehicles, and agricultural equipment. In the planning, design, and construction of these facilities, the County must balance the needs of all users in all modes, and make the improvements appropriate to the context of the area. (Brenner, Weimer)

17) p. 6-17; Policy 6E-1: Adopt and use design standards that follow current best practices for balancing the needs of all modes of transportation, including motorized modes (automobile, commercial trucks, agricultural equipment, emergency vehicles, buses, airplanes, boats, trains, and ferries) and non-motorized modes (bicyclists of all ages and skill levels, and pedestrians with or without disabilities). While not all modes can be accommodated fully in all areas, the County will work to achieve the best balance possible, given the context of the area and budgetary constraints. This shall include an efficient and effective number of bus trips per day to adequately serve existing communities outside cities and UGAs. (Brenner)

18) p. 6-18; lines 24-29: Level of service for pedestrians and bicyclists involves different characteristics than capacity and speed. Design should maximize the quality of the service rather than quantifiable measures of usage. Walkways serve pedestrians well when they provide a safe and convenient route. Pedestrians are also best served by adequate crosswalks. Bicyclists may be well served by a low speed
and traffic shared roadway lane in an urban location but may benefit from a
wide shoulder on a rural higher speed road. (Brenner)

19) p. 6-20; Policy 6F-5: Give priority to construction of pedestrian and bicycle facilities on streets within
and between urban growth areas and rural communities where practical, and
give priority to walkways and crosswalks along roadways within a one-mile
radius of schools. (Brenner)

20) p. 6-20; Policy 6F-6: For commercial and residential developments within urban growth areas and
rural communities, developers shall fund on-street walkways, paths, crosswalks,
and other pedestrian accommodations, along with internal walkways or paths
for on-site circulation that are necessary to provide pedestrian access from
public streets to building entrances and within and between buildings.
(Brenner)

21) p. 6-20 lines 32-34: Whatcom County Council Members are part of the WCOG’s Whatcom
Transportation Policy Board and the WTA Board of Directors. (Brenner)

22) p. 6-23; Policy 6H-1: Maintain and restore fish passage when constructing new transportation
systems. Where existing transportation systems have fragmented habitat, such
as where culverts prevent fish from migrating upstream, strive to restore fish
passage at every opportunity. For County transportation projects, the County
council will determine when such restoration is financially feasible through
adoption of the six-year transportation improvement program, the annual road
construction program, and the County budget. (Brenner)

23) p. 6-24; Policy 6H-8: Promote designs to preserve mature trees, unique wildlife habitats, water
quality, and other elements of the natural environment, including
environmentally sensitive areas and shorelines, during the design and
construction of road improvement projects. (Brenner)

24) p. 6-24; Policy 6H-10: Minimize the amount of impervious surface whenever practicable by using
natural engineering design methods such as the use of open, shallow, grassed
street swales instead of curbs and gutters and, where feasible, encouraging
alternate surfacing options. (Brenner)

25) p. 6-24; Policy 6J-1: Develop programs that reduce single-occupant vehicle use and vehicle miles
traveled, minimizing trip length and reducing travel during peak periods, in
order to minimize fuel consumption and the emission of greenhouse gases.
These programs include, but are not limited to, trip reduction programs in
coordination with major employers, and other jurisdictions, and WTA routes.
(Brenner)
26) p. 6-25; Policy 6J-4: Coordinate with Whatcom Transportation Authority and Washington State Department of Transportation to provide park-and-ride lots along major corridors and provide necessary and adequate services to encourage their use. (Brenner)

27) p. 6-25; Policy 6J-8: Explore enhanced bus service to Sudden Valley to reduce traffic in the Lake Whatcom watershed. Also add enhanced bus service to Lummi Island and Columbia Valley to reduce single-car emissions. (Brenner)
**WHATCOM COUNTY COUNCIL AGENDA BILL**

<table>
<thead>
<tr>
<th>CLEARANCES</th>
<th>Initial</th>
<th>Date</th>
<th>Date Received in Council Office</th>
<th>Agenda Date</th>
<th>Assigned to</th>
</tr>
</thead>
<tbody>
<tr>
<td>Originator:</td>
<td>County Cou</td>
<td>4/6/2016</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Division Head:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dept. Head:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prosecutor:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchasing/Budget:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TITLE OF DOCUMENT:**
Appointment to Law and Justice Council: Applicant Robert Hines

