### 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: Matt W. Amano</td>
<td>MA</td>
<td>2/10/2016</td>
<td></td>
<td>2/9/2016</td>
<td>COTW</td>
</tr>
<tr>
<td>Division Head: Mark Pearson</td>
<td>WP</td>
<td>2/10/16</td>
<td>RECEIVED FEB 16 2016</td>
<td>2/13/2016</td>
<td>COTW</td>
</tr>
<tr>
<td>Dept. Head: Sam Ryan</td>
<td>WP</td>
<td>2/10/16</td>
<td>WHATCOM COUNTY COUNCIL</td>
<td>3/22/16</td>
<td>SCOTW</td>
</tr>
<tr>
<td>Prosecutor: Royce Buckingham</td>
<td></td>
<td></td>
<td></td>
<td>3/29/2016</td>
<td>SCOTW</td>
</tr>
<tr>
<td>Purchasing/Budget:</td>
<td></td>
<td></td>
<td></td>
<td>4/5/2016</td>
<td>SCOTW</td>
</tr>
<tr>
<td>Executive: Jack Lowes</td>
<td></td>
<td>2/12/16</td>
<td></td>
<td>4/19/2016</td>
<td>SCOTW/Public Hearing</td>
</tr>
<tr>
<td>5/3/2016</td>
<td>SCOTW</td>
<td>5/10/16</td>
<td></td>
<td>5/17/2016</td>
<td>SCOTW</td>
</tr>
<tr>
<td>5/31/2016</td>
<td>SCOTW</td>
<td>6/14/2016</td>
<td></td>
<td>6/21/2016</td>
<td>SCOTW</td>
</tr>
</tbody>
</table>

### TITLE OF DOCUMENT:

Discussion regarding Whatcom County Comprehensive Plan Chapter 2, Land Use

### ATTACHMENT:

Related paperwork can be found at:
[www.co.whatcom.wa.us/2346/Comprehensive-Plan-Update-Process](http://www.co.whatcom.wa.us/2346/Comprehensive-Plan-Update-Process)

<table>
<thead>
<tr>
<th>SEPA review required?</th>
<th>( X ) Yes</th>
<th>( ) 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>( X ) Yes</td>
<td>( ) NO</td>
<td></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.

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
- 5/3/2016: Comments Received and prelim. direction given
- 5/10/2016: Comments Received and prelim. direction given
- 5/17/2016: Comments received but not discussed
- 5/31/2016: This was not discussed
- 6/14/2016: Comments not received and not discussed

### COUNCIL ACTION:

5/3/2016: Public Testimony Received

### 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)
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 policies 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 Generations Visioning Process (see Appendix C), the Whatcom 2031 visioning process, citizen committee participation, town hall meetings, and public hearings. Also, specific goals and policies 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—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. 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 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 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.

**Policy 2A-1:** Concentrate urban levels of development within designated urban growth areas.

**Policy 2A-2:** Draw a distinct boundary between urban and rural uses.

**Policy 2A-3:** Provide a range of land uses designation that which considers locational and market factors as well as required quantities of land.

**Policy 2A-4:** Designate land uses that reflect the best use of the land.

**Policy 2A-5:** Provide predictability to property owners in land use designation.
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 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.

   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 serves—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 regulations.

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.
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 patterns 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 figure 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 UGAsShort-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, logistical 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 seeks to support and encourage the cities in their 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...
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 linkingage of greenbelts and open space.

Policy 2R-6: Use the existing geographical information system and encourage its use and coordinate with coordination of 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 as Short-Term Planning 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 provider(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 Shellfish 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-21: 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-32: 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-3: 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-4: Review land supply analysis and consider appropriate urban growth area boundaries consistent with the Growth Management Act and County-wide Planning Policies.

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-1044: 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.
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 Blaine to adopt measures to implement infill policies in the proposed Blaine Comprehensive Plan.

Policy 2V-3: Readjust the Urban Growth Area as urban services are planned and 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
floodings 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 agreement as 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.
- Everson Urban Growth Area

- Incorporated City
- Urban Growth Area
- Urban Growth Area Reserve
Ferndale

County goals encourage Ferndale to develop residentially zoned areas at an 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 areaPark 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 and 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.

Whatcom County Comprehensive Plan 2- 48
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
Lynden

County goals encourage Lynden to develop residentially zoned areas at 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 slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure, and open space.

Issues in defining the Lynden Urban Growth Area include preservation of agricultural resource lands and accommodating projected urban growth over the planning period. Uses allowed within county zoning designations. Lynden 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 Lynden 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 Lynden 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 Lynden 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 Lynden 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 Lynden Urban Growth Area has been designated to provide a sufficient land supply for Lynden 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 Lynden 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 Lynden’s growth needs through the 20-year planning period. The City of Lynden 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 Lynden 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 accommodateprovide 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 developpropose 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 agreementas needed, to provide for:

Whatcom County Comprehensive Plan 2- 53
• 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.
- Lynden Urban Growth Area

- Incorporated City
- Urban Growth Area
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 re-use 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 areas 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 residually 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 agreement, 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;
- 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.
Whatcom County Comprehensive Plan

Map UGA-6

Nooksack Urban Growth Area

- Incorporated City
- Urban Growth Area
- Urban Growth Area Reserve

Whatcom County Comprehensive Plan
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 Set 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 of land 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
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 Bay 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 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 2032. 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 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 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.

**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
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-65: 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-76: 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 full potential. Capital facility plans should provide the information required by RCW 36.70A.070(3).

Policy 2BB-97: 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-108: 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.
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 or 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 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, Geenee) Phillips 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.
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.

Whatcom County Comprehensive Plan 2-78
**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.
Whatcom County Comprehensive Plan

Map UGA-10

- Cherry Point Urban Growth Area

□ Major Port/Industrial UGA
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.
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.

3. Preserve and protect unique and important water
resources through development standard in WCC
20.71 Water Resource Protection Overlay District and
WCC 20.51 Lake Whatcom Watershed Overlay District,
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:
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
changing those boundaries consistent with RCW 36.70A.070(5)(d).

Policy 2DD-9: **Assure–Promote** 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.

\textbf{Rural Lands—Land Use}

\textbf{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:

*Whatcom County Comprehensive Plan* 2-95
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;
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
dwelling 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, has 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 Caitac 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 northernmost 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
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 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 *resortplanned unit* 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

The 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 Small 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 Comprehensive Plan* 2-118
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 over 2,400 acres of state parks. The Washington State Department of Natural Resources stewards over 88,000 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 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, 119,907 841 acres were classified under the County's open space program in 20142002, 94%95% of which 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 2RRR: Identify and protect open space corridors within and between urban growth areas. These corridors should include trails and other lands useful for recreation, while

Whatcom County Comprehensive Plan 2-120
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 Augment 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 adopted 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 365-195-550346) indicate that essential public facilities:

- Are typically difficult to site;
- Provides a public service, serve a public need, including a local service
- 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 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.
Marine port facilities should be located within the Heavy Impact Industrial zone of the Cherry Point Major/Port Industrial Urban Growth Area.

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 Floathaven 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-green" 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;

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.

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 2V1-14: 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(1314).

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 may be 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 archaeological 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:
1. Redundant regulations.
2. Unnecessary regulations.
3. Regulations that could be replaced by incentive programs.
4. Regulations that could be replaced by education programs.
5. Regulations which serve to protect the public welfare, health, and safety.
6. 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 LII 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
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.
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.

12.11. When completed, review the Comprehensive Flood Hazard Management Plan to ensure consistency with land use plans and regulations.


Citizen Involvement

12.12. 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.

13.13. Improve methods of notification to affected property owners of land use decisions.

Reason for change: Policy 2G-1 addresses notice.

Timing/Review

14. Using the Growth Management Oversight Committee, establish a methodology for land supply and urban growth area boundary 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
11.15. 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.

11.16. 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.

11.17. 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.

11.18. 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.

11.21. 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.

11.22. 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.
123.20. 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.

24.21. Develop a time frame and process to work with cities to make 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.

26.22. 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.

Reason for change: Sudden Valley is addressed in Chapter 11.

Establish an ongoing communications link with Whatcom County Water District, 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.

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.

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.

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.

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

333.29. 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.

333.30. 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.

333.31. 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.

333.32. 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.

333.33. 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.
152


| Reason for change: Policy 15.6.1.1 transitional phase | | | |
|--------------------------------------------------|-----|-----|
| Development of walking, cycling, and transit to support economic and community connectivity (Economic Development) | A G X | Removed | High |
| | | | |
| 288.17.2: Encourage alternative use of policy 288.17.3: Recognize the Columbia River as a Dynamic Urban Waterfront. | | | |
| | | | |
| 288.17.3: Recognize the Columbia River as a Dynamic Urban Waterfront. | A G X | Kept | High |
| | | | |
| 288.2: Support the Columbia River and its waterfront as a place of character and community pride. | A G X | Kept | High |
| | | | |
| 288.3: Support the existing floodplain and the floodplain’s ability to support development and flood control. | A G X | Kept | High |
| | | | |
| 288.4: Support a multi-use urban environment. | A G X | Kept | High |

<table>
<thead>
<tr>
<th>2016 Notes:</th>
<th>2014 Notes to Pol:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Goal Policy</th>
<th>2016 Draft Plan Goal Language</th>
</tr>
</thead>
<tbody>
<tr>
<td>low</td>
<td>Change and remove from early planning.</td>
</tr>
<tr>
<td>medium</td>
<td>Changes and remove from early planning.</td>
</tr>
<tr>
<td>high</td>
<td>Changes and remove from early planning.</td>
</tr>
<tr>
<td>Policy 2B: Include common open space in urban growth areas</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>2014 Notes:</td>
<td>2015 Notes:</td>
</tr>
<tr>
<td>2014 Notes to Pos:</td>
<td>2015 Notes to Pos:</td>
</tr>
<tr>
<td>Ac D 1. X</td>
<td>Ac D 1. X</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Policy Support</td>
<td>Medium</td>
</tr>
<tr>
<td>-------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Standards</td>
<td></td>
</tr>
<tr>
<td>Client will determine their own.</td>
<td></td>
</tr>
<tr>
<td>Mile which is where our focus is.</td>
<td></td>
</tr>
<tr>
<td>Service areas and regional parks.</td>
<td></td>
</tr>
<tr>
<td>Support for standard of 5 mile.</td>
<td></td>
</tr>
<tr>
<td>Neighborhood parks. Community.</td>
<td></td>
</tr>
<tr>
<td>Standard generally used for the County Parks and Recreation.</td>
<td></td>
</tr>
<tr>
<td>Association of the coordinated.</td>
<td></td>
</tr>
<tr>
<td>Providing through the neighborhood.</td>
<td></td>
</tr>
<tr>
<td>County challenges community parks.</td>
<td></td>
</tr>
<tr>
<td>Reuse in providing of regional parks.</td>
<td></td>
</tr>
<tr>
<td>Policy 25.1: Encourage all inspections to consider with those of different jurisdictions.</td>
<td></td>
</tr>
<tr>
<td>Policy 2017.1: Locate essential public transportation corridor near major centers and high streets. Reduce traffic on major arterials and high streets. Keep traffic on high streets.</td>
<td>1. Status 2016: 156 2014 Notes: 156 2013 Notes: 156 2012 Notes: 156</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Policy 2017.3: Support the retention of open space and open space corridors. Keep open space and open space corridors.</td>
<td>3. Status 2016: 156 2014 Notes: 156 2013 Notes: 156 2012 Notes: 156</td>
</tr>
<tr>
<td>Policy 2017.4: Support the retention of open space and open space corridors. Keep open space and open space corridors.</td>
<td>4. Status 2016: 156 2014 Notes: 156 2013 Notes: 156 2012 Notes: 156</td>
</tr>
<tr>
<td>Policy 2017.5: Support the retention of open space and open space corridors. Keep open space and open space corridors.</td>
<td>5. Status 2016: 156 2014 Notes: 156 2013 Notes: 156 2012 Notes: 156</td>
</tr>
<tr>
<td>Policy 2017.6: Support the retention of open space and open space corridors. Keep open space and open space corridors.</td>
<td>6. Status 2016: 156 2014 Notes: 156 2013 Notes: 156 2012 Notes: 156</td>
</tr>
<tr>
<td>Policy 2017.7: Support the retention of open space and open space corridors. Keep open space and open space corridors.</td>
<td>7. Status 2016: 156 2014 Notes: 156 2013 Notes: 156 2012 Notes: 156</td>
</tr>
<tr>
<td>Policy 2017.8: Support the retention of open space and open space corridors. Keep open space and open space corridors.</td>
<td>8. Status 2016: 156 2014 Notes: 156 2013 Notes: 156 2012 Notes: 156</td>
</tr>
<tr>
<td>Policy 2017.9: Support the retention of open space and open space corridors. Keep open space and open space corridors.</td>
<td>9. Status 2016: 156 2014 Notes: 156 2013 Notes: 156 2012 Notes: 156</td>
</tr>
<tr>
<td>Policy 2017.10: Support the retention of open space and open space corridors. Keep open space and open space corridors.</td>
<td>10. Status 2016: 156 2014 Notes: 156 2013 Notes: 156 2012 Notes: 156</td>
</tr>
<tr>
<td>Policy 2017.11: Support the retention of open space and open space corridors. Keep open space and open space corridors.</td>
<td>11. Status 2016: 156 2014 Notes: 156 2013 Notes: 156 2012 Notes: 156</td>
</tr>
<tr>
<td>Proposal Policy NZ-7 is to consider:</td>
<td>5</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>---</td>
</tr>
<tr>
<td>notch or Jointing Water Supply:</td>
<td>A.D. X</td>
</tr>
<tr>
<td>Housing that will not serve all residents areas</td>
<td>X</td>
</tr>
<tr>
<td>Not served by regional transportation authority</td>
<td>X</td>
</tr>
<tr>
<td>Improved or Economic prosperity</td>
<td>X</td>
</tr>
<tr>
<td>Development of high food retail in</td>
<td>X</td>
</tr>
<tr>
<td>Economic crisis does not include a policy that</td>
<td>X</td>
</tr>
<tr>
<td>Mixed-use zoning addressed in Policy NZ-7</td>
<td>X</td>
</tr>
<tr>
<td>Encourage mixed-use neighborhood</td>
<td>X</td>
</tr>
<tr>
<td>2014 Notes:</td>
<td></td>
</tr>
<tr>
<td>2015 Notes:</td>
<td></td>
</tr>
</tbody>
</table>