**ATTACHMENTS:**
Application and Resume

**SEPA review required?**
( ) Yes ( ) NO

**SEPA review completed?**
( ) Yes ( ) NO

**Should Clerk schedule a hearing?**
( ) Yes ( ) NO

**Requested Date:**

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Three year term ending January 31, 2019.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**
4/19/2016: introduced 7-0

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.
Board and Commission Application

Step 1

Application for Appointment to Whatcom County Boards and Commissions

Public Statement
THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.

First Name                  Robert
Last Name                   Hines
Date                        4/4/2016
Street Address              822 11th Street
City                        Bellingham
Zip                         98225
Do you have a different mailing address? Field not completed.
Primary Telephone           7033957196
Secondary Telephone         Field not completed.
Email Address               rjhnc52@aol.com

Step 2

1. Name of Board or Committee
   Law and Justice Council

2. Do you meet the residency, employment,
   Yes
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Which Council district do you live in?</td>
<td>District 1</td>
</tr>
<tr>
<td>4. Are you a US citizen?</td>
<td>Yes</td>
</tr>
<tr>
<td>5. Are you registered to vote in Whatcom County?</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Have you ever been a member of this Board/Commission?</td>
<td>No</td>
</tr>
<tr>
<td>7. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?</td>
<td>No</td>
</tr>
<tr>
<td>You may attach a resume or detailed summary of experience, qualifications, &amp; interest in response to the following questions</td>
<td>Resume Robert J Hines Apr 2016.pdf</td>
</tr>
<tr>
<td>8. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>9. Please describe why you’re interested in serving on this board or commission</td>
<td>I have spent my entire adult life in Public Service and would like to continue by assisting the citizens of Whatcom County.</td>
</tr>
<tr>
<td>References (please include daytime telephone number):</td>
<td>Kenneth Hines 425-941-7221</td>
</tr>
<tr>
<td>Signature of applicant:</td>
<td>Robert J Hines</td>
</tr>
</tbody>
</table>
Place Signed / Submitted  Bellingham, WA

(Section Break)

Email not displaying correctly? View it in your browser.
Robert J. Hines
822 11th Street
Bellingham, WA 98225
703-395-7196
Email: rjhnc52@aol.com
Current Clearance: Top Secret

Department of State 01/2012 – Present
Export Control and Related Border Security (EXBS)
EXBS Advisor/Trainer (Contractor)
Washington, DC

I have conducted basic and supervisory training for host country Border Police in operational tactics, planning and equipment. I have also provided courses in Human and Contraband Trafficking, Sign-Cutting, Ethics and Integrity, Fraudulent Documents, Officer Safety and Interdiction Techniques. I have taught courses in Albania, Bosnia, Chad, Ecuador, Jordan, Kosovo, Oman and Vietnam.

Homeland Security Investigations (HSI)
Resident Agent in Charge (Supervisory Criminal Investigator) GS-14 (Re-hired annuitant)
Yakima, WA

I supervised 11 Special Agents in the Yakima and Pasco, WA offices. HSI investigates violations of customs, immigration and banking laws. These violations include narcotics & weapons and human smuggling/trafficking, money laundering, child exploitation, trademark infringement and transnational crimes.

Office of Professional Responsibility
Senior Special Agent (Criminal Investigator) GS-14 (Re-hired annuitant)
Washington, DC

I conducted internal investigations of persons employed by or contract employees of DHS. I also reviewed programs to ensure compliance with existing policy, directives and laws governing government operations.

Potomac River Group
Leesburg, VA

I conducted training in Border Control Management for host country Border Security Forces, under the US Department of State Anti-Terrorism Assistance Program, in the countries of Bangladesh and Kenya. These were two-week training programs conducted in the requesting country.

Special Agent in Charge District of Columbia Office
Assistant Special Agent in Charge (ASAC) GS-15
Immigration and Customs Enforcement
Sterling, VA

I served as the supervisor for five criminal investigative groups and as such, supervised five Group Supervisors and approximately 65 Special Agents. I supervised the Asset Forfeiture/Money Laundering, Human Trafficking/Human Rights Violators, Violent Gang, and Narcotics Trafficking groups.
I supervised the Office of State and Local Coordination (OSLC). The OSLC was responsible for planning, coordinating and conducting training for State and Local police officers in federal immigration and customs law, once trained; these officers participated in ICE Task Forces.

US Immigration and Naturalization Service
Honolulu District Office Investigations 09/2001 – 03/2003
Honolulu, Hawaii
Supervisory Special Agent GS-13

I supervised 10 Special Agents working on the Joint Terrorist Task Force (JTTF), Organized Crime Drug Enforcement Task Force (OCDETF), immigration fraud, contraband/human trafficking and narcotics cases. I was detailed to Belgrade, Serbia, to assist the Serbian government in developing an Anti-Human Trafficking program March 2002 to July 2002.

US Border Patrol
Tucson Border Patrol Sector
Assistant Chief Patrol Agent 06/1996 – 9-2001 GS-14
Tucson, AZ

I supervised the daily operations of 6 Border Patrol Stations which included approximately 75 Supervisory Border Patrol Agents and 800 Patrol Agents. I also supervised the Anti-Smuggling and Intelligence programs, Air Operations, Communication Center, Fleet Management & Maintenance, and Human Resources.

US Border Patrol
Border Patrol Tactical Unit (BORTAC)
Commander BORTAC 05/1994 – 06-1996 GS 14
El Paso, TX

As the BORTAC Commander, I served as the senior tactical operations advisor to I&NS Commissioner. I also planned, coordinated and directed domestic and foreign tactical enforcement and training operations. I was the Border Operations Subject Matter Expert on US State Department Country Assessment Teams in Estonia, Lithuania and India.

US Border Patrol
Calexico Border Patrol Station
Assistant Patrol Agent in Charge (APAIC) 07/1992 – 05/1994 GS-13
Calexico, CA

As the APAIC I supervised the daily enforcement operations of the station and supervised 15 Supervisory Patrol Agents and 75 Border Patrol Agents.

US Border Patrol
USBP Special Operations Coordination Center
El Paso, TX

I planned, directed, coordinated and supervised drug interdiction operations along the South West Border of the United States, with Federal, State/Local law enforcement agencies. I served as a Team Leader for Operation SNOWCAP, a source country cocaine interdiction operation, in the Republic of Bolivia.
US Border Patrol

I served as a Border Patrol Agent and Supervisory Border Patrol Agent in the Stations listed above.

US Border Patrol and related experience:


06/1976 – Completed the US Army Counter-Intelligence Agent Course


04/1983 - Certified Border Patrol Instructor

06/1986 - Completed San Sheriff’s Special Weapons and Tactics School (SWAT)

09/1987 - Completed the US Border Patrol Tactical Training Course IV (BORTAC)
APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY COUNCIL BOARDS AND COMMISSIONS
PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: James T. Hulbert

Street Address: 3647 Woodlake Rd.

City: Bellingham

Mailing Address (if different from street address):

Day Telephone: (360) 671-6565  Evening Telephone: (360) 650-9771

Cell Phone: (360) 325-5461

E-mail address: jamesthulbert@gmail.com

Date: 4/12/16

1. Name of board or committee—please see reverse: Law and Justice Council

2. You must specify which position you are applying for. Please refer to vacancy list.

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you’re applying? (If applicable, please refer to vacancy list.) ( ) Yes ( ) No

4. Which Council district do you live in? ( ) One ( ) Two ( ) Three

5. Are you a US citizen? ( ) Yes ( ) No

6. Are you registered to vote in Whatcom County? ( ) Yes ( ) No

7. Have you ever been a member of this Board/Commission? ( ) Yes ( ) No

If yes, dates:

8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County? ( ) Yes ( ) No

If yes, please explain:

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

Attorney - Please see attached

10. Please describe why you’re interested in serving on this board or commission: Please see attached

References (please include daytime telephone number): Please see attached

Signature of applicant:

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the above information will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.
April 12, 2016

Office of the County Council
311 Grand Avenue, Suite 105
Bellingham, WA 98225

Re: Application for Law and Justice Council Vacancy

Dear Whatcom County Council:

I am writing to express my interest in serving on the Law and Justice Committee.