Possible Additions: (some specific to Users)
| 5.  |   | Can be addressed outside of comprehensive plan.  
Not included. | High | Add  
Encourage FM stands, pop-up, and additional outdoor uses in neighborhoods. 
Support development of healthy food retail in underserved areas. 
Economies of scale also includes a policy that is addressed in zoning codes. 
Not included.  
Economies of scale also includes a policy that is addressed in zoning codes.  
Not included. | n/a |
| 6.  |   | Supports development of healthy food retail in underserved areas.  
Economies of scale also includes a policy that is addressed in zoning codes.  
Not included.  
Economies of scale also includes a policy that is addressed in zoning codes.  
Not included. | High | Add  
Encourage FM stands, pop-up, and additional outdoor uses in neighborhoods. 
Support development of healthy food retail in underserved areas. 
Economies of scale also includes a policy that is addressed in zoning codes.  
Not included.  
Economies of scale also includes a policy that is addressed in zoning codes.  
Not included. | n/a |

**Table Notes:**

2014 Notes: 2015 Notes to PS: 2016 Notes:
<table>
<thead>
<tr>
<th>County</th>
<th>Action</th>
<th>Notes 2015</th>
<th>Notes 2016</th>
<th>Health Impacts</th>
<th>Diet</th>
<th>Chair</th>
<th>Status in Planning Commission Recommended</th>
<th>Recommended Addendum</th>
<th>Addendum Date</th>
<th>Addendum Key</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whatcom</td>
<td>County</td>
<td>Not included outside of city plan</td>
<td>H</td>
<td>Not included outside of city plan</td>
<td>H</td>
<td>H</td>
<td>High</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture</td>
<td>village</td>
<td>process; opportunities based on landownership</td>
<td>n/a</td>
<td>process; opportunities based on landownership</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The County already has maps of land designated for agricultural use and other agricultural uses. There are no additional requirements for agricultural use and other agricultural uses. There are no new requirements for agricultural use and other agricultural uses.
AB2016-47B

The following documents are available at the Whatcom County Council Office.
WHATCOM COUNTY, WA
COMPREHENSIVE PLAN REVIEW
ACTIVE LIVING AND HEALTHY FOOD ACCESS POLICY ANALYSIS MEMORANDUM
SEPTEMBER 2012

PREPARED BY:
ALTA PLANNING + DESIGN AND CHANGLAB SOLUTIONS
Literature Summary:
Access to Healthy Food
2014

Health Impact Review of the
Whatcom County
Comprehensive Plan

Literature Summary:
Physical Activity
Literature Summary:
Mental Health
Literature Summary:
Social Context
2014

Health Impact Review of the
Whatcom County
Comprehensive Plan

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 midpoint 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
Proposed Council Changes to Comprehensive Plan

Chapter 2 – Land Use

Page and line numbers reflect Planning Commission Recommended Draft dated 1/14/16 (http://wa-whatcomcounty.civicplus.com/DocumentCenter/View/15150). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1) p. 2-13; 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, using adaptive management steps to effect compliance with individual programs. (Brenner)

2) p. 2-77; 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. Cooperate with the DNR and existing industries to monitor the effects of industrial activities on water quality and habitat functions in and adjacent to the Cherry Point Aquatic Reserve. (Brenner)

3) p. 2-78; New Policy 2CC-12: It is the policy of Whatcom County to have zoning and land use practices consistent with 33 USC Sec. 476[b]. As such, no officer, employee, or other official of Whatcom County shall, or shall have the authority to issue, renew, grant, or otherwise grant or approve any easement, vacation of right-of-way, permit, license, or other authority that facilitates constructing, renovating, modifying, or otherwise altering a terminal, dock, or other facility in, on, or immediately adjacent to, or affecting the navigable waters of the Salish Sea (Puget Sound), which may result in any increase in the volume of crude oil capable of being handled at any such facility, other than oil to be refined for consumption in the State of Washington.

Whatcom County zoning code shall reflect this policy. (Donovan)

4) p. 2-78; New Policy 2CC-13: Cooperate with the DNR and existing industries to monitor the effects of industrial activities on water quality and habitat functions in and adjacent to the Cherry Point Aquatic Reserve. (Brenner)
Proposed Reconsideration of Previous Changes

In these proposed reconsiderations, previous changes made by the Council are underlined or struck out, but not bold. New changes are shown in bold. Previous Council changes proposed for deletion are highlighted.

5a) 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 residential development in rural lands, agricultural areas (broadly defined), and sensitive watersheds. This process should include:

Convening a multi-stakeholder work group, including the cities, tasked with and potential TDR/PDR users in the building industry who will be exchanging development rights. The process and program should include:

- 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.
- Exchangeable development rights that have economic value, with the potential for multiple methods of assigning and converting value.
- Interlocal agreements that grant economic value to exchangeable development rights and that insure development rights can be used in receiving areas.

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 expansion and other upzones.
(Donovan) (alternative to 4b)

5b) 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 from rural or resource lands in exchange for UGA expansion and other upzones.

Collaborate with all Whatcom County municipalities to develop successful voluntary, workable transfer of development rights (TDRs) and purchase of development rights (PDRs) before TDRs or PDRs are considered for any UGA expansion. The creation of a successful program should include:

- Consultation with a focus group of potential TDR/PDR users in the building industry.
- Inter-local agreements to ensure approval of all jurisdictions before any TDR/PDR program is implemented that could affect the jurisdictions.
- Multiple methods of assigning and converting the value of development rights.
- County oversight and implementation.

(Brenner) (alternative to 4a)

6) p. 2-23; 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 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.

Work cooperatively with all jurisdictions to determine new residential development densities that each jurisdiction approves. (Brenner)

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 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). (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)

18) p. 2-23; **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 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.
(Staff)

Changes Approved May 3
1) p. 2-5; Goal 2A: Ensure designation of sufficient land and densities, with consideration of water availability, 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-15: Strive to improve predictability to property owners regarding the connection between legal water use, and land use and development by:
• Supporting completion of 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 water rights quantification and settlement between the Lummi Nation, Nooksack Indian Tribe and other water users in the Nooksack River basin.
• Encouraging the Department of Ecology to protect instream flows, particularly in times of extremely low summer flows.
• Coordinating with the Department of Ecology to find solutions to provide adequate water for out-of-stream users while protecting in-stream flows. Potential solutions may include consideration of recycling, conservation, water banking, public water system interties, stream recharge augmentation, change in place of use, desalinization, and other alternative water supply measures.
• Request the Department of Ecology to create a water management plan 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) Reject proposed expansion of Birch Bay UGA. (Donovan)

Changes Approved May 10

1a) 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)

1b) p. 2-28; New Policy 2T-1 and renumber 2T policies: Discourage UGA expansion that does not border an incorporated city. (Donovan)

1c) p. 2-28; UGA map: Restore the Birch Bay UGA map to previous map with no extension into the floodplain. (Donovan)

2a) p. 2-100; Restore and edit Sudden Valley to Chapter 2: Sudden Valley

Sudden Valley was established in the early 1970s as a recreation/resort area located on the shore of Lake Whatcom, entirely within the Lake Whatcom Watershed. Over the last thirty years it has developed into a semi-urban residential area. Sudden Valley is organized as a homeowners association which maintains and operates common facilities and land. Despite its recreational beginnings, this unincorporated area is now composed primarily of permanent residents—numbering approximately 7000—with some recreational units and second homes as well.

Water and sewer are provided by the Lake Whatcom Water and Sewer District. Public transit service is provided by the Whatcom Transportation Authority (WTA). Natural gas is available only to limited portions of Sudden Valley. Security is provided by a very small, private, contracted force and the Sheriff’s Department. There is a small commercial area surrounded by Sudden Valley, and an immediately neighboring station of the South Whatcom Fire Authority. The area includes Lake Whatcom shoreline with lake access, as well as wetlands, natural preserves, and land that will remain forever undeveloped. Of its 1,545 acres, 835 acres – over half – are permanent open space with established parks, trails, and recreational areas, with an additional 140 acres of golf course.

Sudden Valley lies within the Lake Whatcom Watershed where limiting development has been identified as desirable. As a result, Sudden Valley is not a candidate for incorporation or UGA status. However, because Sudden Valley represents a sizable population, the Sudden Valley Community Association (SVCA) is a recognized participant in County and Lake Whatcom planning.
2b) New Goal 2NN: Recognize Sudden Valley as a Rural Community (Type 1 LAMRID) with unique challenges that require active participation in the planning process.

2c) New Policy 2NN-1: Liaison with SVCA on issues of mutual concern in Sudden Valley.

2d) Move Policy 2NN-2: Facilitate meeting the unique needs of Sudden Valley due to its location within the Lake Whatcom Watershed. (From p. 11-33; Policy 11K-14)

2e) Move Policy 2NN-3: Recognize the existing parcelization and the commitment for development of the remaining multi-family parcels in Sudden Valley. (From p. 11-33; Policy 11K-15)

2f) Move Policy 2NN-4 (as edited by Council): Work with the Community Association towards voluntary density reduction of additional lots within Sudden Valley. (From p. 11-33; restored Policy 11K-16)

2g) Move Policy 2NN-5 (as edited by Council): If vacant lots in the Lake Whatcom watershed come available due to a tax foreclosure the County may acquire them, remove the developments rights and then place them back on the market through the public auction process to recover any residual value. (From p.11-33; Policy 11K-16)

2h) Move Policy 2NN-6: 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. (From p.11-33; Policy 11K-17)

2i) Move Policy 2NN-7: 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. (From p.11-33; Policy 11K-18) (Staff)

1) 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)

2) p. 2-92; Policy 2GG-3: Proposed 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)
Discussion and preliminary Council direction on Comprehensive Plan Chapter 5, Utilities.

**ATTACHMENT:**

Preliminary draft, Comprehensive Plan Chapter 5, Utilities

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.)

The Council is conducting the periodic update of the Whatcom County Comprehensive Plan and review of urban growth areas (UGAs), which are both 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:**
3/8/2016: Amended

**COUNCIL ACTION:**
4/5/2016: Public Comments Received
5/31/2016: SCOTW: This item was not discussed

**Related County Contract #:** Related File Numbers:
AB2016-047

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 Five
Utilities

Introduction

Utilities, as defined herein and for purposes of the plan, include all lines and facilities used to distribute, collect, transmit, or control electric power, natural gas, petroleum products, information (telecommunications), water, and sewage. Most utilities in Whatcom County are operated by special-purpose districts, and private companies, or are extended by cities. The County's responsibility for utilities provided by other agencies ranges from regulating land use of land to managing their activities in public rights-of-way.

Electricity, natural gas, petroleum, and some other utilities treated herein are inherently regional and are regulated directly and indirectly at several levels, including by the Washington Utilities and Transportation Commission (WUTC) and the Federal Energy Regulatory Commission (FERC). Changing regulations at every level, changing regulations affect the way utilities will be managed through the planning period. Changes in the utility marketplace, together with new and varying utility needs, can be expected to affect the way other utilities are marketed, transmitted, and used.

Purpose

This section contains policies to guide Whatcom County in reviewing private utility development proposals and regional transmission proposals, and in reviewing and regulating utility services and facilities provided by other public agencies and the private sector. This section also provides a general framework for utility-specific comprehensive plans including those prepared by entities other than Whatcom County. The cities, Puget Sound Energy, Cascade Natural Gas, Public Utility District No. 1 (Whatcom PUD) and other special-purpose districts are encouraged to use the Whatcom County Comprehensive Plan in preparing their own plans and capital improvement programs.

It is the intent of this plan to support providers of electricity, natural gas, petroleum, telecommunications, and other utilities in fulfilling their "public service obligations" required by state law to provide service on demand to existing and future customers. It is also the intent of this plan to minimize any negative effects resulting from the provision of that service on the residents, infrastructure, and the environment of the county.

Consistency with Process

In March 1991, a Utilities Planning and Advisory Committee (UPAC) was formed in response to the requirements of GMA to address utility issues with the exception of water, sewer, and solid waste issues. The committee was comprised of representatives from electric power purveyors, Cascade Natural Gas, Whatcom PUD, Whatcom County Planning Division, City of Bellingham, the small cities, and
citizen groups. A list of UPAC members and their represented groups is located at the beginning of this plan.

Unlike most other GMA committees, members were not appointed by the County Executive; instead they are appointed by the County Council. The committee is comprised of a mix of utility industry professionals and private citizens who have conscientiously attended meetings whenever called. The first meeting of the UPAC was in April 1991. The committee met monthly for approximately one and one-half years, then directed county staff to prepare a draft utility chapter for the GMA Comprehensive Plan. Since then, the UPAC members have met when called together for review of subsequent drafts of the chapter, and have been consulted individually on industry-specific issues and questions. Regulations imposed at the state and federal levels and their impact on local jurisdictions' ability to plan were, perhaps, the most difficult issues the committee had to deal with. Of recent note, UPAC was reconvened in 2000 from a request by County Council to look at transmission pipeline siting issues, and has been actively involved in the 2002 update to the utility chapter.