I was raised in Bellingham, attending Lowell Elementary School, Fairhaven Middle School and Sehome High School. I was employed as a Deputy Prosecuting Attorney in the Whatcom County Prosecuting Attorney’s Office for 18 years, from 1998 through 2016. In February of this year I left to take a position as an associate attorney at Adelstein, Sharpe & Serka in Bellingham.

I feel that my professional experience as a Deputy Prosecuting Attorney gives me a unique perspective that would be valuable to the Law and Justice Council. I am intimately familiar with issues of workflow in the Prosecuting Attorney’s Office, as well as issues impacting docket traffic in Whatcom County Superior Court. I have first-hand knowledge regarding local law enforcement practices and the exercise of prosecutorial discretion in the Whatcom County, and I know how both of these affect important public issues such as the Whatcom County Jail population on a daily basis.

During my time in the Prosecutor’s office I enjoyed a warm and productive relationship with virtually all of the defense bar. I believe that I was also appreciated by the Superior Court Judges for having a perspective beyond simply prosecuting and punishing offenders. To that end, I encourage you to contact Chief Public Defender Starck Follis, and any of the Superior Court Judges. Judge Snyder, in particular has seen me practice for the majority of my career. Both Mr. Follis and Judge Snyder’s contact information are in my attached resume.

Thank you for your consideration.

Very sincerely yours,

James T. Hulbert
James T. Hulbert

Contact Information
Address: 3647 Woodlake Road, Bellingham, WA 98226
Telephone: (360) 650-9771 (home) (360) 325-5461 (mobile)
Email: jameshulbert@gmail.com

Professional Experience
District Court Deputy Prosecutor
1998-2000 Whatcom County Prosecutor’s Office Bellingham, WA
- Prosecuted adult misdemeanors in Whatcom County District Court
- Litigated Whatcom County Superior Court mental health commitment hearings

Juvenile Court Deputy Prosecutor
2000-2003 Whatcom County Prosecutor’s Office Bellingham, WA
- Prosecuted felony and misdemeanor juvenile offenses in Whatcom County Superior Court

Superior Court Deputy Prosecutor
2003-2016 Whatcom County Prosecutor’s Office Bellingham, WA
- Prosecuted adult felonies in Whatcom County Superior Court
- Taught jury selection techniques at WAPA conference, September 2014

Associate Attorney
2016-Present Adelstein, Sharpe & Serka Bellingham, WA

Education
- Tulane University Law School New Orleans, LA 1994-1997 Juris Doctor
- Whitman College Walla Walla, WA 1990-1994 Bachelor of Arts
- Sehome High School Bellingham, WA 1986-1990

Other
Finisher: 2009 Boston Marathon

Professional References
- Starck Follis: Chief Deputy
  Whatcom County Public Defender’s Office (360) 778-5640
- Eric Richey: Chief Criminal Deputy
  Whatcom County Prosecutor’s Office (360) 778-5710
- Judge Charles Snyder
  Whatcom County Superior Court
TITLE OF DOCUMENT: 2016 Supplemental Budget Request #9

ATTACHMENTS: Ordinance, Memoranda & Budget Modification Requests

SEPA review required?  ( ) Yes  ( X ) NO  Should Clerk schedule a hearing?  ( ) Yes  ( X ) NO
SEPA review completed?  ( ) Yes  ( X ) NO  Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Supplemental #9 requests funding from the General Fund:

1. To appropriate $4,370 in Health to fund Strengthening Families Program training from grant proceeds.
2. To appropriate $71,000 in Health to fund Marijuana Prevention & Education Program from grant proceeds.

From Jail Fund:
3. To appropriate $80,518 to fund NWRC Jail Health Program contract increase.

From Trial Court Improvement Fund:
4. To appropriate $6,375 to fund Clerk’s front counter reconfiguration.

COMMITTEE ACTION:  

COUNCIL ACTION:

Related County Contract #:  Related File Numbers:  Ordinance or Resolution Number:
PROPOSED BY: Executive
INTRODUCTION DATE: 05/03/16

ORDINANCE NO.
AMENDMENT NO. 9 OF THE 2016 BUDGET

WHEREAS, the 2015-2016 budget was adopted November 25, 2014; and,
WHEREAS, changing circumstances require modifications to the approved 2015-2016 budget; and,
WHEREAS, the modifications to the budget have been assembled here for deliberation by the Whatcom County Council.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the 2015-2016 Whatcom County Budget Ordinance #2014-065 is hereby amended by adding the following additional amounts to the 2016 budget included therein:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Expenditures</th>
<th>Revenues</th>
<th>Net Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health</td>
<td>75,370</td>
<td>(75,720)</td>
<td>(350)</td>
</tr>
<tr>
<td>Total General Fund</td>
<td>75,370</td>
<td>(75,720)</td>
<td>(350)</td>
</tr>
<tr>
<td>Jail Fund</td>
<td>80,518</td>
<td>-</td>
<td>80,518</td>
</tr>
<tr>
<td>Trial Court Improvement Fund</td>
<td>6,375</td>
<td>-</td>
<td>6,375</td>
</tr>
<tr>
<td>Total Supplemental</td>
<td>162,283</td>
<td>(75,720)</td>
<td>86,543</td>
</tr>
</tbody>
</table>

ADOPTED this ___ day of ___________________, 2016.

ATTEST:

Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHENCOM COUNTY, WASHINGTON

Barry Buchanan, Chair of the Council

APPROVED AS TO FORM:

Civil Deputy Prosecutor

( ) Approved ( ) Denied

Jack Louws, County Executive

Date: ____________________________
<table>
<thead>
<tr>
<th>Department/Fund</th>
<th>Description</th>
<th>Increased (Decreased) Expenditure</th>
<th>(Increased) Decreased Revenue</th>
<th>Net Effect to Fund Balance (Increase) Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health</td>
<td>To fund Strengthening Families Program training from grant proceeds.</td>
<td>4,370</td>
<td>(4,720)</td>
<td>(350)</td>
</tr>
<tr>
<td>Health</td>
<td>To fund Marijuana Prevention &amp; Education Program from grant proceeds.</td>
<td>71,000</td>
<td>(71,000)</td>
<td>-</td>
</tr>
<tr>
<td>Total General Fund</td>
<td></td>
<td>75,370</td>
<td>(75,720)</td>
<td>(350)</td>
</tr>
<tr>
<td>Jail Fund</td>
<td>To fund NWRC Jail Health Program contract increase.</td>
<td>80,518</td>
<td>-</td>
<td>80,518</td>
</tr>
<tr>
<td>Trial Court Improvement Fund</td>
<td>To fund Clerk's front counter reconfiguration.</td>
<td>6,375</td>
<td>-</td>
<td>6,375</td>
</tr>
<tr>
<td>Total Supplemental</td>
<td></td>
<td>162,263</td>
<td>(75,720)</td>
<td>86,543</td>
</tr>
</tbody>
</table>
Supplemental Budget Request

**Status:** Pending

**Fund:** 1  
**Cost Center:** 677260  
**Originator:** Patty Proctor

**Expenditure Type:** One-Time  
**Year:** 2  
**2016**  
**Add'l FTE** □  
**Add'l Space** □  
**Priority** 1

**Name of Request:** Training Grant -MJ Fund DBHR

**Department Head Signature (Required on Hard Copy Submission):**

\[Signature\]

\[4/12/16\]

<table>
<thead>
<tr>
<th>Costs:</th>
<th>Object</th>
<th>Object Description</th>
<th>Amount Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>4334.04699</td>
<td>Misc DSHS Grants</td>
<td></td>
<td>($4,720)</td>
</tr>
<tr>
<td>7210</td>
<td>Intergov Prof Svcs</td>
<td></td>
<td>$4,370</td>
</tr>
<tr>
<td><strong>Request Total</strong></td>
<td></td>
<td></td>
<td><strong>($350)</strong></td>
</tr>
</tbody>
</table>

1a. **Description of request:**

Grant funding will be used for Strengthening Families: For Parents and Youth 10-14 (Iowa version) program facilitator training for the Ferndale Community. This funding will be used to provide training in June of 2016.