The coordination requirements of the GMA were complied with in the process of producing this chapter. Many of the main purveyors of utilities as defined in this chapter contributed to the process by providing information, sample plans and by participation in the process itself.

Documents submitted by Cascade Natural Gas, Puget Sound Energy, (formerly Puget Sound Power & Light), and Qwest (formerly US West) as models for this chapter were used in preparing this document; these and other references consulted are listed in the bibliography for this chapter. The Draft GMA Electrical Facilities Plan, Puget Sound Power & Light Company Inc., September 1992, and the Natural Gas and Hazardous Liquid Pipeline Background Report, October 2001, were particularly useful.

Reason for change: Omitting outdated information.

GMA Goals and Countywide Planning Policies, and Visioning Community Value Statements

The goals, policies, and action plans in this chapter contribute to achievement of several of the GMA planning goals, including those considering urban growth, reduction of sprawl, open space and recreation, and public facilities and services. The chapter has been written to satisfy those goals while also meeting the intent and requirements of the Countywide Planning Policies (CWPP) and general guidelines of Visioning Community Value Statements.

Although CWPPs do not address all utilities as defined in this chapter as a separate category, various types of utilities are addressed within a number of sections. Specifically, the policies encourage sharing of corridors for utilities, trails, and other transportation rights-of-way. The CWPPs also call for cities to develop plans, in cooperation with existing water purveyors and other municipal corporations providing water or sewer services, affording urban-level water and sewer services.
within their Urban Growth Areas (UGAs). The interlocal agreements specified in the policies must address reasonable criteria for annexation and ensure adequate services including water and sewer utilities. Within Urban Growth Areas this will comply with what has been adopted. The CWPPs specify that cities will not extend water and sewer utilities without an adopted program for annexation and an adopted Capital Facilities Plan. Exceptions may be made in cases where human health is threatened. The CWPPs require that if water extensions are made, they must be consistent with the service area boundaries and other provisions of the Coordinated Water System Plan. Outside of Urban Growth Areas, cities and other public and private utilities may extend water only at rural levels of service. If rural levels of service are extended, availability of pipeline capacity to meet local supply needs shall not be used to justify development counter to county-wide land use development patterns and shall not be considered in conversions of agriculture land, forestry, or rural lands. These and other water quantity and quality issues covered in the CWPPs are addressed directly and supported in the goals, policies, and action plans of this chapter.

The Growth Management Act, in conjunction with CWPPs, as presently adopted, clearly identifies the County in a decision-making role when it comes to utility provisions. This is implemented through the County’s power-authority to set urban growth boundaries granted by the Growth Management Act and can be specified through the Interlocal Agreements assigned in the CWPPs. It should be noted that the CWPPs are locally adopted and could be subject to change in the future.

Visioning--Community Value Statements do not directly or indirectly address or identify the importance of utilities of any kind. Growth Management--goals and County Wide Planning--Policies will be served by adoption of this chapter and implementation of its goals, policies, and action plans.

Reason for change: Omitting outdated information.

GMA Requirements

The Growth Management Act mandates that counties required to plan under the act adopt comprehensive plans including "a utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines." The utilities element will include maps illustrating existing and proposed facilities and define goals and policies concerning those facilities and future proposed locations for utility facilities and corridors. By future proposed locations, it is the interpretation of Whatcom County that "proposed" means projects that have been submitted to the appropriate Whatcom County agency seeking permits or approval. See Map 115-1, which shows existing and planned electrical facilities; Map 125-2, natural gas facilities; and Map 135-3, communications facilities.

This plan does not address all the issues regarding energy or energy policy. As required by GMA, this plan addresses only those issues that are considered utility issues of Whatcom County. Therefore, this document does not address coal,
automotive-oriented, or other non-utility energy issues except with regard to
transmission corridors.

Whatcom County is not a municipal purveyor of electric power or water. While this
chapter of the comprehensive plan does thoroughly address provision of electric
power and other utilities by private and public purveyors, the chapter does not
address water supply other than as might be provided by Whatcom PUD or through
other various water districts, associations, or private wells with one or more
connections. Water supply and coordination affected by these organizations or
parties is largely addressed in the Whatcom County Coordinated Water System Plan
(CWSP). Maps showing locations of water purveyors' pipelines and service areas, of
water purveyors, and locations of existing sewer system areas, are adopted as they
presently exist or are modified.

Background Summary

Whatcom County is in a special situation due to its unique location between Canada
and major utility users of utility services to the south. This creates a situation
where utility services move through Whatcom County for their products to reach
from the source to the destination. Whatcom County can be viewed as a gateway
for utilities entering from Canada to reach demand elsewhere. This is especially true
for natural gas, petroleum products, and electricity.

Utility services in Whatcom County are provided by a number of private and public
utility operators. The main purveyor of electrical power within Whatcom County is
Puget Sound Energy, but there are other providers as well, notably Whatcom PUD,
and the cities of Blaine and Sumas. Cascade Natural Gas provides natural gas for
the county; however, there are locations throughout the county where natural gas is
not available. Such locations have to rely on electricity, propane, or other means to
meet their energy needs. Telecommunications are provided by multiple telephone,
cable television, internet, and carriers (telephone), AT&T Broadband (cable
television), and a number of wireless communication companies. Water is obtained
from private and public systems. Sewage treatment is primarily by septic system in
the unincorporated areas of the County. There are areas of the County where
consumers have the choice between multiple providers of the same utility service.
Whatcom County supports free market competition for services, when such
competition benefits the County consumers.

Whatcom County strongly encourages utilities to develop in a safe and rational
manner based on the demand requirements of development consistent with the
County Comprehensive Plan.

The 20-Year Capital Facilities Plan (Appendix E) provides additional information
relating to water systems, sewer systems, and solid waste management.
Issues, Goals, and Policies

Locational Criteria for Siting Utilities

County Wide Planning Policies, the Visioning Process, open space, greenways, the environment, zoning, existing development patterns, Growth Management urban growth areas, and other physical, political, business, economic, and geographical constraints, and plans will demarcate both the need for and the locations available for any new electric power and/or natural gas corridors. Electric power, communications and natural gas surveyors are part of regional systems that are demand-driven and are regulated at the State and, to some degree, at the Federal levels. This chapter provides for general locations of utility facilities needed in the future. Precise locations will be determined in the future and will be evaluated through existing regulatory and review processes including conditional use and environmental review.

It is the County’s preference that utility corridors must be located in areas of least impact to the public and environment of Whatcom County as measured by proximity to populous and environmentally sensitive areas.

While it is in the best interest of the Whatcom County citizens of Whatcom County to plan for the location of utility services in future growth areas, every effort must be made to avoid undesirable effects of locating those facilities in areas where the health or safety of Whatcom County residents may be adversely affected, where the development is prohibitively expensive, or where environmental costs may be too high. Utility corridors shall be shared by compatible utilities when safely possible.

Goal 5A: Specify a clear process for determining appropriate locations for future needed utility facilities, including electric power facilities greater than 55 kV.

Policy 5A-1: Use the existing conditional use, major project permit, and environmental review processes to evaluate and determine the suitability of proposed suitable locations for any new utility facilities above the distribution level during the planning period.

Policy 5A-2: When expansion or improvements of utility systems are being considered, Whatcom County prefers the following in the order provided:

- upgrading of existing facilities in existing corridors;
- replacing facilities in existing corridors where appropriate;
- sharing existing corridors.

Policy 5A-3: Encourage utility surveyors to consider underground installation of distribution facilities consistent with WUTC rates and tariffs.

Policy 5A-4: To the extent that installation of utility facilities affects growth patterns, utility services should be located and designed appropriate to the land use designation, reflect designated growth areas.
Policy 5A-5: Discourage siting utility facilities in known natural hazard areas unless public benefit outweighs the risk.

Policy 5A-6: Ensure that utilities and power generating facilities are sited where they will not adversely impact the ecological flow regime needed for fish, including threatened and endangered fish species.

Reason for change: Expand to include all Threatened & Endangered species, not just fish.

Trends in Utility Technology

Changing technology will affect the costs and types of utility services and systems available. Technologies can evolve very rapidly, particularly when breakthrough discoveries occur. Fiber optics are a good example; it is generally accepted that fiber optics technology is changing the way we communicate, and is doing so rapidly and in a widespread manner. It is likely that new technologies will emerge and existing technologies will evolve within this planning period.

Reason for change: Removing outdated information.

Goal 5B: Support the development and use of new utility and information technologies.

Policy 5B-1: Facilitate the use of future new technologies by allowing flexibility in regulations and policies affecting utility facilities when it can be shown that a net benefit to the public is likely to result.

Policy 5B-2: Support development and use of new technologies.

Policy 5B-3: Recognize the economic opportunities and benefits communication services access provides to the community.

Policy 5B-4: Support development regulations that are flexible and receptive to innovations and advances in communication technologies and that recognize the positive impact of moving information rather than people.

Policy 5B-5: Work closely with major utility providers to enhance the eCounty and private geographic information systems (GIS) data bases.

Electric Power, Natural Gas, Petroleum, and Telecommunications

All Whatcom County residents should have access to utilities as defined in this section. The WUTC requires equitable availability and controls the price of electric power and natural gas services provided by investor-owned utilities. FERC does so for electric, natural gas and petroleum facilities crossing state lines. Additionally, the Energy Facility Site Evaluation Council (EFSEC), the Department of Labor and Industries (DLI), and the US Department of Energy (DOE) regulate utility siting and operations. Goals relating exclusively to natural gas and hazardous liquid lines are addressed separately.
Changes in the utilities marketplace will probably create a need for recognition of a variety of service needs and for new models of how energy is distributed, stored, and used. Regulations concerning provision of utility services to consumers should remain flexible and offer opportunities for review with respect to changes in utility industry dynamics dictated by market forces and regulations at the state and federal levels.

**Goal 5C:** Facilitate accessibility of utilities.

**Policy 5C-1:** Support user access to natural gas, electric, and communications utilities.

**Policy 5C-2:** Review the policies in this chapter as necessary in order to keep them current with market and regulatory changes.

**Policy 5C-3:** Include Encourage the processing of utility permits in-concurrent with the processing of Major Development Permit and Planned Unit Development permit applications, when applicable.

Reason for change: Revised for clarity – utility installation and projects don’t always coincide.

**Policy 5C-4:** Make use of advanced technology to assist government operations and enhance public accessibility.

**Policy 5C-5:** Encourage regional planning of public facilities and utilities which that will facilitate coordinated land-use management and capital facility construction.

**Policy 5C-6:** Support capital facilities to correct existing deficiencies, and to accommodate new growth in an efficient, cost effective, and timely fashion.

**Policy 5C-7:** Public facilities and utilities will be designed and located in a manner which that protects the integrity of planned land uses, existing land forms, drainage ways, natural systems, critical areas, and resource lands.

**Policy 5C-8:** Extension of urban utility services shall be limited to areas designated for urban development, will be carefully staged in order to discourage new development in areas that are premature in terms of planning, timing and funding.

**Policy 5C-9:** Extension of urban governmental services and utilities will be confined to areas planned for urban development and be consistent with the optimal land-use and urban growth area plan.

Reason for change: Consolidating two similar policies – urban governmental services policies are contained in Chapters 2 and 4.

**Policy 5C-109:** Appropriately scale pPublic utility systems will be appropriately scaled to accommodate anticipated population growth.
Permitting Process Efficiency

Time required for permitting processes can increase development costs and can impede the timely provision of electric power and other utilities to residential, commercial, and business users. Any new utility installation requires precisely designed and selected components to complete and bring a facility online. Careful planning is necessary to ensure the proper components are available as needed. Delays in obtaining permits can disrupt planning cycles and can result in utility services not being available when needed. Local permit processing should not interfere with or cause long delays for the provision of utilities to residents, industry, or business.

Goal 5D: Minimize the time required for processing utilities permits.

Policy 5D-1: Maintain streamlined and simplified permitting processes relating to installation of utility facilities designed to serve existing or approved development.

Policy 5D-2: Eliminate Avoid duplication of criteria in permits.

Goal 5E: Reduce unnecessary obstacles to land use development applications.

Policy 5E-1: County Planning and Development Services will notify and seek comment from utility operators concerning land use development applications adjacent to existing major utility facilities and will take comments received under advisement.

Policy 5E2: Require evidence of compliance by the applicant with all relevant easement provisions as a condition of all discretionary and non-discretionary land use approvals.

Policy 5E3: Utility companies shall provide notification of proposed projects to abutting landowners consistent with when required by County code.

Impediments to the Provision of Utilities

The ability of utility surveyors to meet the mandates of WUTC and FERC could be affected by all of the following: GMA regulations, goals, and policies; plat covenants, conditions, and restrictions; infrastructure requirements; zoning—(how much? where?); County Wide Planning Policies; Visioning Community Value Statement-scenarios; and environmentally sensitive areas.

Goal 5F: Identify and remove impediments to effective siting of necessary utility facilities.

Policy 5F-1: Periodically review existing regulations to identify and eliminate unintended or unreasonable constraints on the provision of necessary utilities as defined in this section.
Regulatory Controls Encouraging Energy Conservation

Conservation is considered a substantial contributor to regional and local energy supplies. Generally, there are two components of conservation: regulatory issues and infrastructure. Regulatory issues include the efficiencies created by zoning density, development standards, establishing minimum energy efficiency standards, and energy code enforcement. Infrastructure issues include existing utility facilities and privately owned equipment ranging from purveyor-owned hardware to consumer-owned appliances. While energy demand increases as a result of growth, conservation plays a large role in limiting the quantity of that new demand.

**Goal 5G:** Support cost-effective conservation as a significant supply factor and implement policies that promote energy conservation measures.

**Policy 5G-1:** Review and revise existing and proposed land use regulations should be for consistency with the conservation and the other goals in this chapter.

**Policy 5G-2:** Encourage and support the use of conservation-based methods and technologies.

**Policy 5G-3:** Support energy conservation and energy efficiency in all proposed residential, commercial, and industrial projects by improving the energy efficiency of new construction and the existing building stock through building codes and practices, and support refurbishing and remodeling projects to include energy efficient components via expedited permitting and assistance.

**Policy 5G-4** Facilitate and encourage conservation of resources, in order to delay the need for additional facilities for electrical energy and water resources, and to achieve improved maintain adopted air quality standards.

**Policy 5G-5:** The County shall consider funding and promoting energy education services in order to inform citizens on energy conservation and the use of renewable energy sources.

**Policy 5G-6:** Consider use of renewable energy sources in County facilities. Improve energy efficiency in County facilities, vehicle fleets, and equipment consistent with the measures identified in the Whatcom County Climate Protection and Energy Conservation Plan (2007).

**Goal 5H:** Support cost-effective renewable energy projects and implement policies that promote renewable energy projects.

**Policy 5H-1:** Review and revise existing and proposed regulations should be for consistency with the renewable energy goals and the other goals in this chapter.

**Policy 5H-2:** Encourage and support the development of renewable energy projects and technologies, including pursuing renewable energy...
supply portfolios for the County from power suppliers as well as small local renewable energy projects such as anaerobic digesters and solar and wind energy, where applicable.

Policy 5H-3: Support renewable energy incentives to businesses and groups for comprehensive renewable energy efforts.

Policy 5H-4: Locate solar energy generation equipment on County facilities where cost/benefit analyses prove advantageous over the life cycle of the facilities.

Utility Corridors

Where feasible, multiple land uses in utility corridors should be encouraged. The potential for shared use of utility corridors should be realized to the greatest practical extent. While some corridor uses have proven incompatible, others work well. Some uses are clearly mutually exclusive, but others are unaffected, and in some cases enhanced, by proximity to other uses thereby serving multiple needs.

Questions have been raised concerning potential for long-term, adverse health effects associated with exposure to 60Hz electric and magnetic fields. Many studies have been conducted concerning those effects and many are in process; results are mixed.

Goal 5J: Facilitate maintenance and rehabilitation of existing utility systems and facilities and encourage use of existing utility corridors.

Policy 5J-1: Encourage utility providers to explore expanded and/or joint use of existing utility corridors before seeking sites for new rights-of-way.

Policy 5J-2: Promote, when reasonable and feasible, the co-location of new public and private utility distribution facilitates in shared trenches/corridors, as well as coordination of construction timing.

Policy 5J-3: Allow for recreational use of utility corridors where practical.

Policy 5J-4: Require-Encourage utility companies to notify impacted residents of vegetation control measures.

Reason for change: Code does not have requirements for notification of vegetation control measures.

Goal 5K: Be responsive to new information on electric and magnetic field (EMF) research progress.

Policy 5K-1: As new information regarding EMF becomes available, consider the need for new standards.

Policy 5K-2: Educate the public with regard to any new information concerning possible EMF health effects.
Goal 5L: Support direct and indirect economic benefits to Whatcom County originating with energy or utilities in general.

Policy 5L-1: Recognize economic benefits derived from coordination of utilities with established and projected residential, commercial, and industrial growth patterns in the County.

Policy 5L-2: Require a utility proponent to show how the proposal provides local or regional benefit.

Natural Gas and Hazardous Liquid Transmission Pipelines

Transmission of hazardous liquids and gases by pipeline is an efficient and convenient essential transportation mode for transporting these products. While pipelines offer an efficient and convenient method of transport, however, pipelines pose a risk of potential for ruptures and uncontrolled leaks of products which are highly flammable, explosive, or toxic and therefore require careful consideration of pipeline siting, nearby land uses, and protection of pipelines from excavation third party damage.

The goals of Whatcom County regarding pipelines are: to protect the health, safety and welfare of provide safety for County residents; and to provide predictability for future pipeline siting; and to encourage communication and coordination with pipeline operators, landowners, and county, state and federal agencies.

The County is not able to control all issues regarding pipelines, as there are other agencies with jurisdictional authority (such as the EFSEC–Energy Facility Site Evaluation Council and the FERC Federal Energy Regulatory Commission), as well as demand from areas outside of Whatcom County, which preclude the County from having the ultimate authority. Nonetheless, goals and policies for the County are appropriate and incorporated herein.

The following goals and policies shall apply to all natural gas and hazardous liquid transmission pipelines as defined by state and federal regulations. This shall include pipelines which operate at a hoop stress of twenty percent or more of the specified minimum yield strength or as may be amended hereafter by federal regulations. Such a pipeline would by federal, state, and local definition be classified as a transmission line. The goals and policies presented herein should be interpreted in conjunction with the general utility policies of this chapter where applicable, with priority and deference given to these policies which are specific to natural gas and hazardous liquid pipelines where they appear contradictory. The Natural Gas and Hazardous Liquid Pipelines Background Report contains more detailed information regarding pipelines and related issues and is adopted by reference. The Utilities Committee concluded notification was the most appropriate method to meet the County’s goals, as opposed to imposing setbacks or other restrictions which would limit landowners’ use of land on the remote possibility an event would occur. Map 12-5-2 indicates a notification area of 1,000 feet (6650 feet from each side from the pipeline) for natural gas and hazardous liquid transmission pipelines, which may be of value to the public.
Reason for Change: We only adopt by reference though policies, not in narrative.

Goal 5M: Protect the citizens and the environment of Whatcom County through informational, educational, and regulatory measures.

Policy 5M-1: Seek intervener status on all pipeline proposals which may not be within the County’s regulatory authority, so as to preserve the County’s legal right to retain a voice in the proposal. The County will review a pipeline proponent’s application materials—and file comments with the reviewing bodies according to the appropriate procedure and within the timelines provided. Staff shall engage in continual and ongoing communication with the regulatory authorities regarding the project as the need or occasion arises.

Policy 5M-2: Carefully scrutinize new or updated franchise agreements. R, review and evaluate model franchise agreements, if available, for provisions to be incorporated into negotiation discussions regarding proposed provisions in future franchise agreements. Consider the adoption of a franchise agreement ordinance for consistency and guidance if multiple new agreements are anticipated.

Policy 5M-3: Develop-Provide information, /education, and notification programs to alert the public of pipeline location and safety considerations when making land purchase or development decisions adjacent to transmission pipelines.

Policy 5M-4: Require transmission pipeline operators to provide accurate ‘as-built’ pipeline maps as a condition of approval for any county development permit. In addition to scaled plan maps which shall be accurate to the parcel level, pipeline information (pipe size, allowable pressure, fuel type, etc.) shall also be provided. Whatcom County’s GIS department staff is to provide updates copies of all major pipeline routes to Whatcom County’s Division of Emergency Management.

Policy 5M-5: Require, early in the transmission pipeline permitting process, that the proponent provide funds to the County, adequate to cover the cost of an informational session which will be conducted by an independent third-party to be selected by the County on the topics of eminent domain and right-of-way acquisition. Pipeline proponents shall also be required to conduct “open house” and “town hall” style public meetings as a part of County—any land use development permit process for a new or major transmission pipeline expansion.

Policy 5M-6: Require transmission pipeline proponents to notify all fire districts, water, and sewer districts; and jurisdictions with urban growth areas where the siting of new pipelines crosses those service areas.

Policy 5M-7: Monitor transmission pipeline construction to ensure pipelines are installed in accordance with all applicable critical area regulations.
Policy 5M-8: Encourage the Office of Pipeline Safety to enact stronger safety measures for transmission pipelines, and to encourage pipeline applicants to voluntarily enact stronger safety measures than required by federal law in Whatcom County.

Policy 5M-9: Require land division and land use applicants to show transmission pipelines on application maps when any part of the property involved in the application is located within 500 feet of the centerline of the pipeline corridor.

Policy 5M-10: Encourage communication between property owners and transmission pipeline operators to minimize the risk of inadvertent damage to transmission pipelines and to provide guidance to property owners about minimizing further risk through site design or construction. Require notification of transmission pipeline operators at the earliest possible stage of application review (at least concurrent with other land use application notifications).

Policy 5M-11: Require protection of the pipeline corridor by prohibiting land disturbance and construction within defined rights-of-way except by express written consent from the pipeline operator.

Policy 5M-12: Verify the applicant's use of one-call locator services in accordance with state law prior to issuing any land disturbance or construction permits abutting pipeline rights-of-way, and require physical protection of the pipeline corridor during construction.

Policy 5M-13: Encourage ongoing coordination and communication between pipeline operators and the emergency response community including the Local Emergency Planning Committee, Health Department, Fire Districts, and Sheriff Department to promote education, awareness, emergency response and evacuation planning with regard to the environmental and health impacts of potential spills or leaks. Require pipeline operators to share detailed specifications about their pipelines and products transported with the emergency response community to facilitate better emergency preparedness.

Goal 5N: Develop locational siting criteria specific to special conditions regarding transmission and large distribution pipelines.

Policy 5N-1: Utilize Use a GIS-based siting criteria for evaluating transmission pipelines which is consistent with the comprehensive plan policies for transmission pipelines and the recommendations in the Natural Gas and Hazardous Liquid Pipeline Background Report.

Policy 5N-2: Encourage transmission pipelines to follow locate adjacent to established corridors where possible. Require applicant justification for proposed deviations.
Policy 5N-3: Transmission pipelines are inappropiate and discouraged in urban growth areas and areas of intense rural development—which would render such pipeline siting inappropriate.

Policy 5N-4: No transmission pipeline facilities should be constructed or located in critical areas without fully mitigating the project impact.

Policy 5N-5: Designated agricultural and forestry lands in the Comprehensive Plan are preferred locations for transmission pipelines, provided special attention is paid to facilitating and not impeding agricultural drainage.

Policy 5N-6: Restrict the location of transmission pipelines in high-risk landslide areas where evidence of instability could be ascertained by recent events, or verifiable geological conditions.

Policy 5N-7: Prohibit new land uses with high on-site populations that are difficult to evacuate or new essential public facilities from being located nearer than 500 feet from the centerline of a transmission pipeline. For natural gas transmission pipelines, encourage siting of critical facilities and high occupancy facilities pursuant to the regulations of WAC 480-93-020, and 480-93-030 (not closer than 500' from a 500 psi pressure or greater pipeline, not closer than 100' from a pipeline with a pressure between 250 and 499 psi) and as hereafter-amended.

Policy 5N-8: Require expanded land uses and facilities located nearer than 500 feet from the centerline of a transmission pipeline to not increase the level of risk from a pipeline failure and use site design, building, technological, and/or operational techniques to reduce or minimize risk.

Policy 5N-9: To allow continued use of property, especially agriculture, pipelines must be installed and maintained deep enough and in a manner that maximizes the ongoing use of the land consistent with the zoning in place at the time the pipeline was approved.

Note: The first clause was not in the Council's motion and has not been seen by Council. It is a staff suggested amendment based on Council's discussion as to the purpose of this policy.

Water Supply

Whatcom County residents obtain domestic water from public and private water systems. For the purpose of this discussion, the term "public" refers to the State Department of Health (Health) definition, and not to ownership of the system. This distinction is important and can often be confusing. Public systems, as defined by the State Health Department, must comply with specific regulations designed to protect the health of people using the supply. Private systems do not have to meet these same requirements. However, the County Council, acting as the Board of

Whatcom County Comprehensive Plan 5-14
Health, adopted the Whatcom County Drinking Water Ordinance in 2002, which established standards for private water systems used for new land development. This ordinance includes siting criteria, such as setbacks from septic tanks, and initial water quality sampling requirements. It does not impose on-going water quality monitoring on private water systems.

The complete definition of a public water system can be referenced in WAC 246-290 and WAC 246-291. In general, State Health regulations define a public water system as all systems except those serving only one single family residence and-or a system with four or fewer connections all of which serve residences on the same farm. However, the regulations do allow systems with only two connections to be exempted from State Health rules at the discretion of local/State Health. Whatcom County has taken advantage of this allowance and, in certain circumstances, does not require residential systems with two services to meet public systems requirements. However, these two-party wells that are exempt from state rules must still comply with the County's Drinking Water Ordinance.

As of 1998, 29,196 people (almost 20% of the county's population) were served by individual wells. Additionally, 128,304 people (over 80% of the population) were served by public drinking water systems (Whatcom County Coordinated Water System Plan, Feb. 2000, p. 3-6).

Over 80 percent of most Whatcom County residents obtain potable water from a municipality or district public water systems. There are, however, many people who obtain their drinking water from private water supplies including wells, surface water, and rainwater catchment water from one of the over 350 smaller, privately owned public water systems, individual wells. Water is critical to Whatcom County agriculture; irrigation is necessary for all high-value crops. Livestock must be watered year round, and dairy equipment and facility cleanup also go on all year. Some industries are also large-scale water users, and they may need both potable and non-potable water.

Four major water systems, Whatcom County PUD #1, City of Bellingham, Lake Whatcom Water and Sewer District and City of Lynden, draw surface water from the Nooksack River and Lake Whatcom. Most of the rest rely on groundwater as their source. This is not as distinct a difference as it seems, since Whatcom County water resources are an interconnected system. Water supply for public water systems in the county is identified in the Coordinated Water System Plan. The current Whatcom County Coordinated Water System Plan (CWSP) coordinates the plans of the county's public water purveyors (e.g., forecasting demand, identifying supplies and service areas) with the objective of ensuring the County has an adequate supply of potable water to serve planned domestic, commercial, and industrial uses, provided by public water systems. The CWSP must be consistent with this Comprehensive Plan, including land use designations, permitted densities, and related growth management policies, including identifying sufficient water supplies to accommodate projected growth for the next 20 years.