1b. **Primary customers:**

Adults in the Ferndale community.

2. **Problem to be solved:**

Youth who initiate substance use early are more likely to experience issues of addiction as adults, have less academic success while in school, and have more involvement in the criminal justice system. When youth can be connected to essential support services and systems, they have increased ability to exhibit healthy behaviors.

3a. **Options / Advantages:**

Strengthening Families is an existing program in Whatcom County. The State has granted funding for additional training of facilitators.

3b. **Cost savings:**

4a. **Outcomes:**

Primary outcome is the training of additional facilitators for the Strengthening Families Program.

4b. **Measures:**

Pre and post test evaluation to measure outcomes for both youth and parents in the program.

5a. **Other Departments/Agencies:**

WSU Extension currently operates the Strengthening Families program with support from the Health Department. This grant award enhances the program.

5b. **Name the person in charge of implementation and what they are responsible for:**

6. **Funding Source:**

A grant was awarded to the Whatcom County Prevention Program by the State of Washington, Division of Behavioral Health, CPWI Training project funding.

---

*Friday, March 25, 2016*

*Rpt: Rpt Suppl Regular*
Supplemental Budget Request

Health Human Services

Suppl ID # 2141

Fund 1 Cost Center Originator: Patty Proctor

Expenditure Type: One-Time Year 2 2016 Add'l FTE Add'l Space Priority 1

Name of Request: Marijuana Prevention and Education Program-DOH

[Signature]

Department Head Signature (Required on Hard Copy Submission) Date 4/23/16

<table>
<thead>
<tr>
<th>Costs:</th>
<th>Object</th>
<th>Object Description</th>
<th>Amount Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4334.04609</td>
<td>DSHS-Miscellaneous</td>
<td>($71,000)</td>
</tr>
<tr>
<td></td>
<td>6320</td>
<td>Office &amp; Op Supplies</td>
<td>$6,000</td>
</tr>
<tr>
<td></td>
<td>6330</td>
<td>Printing</td>
<td>$12,060</td>
</tr>
<tr>
<td></td>
<td>6630</td>
<td>Professional Services</td>
<td>$42,940</td>
</tr>
<tr>
<td></td>
<td>6780</td>
<td>Travel-Educ/Training</td>
<td>$9,000</td>
</tr>
<tr>
<td></td>
<td>6790</td>
<td>Travel-Other</td>
<td>$500</td>
</tr>
<tr>
<td></td>
<td>7110</td>
<td>Registration/Tuition</td>
<td>$1,500</td>
</tr>
</tbody>
</table>

Request Total $0

1a. Description of request:

Substance abuse prevention services will be delivered. Case management services will be provided, as well as community education and outreach for substance abuse. Case management will be provided by Communities In Schools (CIS), which has been evaluated as an effective approach to reduce risk for substance abuse, while increasing academic success.

1b. Primary customers:

Middle School Youth will be the primary recipients of services. Family members, siblings, and the larger public will be secondary recipients.

2. Problem to be solved:

Youth who initiate substance use early are more likely to experience issues of addiction as adults, have less academic success while in school, and have more involvement in the criminal justice system. When youth can be connected to essential support services and systems, they have increased ability to exhibit healthy behaviors. Case management services help to facilitate a connection between student needs with existing resources, improving academic success while reducing risks for unhealthy behaviors.

3a. Options / Advantages:

A list of state-approved services was provided for review. Whatcom County reviewed and selected the options that met local needs and also showed high feasibility for implementation. Case management services met identified needs, as was additional outreach and education for substance abuse prevention.

3b. Cost savings:

Elements of Communities In Schools demonstrate up to as much as an 80% Benefit-Cost Percentage. According to the Washington State Institute on Public Policy, "The statute defining evidence-based practices requires that, when possible, a benefit-cost analysis be conducted. We use Washington State Institute on Public Policy's benefit-cost model to determine whether a program meets this criterion. Programs that do not have at least a 75% chance of a positive net present value do not meet the benefit-cost test. The Washington State Institute on Public Policy model uses Monte Carlo simulation to test the probability that benefits exceed costs. The 75% standard as deemed an appropriate measure of risk aversion."