The largest purveyor in the county is the City of Bellingham. Bellingham directly supplies water to about 76,000 people, relying primarily on water from Lake
Whatcom and the Middle Fork of the Nooksack River via a diversion pipeline. However, Bellingham also sells water to Water District 2, Water District 7, Water District 10 and the Lummi Water & Sewer District. If water sold to these districts were included, Bellingham provides water to approximately 88,000 people. The City also has the largest collection of water rights of all purveyors in the county. This large water right portfolio could enable it to continue its role as a major purveyor in the future. Bellingham has indicated concerns about stormwater in the Geneva area and the County fully supports creation of a stormwater district, even in the absence of annexation.

The Public Utility District No. 1 (PUD), which obtains water from the Nooksack River, has the second largest collection of rights in the county. The PUD is a public water utility authorized under RCW Chapter 54 which provides retail service within its designated service boundary and has the potential to provide wholesale water on a county-wide basis. The PUD currently provides both direct retail and wholesale water supplies to customers within the county. The PUD holds water rights for municipal water supply purposes – including residential, commercial, industrial, and agricultural use. Pursuant to state law, the PUD develops and provides water supply within its service area in accordance with authoritative demand and/or population projections.

The PUD will consider petitions for service or assistance from all areas in Whatcom County which are not presently claimed by cities, water districts, or other purveyors operating within the county. The level of service to be provided to PUD customers requesting service or new supply will be consistent with their water rights and relevant capital facility and/or land use plans and policies in existence at the time of service extension.

Regardless of size, public or private, many water purveyors in Whatcom County face common challenges in meeting existing and future demands. Water quality concerns which have been identified include nitrates, arsenic, bacteria, iron/manganese, sea water intrusion, and pesticides/VOCs. Quantity concerns include legal limitations on supplies and questions regarding actual amounts and depletion of water. Regulatory requirements under the Safe Drinking Water Act, for example, further challenge the ability of purveyors to meet new demands.

Reason for Change: Text updated and moved from Chapter 1. CWSP plan is in the process of being updated, with an expected completion date of 2016. That document will contain additional updated and detailed information.

Meeting existing and future water demands throughout the county will require careful integration of land use and water resource planning. The County's strategy to meet existing and future water demands throughout the county include:

- Periodically updating the Coordinated Water System Plan to identify future supply, demand, and delivery requirements for the public water systems that supply the majority of potable water supplies in the County;

- Implementing the Water Resource Inventory Area (WRIA) 1 Watershed Management Project's 2005 WRIA 1 Watershed Management Plan, the 2007

Whatcom County Comprehensive Plan 5-16
WRJA 1 Detailed Implementation Strategy, and the 2010 Lower Nooksack Strategy, including pursuing water rights negotiations, developing a groundwater model to better understand groundwater supply potential and continuity with surface waters, and identifying future non-public water system needs such as agriculture and private well owners; including the WRJA 1 Watershed Management Plan (due in 2003) and the computer-based Decision Support System model that can aid in evaluating different scenarios associated with water quantity, water quality, fish habitat and in-stream flow conditions;

- Adhering to the various protection and management strategies discussed in the Chapter Eleven: Environment, Water Resource Section;
- Incorporating the updated comprehensive water plans that have been developed by some of the water purveyors; and
- Implementing the Capital Facilities Plans and Interlocal Agreements developed by the cities and County under the Growth Management Act to facilitate delivery of water to urban growth areas; and
- the use of short-term planning area boundaries within urban growth areas; and

Reason for Change: Remove or edited outdated information.

The Coordinated Water System Plan was completed in February 2000 and was adopted by the State Department of Health in August 2000. The plan, written by some of the local water purveyors, agencies, and others, was intended to help ensure more efficient planning for water supplies throughout the county. It identifies recommendations and requirements related to system design and planning, joint facilities and interties, system service areas, satellite system management, conservation, and general resource management.

Although the various tools noted above will assist in helping to meet water demands, there is work to be done in both completing the specific elements and ensuring their consistency with each other.

With so many uncertainties and so few clear answers, caution is necessary in making water-related decisions. It is likely that much dialogue, coordination, and clear understanding will be necessary to work through a myriad of water-related issues and decisions. Changing priorities, organization, and regulations at state and federal levels make comprehensive decision-making yet more arduous. County staff and elected officials must participate in all processes aimed at quantifying, regulating, or controlling-managing water in any way to protect the best interests of our citizens of Whatcom County. Specifically, the WRJA 1 Watershed Management Plan, WRJA 1 Detailed Implementation Plan, and Lower Nooksack Strategy were developed to address issues of water quantity, water quality, fish habitat, and in-stream flows. Additionally, Whatcom County created the Water Resources Division of the Public Works Department in 1999 to address water issues.

Whatcom County Comprehensive Plan 5-17
This plan is based on the assumption that agriculture is important to the County as identified in the Visioning Process, and that water will be available to serve the agricultural community. The plan also assumes that adequate water will be available to serve the proposed Urban Growth Areas. It is recognized that certain actions are needed to ensure supplies to those areas. These actions will be pursued and the Urban Growth Area boundaries will be periodically reviewed as part of the seven-year review Comprehensive Plan update process to determine if the boundaries are consistent with water availability.

Reason for Change: Water availability issues are discussed in Chapter 11.

Identified urban growth areas are served by public water either within an approved water service area or logical service boundary. Where gaps or shortfalls exist in planning or capital facilities, the County will use short-term planning area boundaries to assure adequate levels of urban services. Water rights are a significant always an issue in planning for adequate facilities. Treaty rights with the tribes, minimum instream flows for adequate protection of fish, and use and protection pursuant to state water laws, all affect the ability of the issuance of new water rights surveyors to meet service objectives. It is not the intent of the County to second-guess a projection in an approved or pending plan. The County will review plans periodically to ensure consistency with the growth and population projections of this plan, and changes in the availability of water or permits which may affect the ability to serve.

Because of concerns about water supply, and requirements of state law, development will be contingent on providing evidence of adequate water supplies.

Goal 5P: Resolve county water issues through pro-active participation in processes leading to a solution of water-related conflicts including the WRIA 1 Watershed Management Project.

Policy 5P-1: Plan for interlocal agreements with other agencies to manage failing water associations that fall into receivership.

Policy 5P-2: Encourage and actively participate actively in forums, workshops, and other water-related planning activities.

Policy 5P-3: Discourage extension of urban levels of water service to areas not designated as urban growth areas or Rural Communities, except in those limited circumstances 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.

Policy 5P-4: The County should periodically examine its role as a potential purveyor of water and sewer service in order to determine if increased involvement may be needed to help solve some of the utility problems in the county.
Policy 5P-5: Investigate the opportunity for multiple solutions to other issues such as flood management, when looking towards acquiring additional water supplies/rights.

Policy 5P-6: Evaluate and, where feasible, support alternative supplies of water such as desalinization, re-use of treated wastewater, and storage of flood water. Investigate reservoir holding ponds that take advantage of flood water when needed for beneficial uses such as fisheries, agriculture, domestic and industrial water supplies.

Reason for Change: Moved from Chapter 5 Action Plan item 26, which was not addressed previously in policies.

Goal 5Q: Work with Whatcom County PUD and other water purveyors to provide service to all existing and designated urban growth or industrial areas.

Policy 5Q-1: Work with the PUD, Birch Bay Water and Sewer District, Blaine, Ferndale, Ecology, and other appropriate jurisdictions as appropriate, to ensure adequate water rights and supplies to the Urban Growth Areas and designated industrial areas in northwest Whatcom County. Consider all options, including but not limited to, extension of water service areas, extending a water transmission pipeline from Ferndale to the District, to convey water from the PUD's and/or Ferndale's water rights, conjunctive management of surface and groundwater, artificial storage and recovery and reclamation of wastewater.

Policy 5Q-2: Ensure provision of urban levels of water service to urban growth within areas designated for urban growth.

Policy 5Q-3: Periodically review Urban Growth Areas to ensure appropriate actions have occurred to provide adequate water supplies.

Policy 5Q-4: Encourage annexation of areas zoned for urban densities concurrent with extension of urban level services.

Policy 5Q-5: The County should work closely with purveyors and the State Department of Health in the development and review of Comprehensive Water Plans to ensure consistency with land use and urban growth area needs.

Policy 5Q-6: Where necessary, to protect public health or the environment, utility extensions may be made.

Reason for Change: GMA, case law governs this.

Policy 5Q-76 The County will work with the Department of Ecology, City of Bellingham, the Port of Bellingham, the PUD, and local, regional, and state economic development agencies to ensure an adequate water supply to areas planned for industrial development.
Goal 5R: Ensure that potable water supplies required to serve development are available at the time the development is available for occupancy and use.

Policy 5R-1: Building permit applicants, new subdivisions, short plats, and binding site plans will be required to provide evidence that adequate and legal (in consultation with the Department of Ecology) supplies of water are available prior to their approval by the County.

Policy 5R-2: Work with purveyors to assist them in modifying their systems as required to support the land use element of the comprehensive plan.

Sewage Treatment
Whatcom County does not currently own, operate, or maintain a sewage treatment facility or associated pumping stations or pipelines. Sewage treatment in the unincorporated county is primarily by septic system. While adequately designed and installed on-site septic systems can be appropriate for rural-level development, maintenance of such systems varies from excellent to none-at-all. Poorly maintained septic systems are a source of ground and surface water pollution and have been identified at both the state and the local level as significant contributors to high nitrate levels in soil and coliform bacteria in surface water. Some systems can be in a failure mode for years before being noticed. "Package" sewage treatment systems and multiple-user septic systems may be a desirable alternative to the single-user, on-site system. Larger sewage treatment facilities are more appropriate for urban levels of growth. Whatever type of system is used, adequate maintenance is the best deterrent to system failure and to pollution of ground and surface water.

Goal 5S: Reduce the incidence of on-site sewage treatment system failure through system management and enforcement of standards.

Policy 5S-1: Support state on-site sewage system regulations (WAC 246-272) which requires that local health departments implement a program ensuring proper maintenance and operation for all on-site systems.

Policy 5S-2: The maintenance and operation program should be phased in beginning with high priority areas designated by the County Council. In implementing this policy, Lake Whatcom and Drayton Harbor are high priority areas.

Policy 5S-3: The development and implementation of the maintenance and operation program should consider use of the private sector where possible.

Goal 5T: Support development of new sewage treatment facilities, including new pipelines and extensions of existing pipelines, to areas designated for urban-level growth.
Policy 5T-1: Discourage extension of sewer lines in areas not designated as urban
growth areas or Rural Communities, except in those limited
circumstances 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.

Policy 5T-2: For those areas designated as Rural Communities and wishing to
infill, work with the communities to create sewer and water districts
as necessary to manage both utilities. Public water and sewer service
shall be limited to areas where existing lot sizes and development
patterns make public water and sewer appropriate and shall not be
extended outside of the Rural Community.

Policy 5T-3: Assist sewer and water districts in environmental review and
mitigation and in preparing grant applications to obtain package
sewer services that can be developed in a phased and cost-effective
manner to serve designated Rural Communities.

Policy 5T-4: Support the development of new technology and alternative sewage
disposal methods as an alternative to expensive sanitary sewer
systems to assure ground water quality is maintained.

Solid Waste Management

Whatcom County is responsible for managing solid waste generated by any
activities in the county. Over 44% of the county’s solid waste stream is recycled
through public and private efforts. Two privately operated facilities process
unseparated county solid waste. This product will is then be delivered to a private
landfill located outside Whatcom County. Local landfill options are limited to
construction waste and demolition debris at a private site on Hemmi Road. No solid
waste is deposited at the county-owned Cedarville landfill site which was closed in
1990. A private organization leases a portion of the Cedarville site for a solid-waste
drop box location for “self-haulers.” There are three other drop box locations in the
county; Birch Bay, Point Roberts, and Lynden drop boxes are privately operated
(two of these drop boxes, at Birch Bay and Point Roberts, are on land leased to the
operators by Whatcom County). The county will continue to use a private waste
disposal system within the GMA planning period assuming no unforeseen and/or
uncontrollable circumstances.

All solid waste management background information, goals, policies, and action
plans in this chapter have been extracted directly, or interpreted from, the
Whatcom County Comprehensive Solid Waste Management Plan, 1999

State law (RCW 70.95.010) requires counties to plan an integrated solid waste
management system that emphasizes waste reduction and recycling. Management
of solid waste that cannot be recycled can be incinerated or placed in a landfill.
Whatcom County Health Department is the lead planning agency for solid waste
planning in the County as of January 1, 2015, taking on the responsibility formerly
with the Public Works Department, The County prepared a Comprehensive Solid and Hazardous Waste Management Plan in 2008 and began the process of updating the plan in 2014. That plan has been prepared to meet the requirements of RCW 70.95.

Private collection, processing, and disposal services managed in accordance with the provisions of county ordinances and city contracts constitute Whatcom County’s solid waste management system. Adopted Disposal and Collection Districts, and a Service Level Ordinance serve as the foundation for county waste management. The Lummi and Nooksack Reservations and the Newhalem area are not included in the eCounty’s waste management plan.

Generally, eCounty waste management system priorities are met by waste prevention, recycling and source-separated composting, market development to increase local use of recycle-ables, collection, transfer, export, and land-filling.

The county includes several waste-prevention programs as part of its highest waste management priority, including waste reduction and re-use, education, legislation, and governmental waste-prevention activities. Education is directed at school-age children through in-school programs; at shoppers; and at the general public through awareness programs, videos, demonstration sites, and awards programs.

Whatcom County and the City of Bellingham jointly provide a hazardous waste management program including education, technical assistance, and operation of a moderate risk waste (MRW) facility. The MRW facility receives household hazardous waste and small quantities of commercial hazardous waste and prepares the waste for re-use or transport to a hazardous waste landfill/off-site treatment in Oregon. The County and City also jointly maintain a clean green yard waste facility open to all County residents.