Tuesday, April 05, 2016

Rpt: Ret Suppl Regular

555
**Supplemental Budget Request**

<table>
<thead>
<tr>
<th>Health</th>
<th>Human Services</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Suppl ID #</strong>: 2141</td>
<td><strong>Fund</strong>: 1</td>
</tr>
<tr>
<td><strong>Cost Center</strong>:</td>
<td><strong>Originator</strong>: Patty Proctor</td>
</tr>
</tbody>
</table>

**4a. Outcomes:**
The primary outcomes of these services will include staying in school, progressing to the next grade level, and ultimately graduating from high school. The reduction in risk factors to achieve these positive outcomes will also reduce risk for substance abuse, poor mental health, and other negative consequences.

**4b. Measures:**
Academic success is tracked for recipients of Communities in Schools services. The program will track and report the successful progression of Communities in Schools services participants from one grade to the next, compliance with academic improvement goals, rates of staying in school, and graduation rates. These are built-in measures to the program implementation.

**5a. Other Departments/Agencies:**
This request will not impact other departments, but will provide additional resources to Communities In Schools (CIS) of Whatcom County. The additional resources will increase their staffing capacity to deliver case management services in targeted locations, allowing more students to be served.

**5b. Name the person in charge of implementation and what they are responsible for:**
Communities In Schools will deliver the service, and the Executive Director will oversee all operations of the staff and programs. Kathryn DeFilippo is the current Executive Director of Communities In Schools. The contract with Communities In Schools will be managed by Health Department staff.

**6. Funding Source:**
Dedicated marijuana tax funding is from the Washington State Department of Health.
WHATCOM COUNTY SHERIFF’S OFFICE
MEMORANDUM

DATE: 04/15/16

TO: Jack Louws, Whatcom County Executive
   Council Members, Whatcom County Council

FROM: Sheriff Bill Elfo

RE: Supplemental Budget Request #2027 for Nursing Services, 2016

Please allow this memo to serve as a request for approval of the accompanying
budget supplemental. This request will provide spending authority to cover an
amendment to the existing Nursing and Medical Administration contract with
Northwest Regional Council (NWRC). The amendment will provide for an
increase in the hourly reimbursement rate for the services for both the County jail
facilities and for Juvenile Detention.

The original version of this request would have resulted in an additional expense
of $134,654 to the Corrections Medical budget. NWRC has been willing to
continue negotiations and we have been able to reduce the amount for
Corrections to the $80,518 included in this request. This will result in an
approximately 7% increase over the original budget estimation. This also
resulted in an increase to Juvenile Detention, which was able to be covered
under their current budget allocation.

Chief Wendy Jones is overseeing this process and will be happy to answer any
question you may have. Thank you,
Supplemental Budget Request

Jail

Supp1 ID # 2027  Fund 118  Cost Center 118160  Originator: Wendy Jones

Expenditure Type: One-Time  Year 2 2016  Add'l FTE ☐  Add'l Space ☐  Priority 1

Name of Request: NWRC Increase

Department Head Signature (Required on Hard Copy Submission)  Date

<table>
<thead>
<tr>
<th>Costs:</th>
<th>Object</th>
<th>Object Description</th>
<th>Amount Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>6635.003</td>
<td>Visiting Nurse Personal</td>
<td>$80,518</td>
<td></td>
</tr>
<tr>
<td>Request Total</td>
<td></td>
<td>$80,518</td>
<td></td>
</tr>
</tbody>
</table>

1a. Description of request:
This supplemental budget request is to increase the funds available for the services provided by Northwest Regional Council for Nursing and Medical Administration. This increase is due to a higher per hour rate for Nursing services. This will result in an approximately 7% increase over the 2015 allocation.

1b. Primary customers:
Adult offenders housed at the Whatcom County Corrections facilities.