Reason for Change: Remove outdated information.

Goal 5U: Support waste prevention for both solid waste and hazardous substances as a primary focus prior to waste management.

Policy 5U-1: Support solid waste source reduction activities including conservation education programs, source reduction programs for county agencies, a waste exchange and materials re-use clearinghouse, and home composting and other activities related to yard debris.

Goal 5V: The County’s waste diversion goal is to reach 50 percent source-separated recycling, with additional diversion potentially available through waste processing of non-source-separated recyclables.

Goal 5W: Using existing and future technologies, make available safe, effective, economical, and environmentally sound techniques for solid and hazardous waste disposal available using existing and future technologies.
Policy 5W-1: Support best-management practices for disposal of household, commercial, and industrial solid and hazardous wastes.

Policy 5W-2: Establish Maintain and enforce standards for disposal of bio-solids, including management of the amount of heavy metals and other pollutants, and management of impacts to sensitive areas.

Stormwater Management

Stormwater management is treated in Chapter 11: Environment and is not included in this Utilities Chapter.

Utilities-Action Plan

1. Provide a mechanism for the county and utility providers to cooperatively support education programs for both citizens and government officials on conservation issues, and promote awareness regarding location of all types of utility facilities.

Reason for change: This item is already addressed by Policies 5M-3 and 5U-1.

2. Support conservation efforts within county government.

Reason for change: See Policy 5G-6.

3. Directly support communities to work with utility providers in promoting utility conservation.

Reason for change: This item is already addressed by Goal 5-G and implementing policies.

4. Work with state utility regulators to facilitate energy conservation efforts.

Reason for Change: This item is already addressed by Goal 5-G and implementing policies.

5. Review and enforce existing energy codes.

Reason for change: Energy codes are part of IBC, which the County has adopted. IBC is reviewed regularly at the state level.

6. Work with utility purveyors to define ways for conservation to positively influence Whatcom County’s economic development through specific conservation efforts and economic savings obtained through conservation.

Reason for Change: This item is addressed Goal 5-G and implementing policies.

7. Adopt land-use implementation strategies such as development standards and incentives, and investigate multiple problem-solving aimed at conserving water and energy.

Reason for change: This item is addressed Goal 5-G and implementing policies.

Reason for change: Energy codes are part of IBC, which the County has adopted.

**Alternative Energy Sources**

9. Adopt solar access ordinances such as solar orientation and solar design standards.


10. Adopt ordinances enabling and facilitating alternative sources of energy.

Reason for change: This item was addressed by adoption of ordinances on wind energy systems and electric vehicle charging.

**Permitting Process**


Reason for change: This item is already addressed by Policies 5D-1 and 5D-2.

12. Establish screening and landscaping standards for utility facilities.

Reason for change: screening is required between unlike zones, WCC 20.80.300.

13. Direct growth and appropriate utility facilities to designated urban growth areas.

Reason for change: This item is already addressed by Policy 5C-8.

14. Map existing and proposed utility corridors and establish appropriate notification zone for each type of corridor. Notify applicants for development permits of proximity to utility corridors.

Reason for change: This item already addressed in WCC 20.81.050.

**Task Forces**

15. Direct the county Health Department to do the following concerning EMF:
   - monitor research;
   - plan and accomplish public education concerning EMF; and
   - review regulations and policy.

Reason for change: This item is already addressed by Policies 5K-1 and 5K-2.

**Education and Information**

16. Develop and implement a notice to use the “one-call” system place conspicuously on County land use development permits requiring excavation. Provide “one-call” brochure to applicant with permit materials.

Reason for change: Information on “one call” is currently provided with permit materials.

Whatcom County Comprehensive Plan 5-24
17. Design an educational program and handouts which explain the importance of using the "one-call" system.

Reason for change: Need to review administratively and prioritize on work plan.

18. Enhance the County’s permitting system by developing a standard procedure to provide copies of project plans to utility companies for opportunity to review and comments.

Reason for change: Need to review administratively and prioritize on work plan.

19. Educate the public with regard to landowner rights that are applicable to utilities, including information about eminent domain.

Reason for change: Need to review administratively and prioritize on work plan.

Transmission Pipelines

20. Develop GIS data linked to county permitting system to allow, at a minimum, for permits requiring excavation within 100 feet of a pipeline are to be flagged. The permit applicant can be informed of the existence of the pipeline with a notice placed conspicuously on the permit and "one-call" materials are to be included with permits.

21. Apply GIS-based siting criteria for evaluating pipelines to any and all future pipeline proposals.

Reason for change: This item is already addressed under Goal 5N.

Water-Supply

22. Encourage implementation of the Coordinated Water System Plan.

Reason for change: County already supports CWSP – intent unclear.

23. Develop interlocal agreements with local surface and groundwater management agencies to ensure adequate water supplies in urban areas.

Reason for change: This item is addressed in WRIA 1 and CWSP.

24. Establish an interlocal agreement with Whatcom County PUD, Water District 10, and other interested Satellite System Management Agency (SSMA) candidates, consistent with the recommendation from the CWSP, to manage failing water associations that fall into receivership.

Reason for change: This item already addressed in Policy 5P-1.

25. Actively participate in all appropriate water-related meetings, forums, and coalitions.

Reason for change: This item already addressed in Policy 5P-2 and in Chapter 11.

26. Evaluate and, where feasible, support alternative supplies of water such as desalination, re-use of treated wastewater, and storage of flood water.

Whatcom County Comprehensive Plan 5-25
Investigate reservoir holding ponds that take advantage of flood water when needed for beneficial uses such as fisheries, agriculture, domestic and industrial water supplies.

Reason for change: This item moved to new Policy 5P-6.

27. Review urban growth areas to ensure adequate water supplies are available and revise boundaries accordingly.

Reason for change: This is already addressed by Policies 5U-1 and 5Q-3.

28. The county shall review new residential projects requiring land use or construction permit approval for the availability of an adequate water supply.

Reason for change: This is already required.

29. The county shall notify purveyors of potential inconsistencies between their water system plans and the comprehensive plan, and shall work with them to find acceptable solutions.

Reason for change: This is already part of CWSP process.

30. The county shall work with rural water system operators to achieve level of service and construction standards for rural systems that are consistent with rural densities and service expectations.

Reason for change: This item already addressed in Policy 5R-2.

Sewage Treatment

31. Establish a maintenance management program for all new and existing septic treatment systems.

Reason for change: This item already addressed in Policies 5S-1, 2, and 3.

32. Require no protest agreements from all developers for sewer service LIDs.

Reason for change: This is not currently being required – policy discussion may be warranted prior to inclusion in comprehensive plan as policy.

Solid Waste Management

33. Monitor changes in technology and in the marketplace that could change the economics of solid waste management and waste-to-energy projects.

Reason for change: This item already addressed in Policy 5W-1.

34. Implement the recommendations of the Whatcom County 1999 Comprehensive Solid Waste Management Plan.

Reason for change: CSWMP is currently being updated, Health Department is charged with implementation.
Proposed Council Changes to Comprehensive Plan

Chapter 5 - Utilities

Page and line numbers reflect Planning Commission Recommended Draft dated 1/14/16(http://wa-whatcomcounty.civicplus.com/DocumentCenter/View/15154). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1) p. 5-10; Policy 5H-1: Land use regulations shall be consistent with the renewable energy goals and other goals in this chapter. Whatcom County zoning ordinances related to all types of renewable energy shall be reviewed and revised using working ordinances developed by other jurisdictions and peer-reviewed organizations as guides. The county shall complete a renewable resource and environmental impact study to identify all areas of the county that are suitable for different types of renewable energy, as well as areas to avoid. Areas identified as suitable shall be defined as energy overlay zones, within which different types of energy development that do not cause any public health issues, may be permitted outright. Renewable energy that does not cause any public health issues shall be encouraged in these zones. (Brenner)

2a) p. 5-9; Policy 5H-2: Encourage and support the development of renewable energy projects and technologies, including pursuing renewable energy supply portfolios for the County from power suppliers as well as small local renewable energy projects... (Brenner, Mann)

2b) such as anaerobic digesters, solar and wind energy, and biomass, where applicable. (Brenner)

3) p. 5-10; Policy 5H-4: Locate solar renewable energy generation equipment on County facilities where cost/benefit analyses prove advantageous over the life cycle of the facilities. (Brenner, Mann)

4) p. 5-10; New Policy 5H-5: The Whatcom County zoning ordinance related to wind energy systems shall be reviewed and revised to encourage reasonable opportunities for wind energy at all scales. (Mann)

5) p. 5-10; New Policy 5H-6: By 2018, the County shall complete a renewable energy resource study to identify areas of the County that are suitable for renewable energy development. Areas identified as suitable shall be defined with renewable energy overlay zones, within which preferred energy development shall be permitted outright. Energy development that utilizes wind, solar, and digesters are eligible for preferred status and an overlay zone. (Mann)
Tabled Item

4) p. 5-5; lines 12-16: Countywide Planning Policies, open space, greenways, the environment, zoning, existing development patterns, urban growth areas, and other physical, political, business, economic, and geographical constraints and plans will demarcate both the need for and the locations available for any new electric power and/or natural gas corridors. (Weimer)

Changes Approved March 8

p. 5-9; Policy 5E-3: Utility companies shall provide notification of proposed projects to abutting landowners consistent with when required by County code. (Weimer)

p. 5-10; Policy 5G-1: Land use regulations shall should be consistent with the conservation and other goals in this chapter. (Brenner)

p. 5-10; Policy 5G-5: The County shall should consider funding and promoting energy education services in order to inform citizens on energy conservation and the use of renewable energy sources. (Brenner)

p. 5-10; Policy 5H-1: Land use regulations shall should be consistent with the renewable energy goals and other goals in this chapter. (Brenner)

p. 5-12; lines 13-45: Transmission of hazardous liquids and gases by pipeline is an efficient and convenient transportation mode for transporting these products. However, pipelines pose a risk of potential for ruptures and uncontrolled leaks of products which are highly flammable, explosive, or toxic, and therefore requires careful consideration of pipeline siting, nearby land uses, and protection of pipelines from third-party excavation damage.

The goals of Whatcom County regarding pipelines are: to protect the health, safety and welfare of provide safety for County residents; and to provide predictability for future pipeline siting; and to encourage communication and coordination with pipeline operators, landowners, and county, state and federal agencies.

The County is not able to control all issues regarding pipelines, as there are other agencies with jurisdictional authority (such as the Energy Facility Site Evaluation Council and the Federal Energy Regulatory Commission), as well as demand from areas outside of Whatcom County, which preclude the County from having the ultimate authority. Nonetheless, goals and policies for the County are appropriate and incorporated herein.

The following goals and policies shall apply to all natural gas and hazardous liquid transmission pipelines as defined by state and federal regulations. This shall include pipelines which operate at a hoop stress of twenty percent or more of the specified yield strength or as may be amended hereafter by federal regulations. Such a pipeline would be classified as a transmission line. The goals and policies
presented herein should be interpreted in conjunction with the general utility policies of this chapter where applicable, with priority and deference given to these policies which are specific to natural gas and hazardous liquid pipelines where they appear contradictory. The Natural Gas and Hazardous Liquid Pipelines Background Report contains more detailed information regarding pipelines and related issues. The Utilities Committee concluded notification was the most appropriate method to meet the County's goals, as opposed to imposing setbacks or other restrictions which would limit landowners' use of land on the remote possibility an event would occur. Map 5-2 indicates a notification area of 1000 feet (665 feet from each side of the pipeline) for natural gas and hazardous liquid transmission pipelines, which may be of value to the public. (Weimer)

p. 5-13; Policy 5M-2: Carefully scrutinize new or updated franchise agreements. Review and evaluate model franchise agreements, if available, for provisions to be incorporated into negotiation discussions regarding proposed provisions in future franchise agreements. Consider the adoption of a franchise agreement ordinance for consistency and guidance if multiple new agreements are anticipated. (Weimer)

New Policy 5M-9: Require land division and land use applicants to show transmission pipelines on application maps when any part of the property involved in the application is located within 500 feet of the centerline of the pipeline corridor. (Weimer)

New Policy 5M-10: Encourage communication between property owners and transmission pipeline operators to minimize the risk of inadvertent damage to transmission pipelines and to provide guidance to property owners about minimizing further risk through site design or construction. Require notification of transmission pipeline operators at the earliest possible stage of application review (at least concurrent with other land use application notifications). (Weimer)

New Policy 5M-11: Require protection of the pipeline corridor by prohibiting land disturbance and construction within defined rights-of-way except by express written consent from the pipeline operator. (Weimer)

New Policy 5M-12: Verify applicants' use of one-call locator services in accordance with state law prior to issuing any land disturbance or construction permits abutting pipeline rights-of-way, and require physical protection of the pipeline corridor during construction. (Weimer)

New Policy 5M-13: Encourage ongoing coordination and communication between pipeline operators and the emergency response community including the Local Emergency Planning Committee, Health Department, Fire Districts, and Sherriff Department to promote education, awareness, emergency response and evacuation planning with regard to the environmental and health impacts of potential spills or leaks. Require pipeline operators to share detailed specifications about their pipelines and products transported to the emergency response community to facilitate better emergency preparedness. (Weimer)
Designated agricultural and forestry lands are preferred locations for transmission pipelines, provided special attention is paid to facilitating and not impeding agricultural drainage. (Weimer)

For natural gas transmission pipelines, encourage siting of critical facilities and high occupancy facilities pursuant to the regulations of WAC 480-93-020, and 480-93-030 (not closer than 500' from a 500 psi pressure or greater pipeline, not closer than 100' from a pipeline with a pressure between 250 and 499 psi) and as hereafter amended. Prohibit new land uses with high on-site populations that are difficult to evacuate or new essential public facilities from being located nearer than 500 feet from the centerline of a transmission pipeline. (Weimer)

Require expanded land uses and facilities located nearer than 500 feet from the centerline of a transmission pipeline to not increase the level of risk from a pipeline failure and use site design, building, technological, and/or operational techniques to reduce or minimize risk. (Weimer)

Pipelines must be installed and maintained deep enough and in a manner that maximizes the ongoing use of the land consistent with the zoning in place at the time the pipeline was approved. (Browne)
Discussion and preliminary Council direction on Comprehensive Plan Chapter 6, Transportation

ATTACHMENT:

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 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
5/10/2016: Comments received
5/10/2016: Discussed and provided preliminary direction
5/17/2016: No Comments Received
5/17/2016: Discussed and provided preliminary direction

COUNCIL ACTION:
5/3/2016: Public Testimony Received
5/31/2016: This item was not scheduled

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 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)."

Bob Hughes
CTAC

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...”
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\(^2\), 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.\(^3\) 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. 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.
Chapter 6 – Transportation

1. 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.

2. 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.

3. 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):

1. The Level of Service (LOS) standard for county collectors located outside of urban growth areas during weekday p.m. peak is C or better.

2. The LOS for county collectors within urban growth areas not associated with cities during weekday p.m. peak hours is D or better.

3. The LOS for county collectors within city urban growth areas during weekday p.m. peak hours is D or better.

4. The LOS for all county intersections is LOS D.

5. 513 ferry passenger trips annually per capita Lummi Island population.

Policy 6A-3: List the following level of service standards for state highways⁵, as established by WSDOT and WCOG:

1. The LOS for state highways in urban growth areas is D or better.

---

⁵ Required by RCW 36.70A.070(6)(a)(iii)(C)
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. 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 on County-owned arterials and state highways 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.

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-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.
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 best 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.

Cooperation 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.

Whatcom County Comprehensive Plan 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.

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
Council 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 6C-6G:** 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 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:** 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.

**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, car pools, 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., car pools, van pools, 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.

**Agriculture-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]
   with the Land-Use chapter and the Transportation chapter.

   [PW adopts WSDOT access management standards in Design guidelines Chapter 5]


   [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-occupancy 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 Soper 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 Hovander Park. In addition, pursue scenic, non-motorized segments along the bluffs between Ferndale and Birch Bay, through purchase or long-term agreements with land owners.

- **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.

- Social Connectedness
  H: Local food production increases access to healthy foods.
  I: The types of stores available in a neighborhood affect food access.
  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>Policy</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>6D-1</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>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>Keep</td>
<td>Low</td>
<td>Retained; moved to Policy 6J-1</td>
<td>A, B, D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6M-1</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>Keep</td>
<td>High</td>
<td>Removed</td>
<td>A, D, F, K</td>
<td></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>
</tr>
<tr>
<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>
</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>
</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>
</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</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;</td>
</tr>
<tr>
<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>
</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 6J-1</td>
<td>A</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>
</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>
</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>Additional language added that prioritizes projects based on safety, roadway preservation and concurrency.</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>
</tr>
<tr>
<td>------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------</td>
<td>-----------------------------------</td>
<td>---------------------------------------------</td>
<td>--------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>68-2</td>
<td>Policy 68-2: 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></td>
</tr>
<tr>
<td>68-4</td>
<td>Policy 68-4: Adopt a prioritized bicycle capital facilities improvement plan.</td>
<td>Change/Add</td>
<td>High</td>
<td>Removed</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>68-7</td>
<td>Policy 68-7: 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>
</tr>
<tr>
<td>68-8</td>
<td>Policy 68-8: 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></td>
</tr>
<tr>
<td>Goal/Policy</td>
<td>2008 Comp Plan Goal Language</td>
<td>Recommendation (Change? Add? Keep?)</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>
</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>
</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>
</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></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>
</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>
</tr>
<tr>
<td>-------------</td>
<td>-----------------------------</td>
<td>-----------------------------------</td>
<td>-----------------------------------</td>
<td>-----------------------------------------------</td>
<td>--------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>6L</td>
<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 6J and Policy 6J-1</td>
<td>A, B, D, K</td>
<td></td>
</tr>
<tr>
<td>6L-3</td>
<td>Policy 6L-3: Support educational efforts that emphasize non-motorized transportation alternatives.</td>
<td>Keep</td>
<td>Medium</td>
<td>Removed.</td>
<td>A, D, K</td>
<td></td>
</tr>
<tr>
<td>6M</td>
<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>A, F</td>
<td>Add: Add policies that prioritize facilities within UGAs</td>
</tr>
<tr>
<td>6M-8</td>
<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 new section 6F incorporates policies from the Whatcom County Pedestrian and Bicycle Plan</td>
<td>A, D, F, K</td>
<td></td>
</tr>
<tr>
<td>6N</td>
<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>B</td>
<td></td>
</tr>
</tbody>
</table>
| Goal/Policy | 2008 Comp Plan Goal Language | Recommendation | Priority Ranking (High-Medium-Low) | Status in Planning Commission Recommended Draft | Associated Health Impacts | 2014 Notes to PDS: | 2016 Notes:
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<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 6J and Policy 6J-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 6J-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 6J-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-5</td>
<td>B, F</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TRANSPORTATION – ACTION PLAN 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).</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>
</tbody>
</table>
### Possible Additions:

<table>
<thead>
<tr>
<th>Goal/Policy</th>
<th>Sample Language</th>
<th>Recommendation</th>
<th>Priority Ranking</th>
<th>Status in Planning Commission Recommended Draft</th>
<th>Associated Health Impacts</th>
<th>2014 Notes to POS:</th>
<th>2016 Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Design guidelines specific to UGAs and subdivisions:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Require developers to build facilities for walkers, bicyclists, and wheelchairs in all new developments (e.g. sidewalks, ramps, bicycle racks)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>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.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>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).</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d. Support walkability audits to identify inconvenient or dangerous routes and prioritize infrastructure improvements in communities with the most need.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>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></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Recommendation:** Add

**Priority Ranking:** High

**Status in Planning Commission Recommended Draft:**

- 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.

**Associated Health Impacts:**

A, B, D, E, F, J, X

**2014 Notes to POS:**

- c. The introduction to Section 6F notes that level of service for bicycle and pedestrian facilities is best addressed by quantifiable measures as for automobiles. See also Policy bike6F-2.
### 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 POS:</th>
<th>2016 Notes:</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, I, K</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Adopt roadway design guidelines that enhance street connectivity.</td>
<td>Add</td>
<td>High</td>
<td>Policy 6E-1 calls for the adoption of design guidelines</td>
<td>A, D, F, K</td>
<td></td>
<td>See also Policy 6F-1</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 (UGA 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 dated 1/14/16 (http://whatcomcounty.civicplus.com/DocumentCenter/View/15155). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

1) p. 6-18; 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)

2) 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)

3) p. 6-19; Policy 6F-4: Identify, analyze and Prioritize pedestrian and bicycle projects based on the following criteria: (Browne)

4) 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)

5) 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 100 miles or more of contiguous walking/hiking trails) by 2027. (Browne)

6) p. 6-32; Restore Section: 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)

6a) p. 6-32; Restore Goal 6P: Provide for safe, efficient movement of commercial vehicles in Whatcom County. (Browne)

6b) p. 6-32; New Policy 6P-1: 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)

6c) p. 6-32; New Policy 6P-2: Any new commercial/industrial development must not materially impact the safe, efficient movement of existing residential, commercial, public safety or emergency response traffic within Whatcom County. (Browne)

6d) p. 6-32; Restore Policy 6P-4 as 6P-3: 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. (Browne)
Passed April 19

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 Whatcom County, including Point Roberts (Point Roberts Airpark), and on Lake Whatcom (Floathaven SPB), near Custer (Meadow Mist), and Eliza Island. (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 currently a total of nine 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. 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 include concurrency for the county-owned ferry service (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)

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)

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)
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 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. *(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)*

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 the WTA. *(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)

Passed May 10
1) p. 6-9; Policy 6A-1 (reconsideration): 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. The interim LOS is calculated using the scheduled trips, the estimated car units of the ferry and the Small Area Estimates Program (SAEP) population figure. The interim standard is established at 439 (LOS = (Scheduled one way trips X estimated car units for the boat) X 2/ Small Area Estimates Program Population figure from OFM for Lummi Island) (Lummi Island Ferry Advisory Committee/Staff)

2) p. 6-16; New Policy 6C-8: Conduct a ferry feasibility study to inform the next annual 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. 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. (Lummi Island Ferry Advisory Committee)

3) p. 6-29; New Policy 6J-9: Encourage the development and installation of a comprehensive electric vehicle rapid charging network, including the following opportunities:

- Allow rapid charging stations in commercial parking lots and other convenient locations;
- Provide a streamlined and expedited permitting process for rapid charging stations;
- Provide incentives to developers, employers, and organizations that provide rapid charging stations;
- Consider requirements to include infrastructure for rapid charging stations in multi-family and commercial developments; and
- Pursue partnerships with Puget Sound Energy to consider voluntary development of rapid charging stations to reduce costs. (Mann)
p. 6-21; Policy 6G-3: Consistent with county land use planning, coordinate identification of new arterial routes with adjacent city jurisdictions. Coordinate with adjacent jurisdictions to identify, design, and strategically implement needed system improvements in locations where jurisdictional interests overlap. Such locations include unincorporated urban growth areas adjacent to cities, and non-urban areas where existing or proposed facilities serve regional interests. Improvements should be designed to standards appropriate to the planned land uses served by the facilities. In unincorporated urban growth areas adjacent to cities, design should meet the appropriate city design standards. (Staff)
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)
Public hearing on County Council preliminary draft of Comprehensive Plan Chapter 8, Resource Lands

ATTACHMENT:

Preliminary draft, Comprehensive Plan Chapter 8, Resource Lands

Related paperwork can be found at:
http://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 April 19, 2016, regarding the periodic update of the Whatcom County Comprehensive Plan, Chapter 8, Resource Lands (AB2016-047H). This hearing will give the public an opportunity to provide comments to the County Council relating specifically to Chapter 8.

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:

3/8/2016 (AM): Discussed and amended
3/8/2016 (PM): Not discussed
3/22/2016: Discussed and provided preliminary direction
3/29/2016: Discussed and provided preliminary direction

COUNCIL ACTION:

4/19/2016: Public Testimony Received
5/31/2016: SCOTW: Item was not discussed

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.
Chapter Eight
Resource Lands

Introduction

The growth and harvest of farm products, re-generation and harvesting of timber, use of aquatic lands for shellfish harvest, and excavation of minerals all shape Whatcom County's landscape and strongly influence the economy. Resource lands, which include agriculture, forestry, aquatic resource lands, and mineral resource lands, also largely represent Whatcom County's cultural heritage. These natural resource activities have been major industries since European settlement began in the area, and the use of aquatic lands by our indigenous citizens far predates European settlement.

Chapter Organization

This chapter is divided into three-four sections: Agricultural Lands, Forest Resource Lands, Aquatic Resource Lands, and Mineral Resources. The action plans for all three sections appear at the end of the chapter.

Reason for Change: The action plans at the end of this chapter have already been completed or have been consolidated into goals/policies.

Purpose

This chapter contains goals and policies designed to identify and protect the important natural resource lands found in Whatcom County as defined by RCW 36.70A. The development of these goals and policies is necessary to ensure the provision of land suitable for long-term farming, forestry, and mineral extraction so the production of food, fiber, wood products, and minerals can be maintained as an important part of our economic base through the planning period. Without protection of these resource lands, some of the lands could be inappropriately or prematurely converted into land uses incompatible with long-term resource production. The premature conversion of resource lands into incompatible uses places additional constraints on remaining resource lands and can lead to further erosion of the resource land base.

Process

Each section of this chapter includes a description of the process followed in creating that section.

GMA Goals, and County-Wide Planning Policies, and Visioning Community Value Statements

The following goals and policies in this chapter have been developed:
- to be consistent with and help achieve the state-wide GMA goals to "maintain and enhance" natural resource based industries
to implement County-Wide Planning Policies which express the desire for
the county to become a government of rural lands and sustainable resource
based industries
• to fulfill the citizens' vision of Whatcom County where resource based
industries are widely practiced and encouraged

The Agricultural Lands, Forest Resource Lands, Aquatic Resource Lands, and
Mineral Resources sections of this chapter address Goal 8 of the GMA, which reads:
"Natural Resource Industries. Maintain and enhance natural
resource based industries, including productive timber, agricultural,
and fisheries industries. Encourage the conservation of productive
forest lands and productive agricultural lands, and discourage
incompatible uses." (RCW 36.70A.020)

The goals, policies, and action plans of this chapter support the achievement of this
goal by identifying, designating, and protecting productive resource lands from
incompatible uses, thereby helping to maintain the county's important natural
resource based industries.

Identifying and designating productive resource lands also helps implement the
County-Wide Planning Policies which state that Whatcom County shall "become
a government of rural areas in land use matters directed towards agriculture,
forestry, mineral resources, aquatic industries, and other natural resources." [CWPP
B(1)]. In addition, land use policies which encourage best management
practices are included within this chapter to support and maintain the County-Wide
Planning Policies regarding economic development: As part of a broad based
economy, of productive timber, agriculture, mineral and fisheries aquatic industries
should be maintained in a sustainable manner. (CWPP I-9)

The results of the Visioning Process place a great importance on preserving
agricultural lands while recognizing the economic pressures facing the farming
community. The economies of forestry are recognized as well, along with the
necessity of mining and the reality of impacts on affected neighbors. The goals,
policies, and action plans of the Resource Lands chapter support the future vision of
Whatcom County as a semi-rural region with productive resource based industries
and a healthy environment by encouraging the use of good management practices
and resource conservation measures as well as designating and protecting resource
lands:

Reason for Change: Removing references to older processes.