2. Problem to be solved:
Northwest Regional Council (NWRC) has requested an increase in their contract amount for 2016. The request is based on the following:

* When the negotiations were occurring for the 2015 contract, NWRC neglected to include the cost of 2 Medical Assistants. These individuals are vital to the running of the medical division as they do all of the chart creation, records dissemination and requesting/scheduling of appointments, coordinating clinic lists, etc. Basically all of the support functions needed to provide health care for the offenders. This request will include those personnel costs.

* An increase in the salary and benefits for the nursing staff. These increases are tied to COLA and step raises (approx. 5%), Retirement benefits (9-11%), small increases in L & I (approx. 2%) and a higher than anticipated rate of unemployment claims.

* Higher salary rates. Qualified nurses are very much in demand throughout the state. This, coupled with the added challenges of finding nurses to work in a Corrections environment, has contributed to the additional costs.

*Some additional costs for both recruiting new Nurses and mandatory training for new personnel.

This supplemental was delayed to allow for some additional, productive, discussion with NWRC to reduce the final dollar amount of the increase.

3a. Options / Advantages:
This service was placed out to bid in 2014. NWRC was the only responsive bidder. They have provided excellent services for the Corrections Bureau, and have been willing to work with us in order to minimize cost increases. The original version of this supplemental was for over $133,000. NWRC has worked with us to reduce total costs while still providing the level of health care required by case law.

3b. Cost savings:
N/A

Thursday, April 21, 2016
Supplemental Budget Request  
**Status:** Pending

**Jail**

<table>
<thead>
<tr>
<th>Supp ID #</th>
<th>Fund</th>
<th>Cost Center</th>
<th>Originator</th>
</tr>
</thead>
<tbody>
<tr>
<td>2027</td>
<td>118</td>
<td>118160</td>
<td>Wendy Jones</td>
</tr>
</tbody>
</table>

4a. Outcomes:  
NWRC will continue to provide services for offenders held in both County Corrections Facilities.

4b. Measures:  
Monitoring of the monthly invoices.

5a. Other Departments/Agencies:  
N/A

5b. Name the person in charge of implementation and what they are responsible for:  
N/A

6. Funding Source:  
Jail Sales Tax Fund
TO: Jack Louws, County Executive
FROM: David Reynolds, Director of Superior Court Administration
RE: Trial Court Improvement Funds

Please find attached a request to access $6,375 in trial court improvement funds for use in the Superior Court Clerk’s Office.

The purpose of this expenditure is provide a new work center and shelving units within the clerk’s office that will provide a more efficient work flow for our front office clerks. The current lay out is inefficient, and at times hazardous. The purchase of this new design will provide for greater efficiency and make much better use of the limited floor space in the office.

Should you have any questions, please feel free to contact me at X 5565.
Supplemental Budget Request

County Clerk

Fund 135  Cost Center 135100  Originator: Dave Reynolds

Expenditure Type: One-Time  Year 2 2016  Add'l FTE ☐  Add'l Space ☐  Priority 1

Name of Request: Clerk’s Front Counter Reconfiguration

X

Department Head Signature (Required on Hard Copy Submission)  Date

Costs:

<table>
<thead>
<tr>
<th>Object</th>
<th>Object Description</th>
<th>Amount Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>6510</td>
<td>Tools &amp; Equip</td>
<td>$6,375</td>
</tr>
<tr>
<td>Request Total</td>
<td></td>
<td>$6,375</td>
</tr>
</tbody>
</table>

1a. Description of request:
Purchase of a new work center and storage cabinets in the front work area in Superior Court.

1b. Primary customers:
Superior Court Clerks, as well as customers in the Clerk’s as it will provide more efficiency.

2. Problem to be solved:
Current work area is not well designed and does not provide efficient access to needed documents, copier, etc.

3a. Options / Advantages:
We have considered leaving things as are, however, it is not efficient, wastes valuable space, and at times can be a work hazard.

3b. Cost savings:
Use of valuable space and efficiency.

4a. Outcomes:
We should see immediate efficiencies and better service delivery.

4b. Measures:
Feedback from front counter clerks as well as public.

5a. Other Departments/Agencies:
The impact to other departments who are customers in this department should experience the same efficiencies as general public.

5b. Name the person in charge of implementation and what they are responsible for:

6. Funding Source:
Trial Court Improvement Funds

Wednesday, April 20, 2016