Agricultural Lands – Introduction

Purpose

The purpose of this section is to provide a clear set of guidelines that both preserve
the agricultural base in Whatcom County and ensure that both the agricultural
industry and the cultural heritage thrive in the years to come.

Process

In 1991 an Agricultural Resource Land Advisory Committee was formed to adopt Interim Agricultural Resource Land Designations under the GMA. After 13 committee meetings and three public information meetings, the committee recommended adoption of refined goals and objectives and re-adoption of the existing Agriculture zoning and plan designations. Their recommendation was adopted by Council through Ordinance 92-013. Exhibit A to Ordinance 92-013 explains the locational criteria that were used to designate agricultural lands. These criteria are found in Policy 8A-3.

Currently, approximately 88,000 acres are designated as agricultural lands of long-term commercial significance.

Committee members were chosen for their interest or expertise in Whatcom County agriculture and included dairy and berry producers, food processors, Whatcom County Farm Bureau, a Darigold Board member, a small farmer, interested citizens; Cooperative Extension Service, Agriculture Stabilization and Conservation Service, and Soil Conservation Service.

After 13 committee meetings and three public information meetings in 1991, the committee recommended adoption of refined goals and objectives and re-adoption of the existing Agriculture zoning and plan designations on an interim basis. This included consolidation of the existing body of agriculture policies into one document; a refined set of goals, objectives, issues, and planning horizon; a list of consensus items agreed upon by the Committee; an Action Plan; and a right to farm ordinance. Much of the material in this section was taken from that original process and distributed among the agricultural community for their review prior to submission of the final draft to the County Council and Planning Commission for action.

Reason for Change: Outdated narrative and shortened for brevity.

GMA Requirements

The Growth Management Act requires the Whatcom County Comprehensive Plan to identification of the "general distribution and general location and extent of the uses of land... for agriculture..." Map 8-1Map-18 and Map 8-2Map-19 show agricultural soils and existing agricultural zoning boundaries. Map 8-1Map-18 shows prime agricultural soils, and the Agricultural Comprehensive Plan designation. Those lands designated as Agriculture in the comprehensive plan are designated as Agricultural Lands of Long-Term Commercial Significance as defined by GMA. Agricultural lands of long-term commercial significance are land: (a) not already characterized by urban growth (b) that is primarily devoted to the commercial production of agricultural products enumerated in RCW 36.70A.030(2), including land in areas used or capable of being used for
production based on land characteristics, and (c) that has long-term commercial significance for agricultural production, as indicated by includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.” (RCW 36.70A.030(10).--for GMA planning purposes.

Reason for Change: Added the GMA definition.

Prime farmland, as defined by the Natural Resources Conservation Service (NRCS), "is the land that is best suited to food, feed, forage, fiber, and oilseed crops."

Categories of prime soils depicted on Map 8-1 are described as follows:

- **Category I:** All areas are prime farmland.
- **Category II:** Prime farmland if when drained.
- **Category IV:** Prime farmland if irrigated when protected from flooding.
- **Category V:** Prime if drained and protected from flooding or not frequently flooded during the growing season. Prime farmland when irrigated.
- **Category VII:** Prime if irrigated and either protected from flooding or not frequently flooded during the growing season. Prime when drained and protected from flooding.
- **Category VII:** Prime if subsoiled, completely removing the root inhibiting soil layer.

These prime soil categories are taken directly from the NRCS National Soil Survey Handbook Part 622. Whatcom County does not contain all NRCS categories of prime soils.

Reason for Change: The NRCS has altered its prime soils classifications since the last update.

Map 8-2 shows Agriculture Protection Overlay soils, and provides a visual representation of those areas that are subject to the Agriculture Protection Overlay (APO). The APO recognizes that agriculturally important soils may lie outside existing agricultural zoning, in designated rural areas, and provides a mechanism for conserving these soils for agricultural use, if conservation is appropriate. Soils are were classified as APO soils based on the NRCS's Prime Farmland classification system and Land Evaluation and Site Assessment (LESA) system.

The purpose of the APO is to promote and encourage commercial agricultural activity, meet long-term agricultural needs not otherwise met in the Agriculture zone district, provide a reasonable mix of uses and activities which that may enhance the economic resources available to the farmer, and provide for a variety of uses within the rural areas which that are not inconsistent with or incompatible with the use of lands within these areas for agricultural activities.

Conserving productive agricultural lands in rural areas, without infringing on private property rights, is a primary objective of the APO. The APO applies to all lands.
zoned Rural-5A or Rural-10A that are outside designated urban growth area boundaries and held in parcels of 20 acres or larger. Map 8-2Map 19 shows lands zoned Rural-5A or Rural-10A that are outside UGAs. Applied at the time of subdivision, the APO utilizes uses cluster zoning in order to allow development on one portion of a parcel, while leaving the remainder of the parcel available for agricultural use. The portion available for development will be limited to 20 percent (or possibly, up to 30 percent).

The APO seeks to conserve lands, with agriculturally important soils, whose predominant use has been and continues to be, or could be commercial agriculture. This overlay zone shall include areas which that:

1. Have been designated as agricultural open space for county property tax purposes within the past seven years; and/or

2. Those that include more than 50 percent APO soils;

GMA also specifies the need for regulatory protection relative to agriculture. It requires that the county "shall adopt development regulations on or before September 1, 1991, to assure the conservation of agricultural, forest, and mineral resource lands . . .” Whatcom County has enacted a Right-To-Farm ordinance that meets this requirement.

Agricultural Lands – Background Summary

Agriculture has been practiced continuously in Whatcom County since long before Euro-American settlers arrived. Native American peoples had developed and cultivated root crops in the natural prairies along the Nooksack Valley, where sub-irrigated meadows were ideal sites for such plants as camas and "Indian carrot." Euro-American settlers expanded the area under cultivation, logging and planting crops on thousands of acres of forest land.

Today agriculture plays an important role in both Whatcom County's economy and its identity.

Agricultural activity is generally considered to be a condition or activity which occurs on agricultural land in connection with the commercial production of agricultural products. Agricultural land can be described as the land, buildings, freshwater ponds, including the buildings and machinery used in the commercial production of agricultural products. Agricultural products are those plants and animals useful to humans. Commercially viable agricultural products require generally rich and fertile soil with appropriate amounts of water to bring them to a harvestable stage.

Reason for Change: Shortened for brevity.

Agricultural lands are an important resource to the people of Whatcom County and Washington State. Yet if not adequately protected through zoning and other measures, these lands may be converted to are often considered available for urban or rural uses. Often the conversion process begins when rural uses move
onto agricultural land, creating smaller parcels, more buildings, and activities that,
in some cases, are incompatible with agriculture. In many cases, this blurs the line
of distinction between agriculture uses and other uses and sets the stage for further
conversion of the limited agricultural land base in Whatcom County.

Reason for Change: Clarification of the meaning of the first sentence.

The viability of an agricultural resource economy is dependent upon the presence of
certain agriculture related industries and activities. These include processors (for
example, fruit and vegetable packers and milk processors in Whatcom County),
farm implement sales and repair, fertilizer and pesticide suppliers, trucking firms,
certified meat inspectors and processors, a pool of farm labor, etc. These activities,
in turn depend on a stable (or expanding) agricultural products economy which that
is in turn dependent on maintaining a stable agricultural resource land base. If
agricultural production is reduced below a certain level in a given geographical
area, then it becomes no longer economical for the agriculture related activities to
remain in that area. Loss of these support industries results in further reduction and
conversion of the agricultural land base and an accelerating downward spiral for the
local agricultural economy.

Another important consideration is maintaining a large contiguous land base—
without a significant potential for conversion to non-agricultural residential uses—
for agriculture. Smaller, discontinuous agricultural areas are more vulnerable to
conversion pressures resulting from longer hauling routes, difficulty in transporting
farm equipment and supplies on roads dedicated to residential traffic, conflicts with
neighboring non-agricultural land uses, and the reduced importance of agriculture
in the local economy. Maintaining such a large contiguous land base sometimes
requires preserving within the agricultural resource land area some lands that are
not well suited to actual production of crops. Such inclusions may best be used for
building sites, windbreaks, specialty crops, livestock wintering, forestry, etc. Thus it
is important to consider both the size and the configuration of the agricultural
resource area to provide long term stability of the agricultural resource and support
industry economy.

In 1949, 200,000 acres of land were reported to be in farm production in Whatcom
County. Between 1949 and 1992, land in farm production declined. Since that time,
land in farm production has declined. In 1994, agriculture accounted for 139,680
acres, a decline of over 60,000 acres. The number of farms in Whatcom County
declined from 1,463 in 1987 to 1,367 in 1992. Although farm size remained about
the same over this period, averaging 86 acres; the total number of acres in farm
production declined by 6,539 acres between 1987 and 1992. In 2012, agriculture
accounted for 115,831 acres, nearly 85,000 fewer acres than 1949. However, since
1992, the amount of land in farms has remained relatively stable (between 100,000
and 125,000 acres). But at the same time, both the number and diversity of farms
in the County has been increasing. Even while the amount of land in agricultural
use has remained relatively stable over the past two decades, the economic value
of the products produced on those farms has increased by more than $100 million
in the same time period. These figures illustrate how the amount of land in farm
production has been steadily shrinking over time.
Reason for Change: Updating figures to the most recent ag census data.

**Agricultural Lands—Issues, Goals, and Policies**

**Agricultural Land Base**

Agricultural viability is dependent upon long-term supplies of clean water and a large fertile land base. Erosion of the farm land base has been recognized as a national and local problem. The maintenance of a sufficiently large land area devoted to agricultural activity is necessary to support associated farm processing operations such as milk and berry processing facilities.

Increasing demand for low cost residential building sites coupled with fluctuating profit margins for agricultural operations and availability of residential development rights brings increasing pressure to convert agricultural land to residential and other non-agricultural uses.

Whatcom County passed Resolution 2009-040 on July 7, 2009 in which the County Council confirmed that 100,000 acres of land available for agricultural use is the minimum goal for ensuring a land base necessary to support a viable agricultural industry in Whatcom County. The resolution also stated the need to strengthen agricultural land protection in the County's Rural Study Areas as defined in the 2007 Rural Land Study by the Agricultural Advisory Committee (AAC). The AAC assisted in the creation of the County's Agricultural Strategic Plan in 2011, which included the task of reviewing rural study areas and identifying any new agricultural zoning designations or where agricultural land protection efforts should be strengthened.
Goal 8A: Conserve and enhance Whatcom County's agricultural land base for the continued production of food and fiber.

Policy 8A-1: Conserve productive agricultural lands and agricultural resource lands, including areas with prime soils which are not now zoned agriculture, or where the area is composed of agricultural operations that have historically been and continue to be economically viable, by developing and implementing a long range strategy. The planning horizon should be twenty years in the short-term and 250 years in the long-term.

Reason for Change: 250 year planning horizon is unreasonable.

Policy 8A-2: Maintain a working agricultural land base sufficient to support a viable local agricultural industry by considering the impacts to farmers and agricultural lands as part of the legislative decision making process. Measures that can be taken to support working farms and maintain the agricultural land base may include:
- Maintenance of 100,000 acres of agricultural land to support a healthy agricultural industry.
- A workable transfer of development rights program (TDR) in which the development potential of a site could be transferred to another location where development is more favorable.
- The workable TDR program shall give priority to the creation of economically viable receiving areas.
- Developing a marketplace approach to strengthening agricultural practices while enhancing larger-scale watershed processes and functions by identifying feasible opportunities on agricultural land to improve both watershed health and agricultural viability and developing incentives and tools to compensate farmers for actions that exceed minimum regulatory standards.
- Maintaining a Purchase of Development Rights (PDR) program which facilitates the removal of development rights from productive farmland and provides permanent protection of those agricultural lands through the use of conservation easements or other legal mechanisms.
- Maintenance of a sufficient quantity of agricultural land to support a healthy agricultural industry.
- Required mitigation in the event that designated agricultural land is converted to another use.
- Required buffers on all new non-agricultural uses located adjacent to agricultural activities.
- Development assistance to agricultural related enterprises.
- Farm friendly regulations.
- Incentives and cooperation between landowners and public agencies such as the utilization of the current use tax assessment provisions.
- Implementing land use policies that encourage farming on rural lands of high agricultural productivity and potential.
- Discouraging conversion of designated agricultural lands to non-agricultural uses.
- Mitigation for loss of productive agricultural lands, including lost acres lost due to conversion, development, or policy implementation such as critical areas ordinance, so mitigation strategies can be implemented to offset the acres lost, etc.
- Education and marketing of programs that emphasize recognition of the local and regional significance of agricultural land as a natural resource and the economic, social and ecological benefits it provides.
- Working cooperatively with local farmers and coordinating with local and state agencies to address water quality impacts of agricultural activities on local streams and groundwater.
- Securing an adequate, sustainable and legal supply of irrigation water sufficient to support the long-term viability of the local agricultural industry.
- Identify and evaluate any new or changed zoning or comprehensive plan agricultural lands of long term commercial significance designations as needed or warranted for the Rural Study Areas.

Reason for Change: Addresses the No Net-Loss of Ag Lands issue and identifies the range of actions the County could take to protect the agricultural land base while preserving discretion for the County Council in their legislative decision-making processes. The AAC recommended several other actions such as a transfer of development rights program, and a natural resource marketplace. The planning commission did not recommend including those. See 7-23-15 planning commission minutes.

Policy 8A-3:
The criteria for designating or de-designating lands under the Agriculture land use designation shall be considered on an area-wide basis. When applying the following criteria, the process should result in designating an amount of agricultural resource lands sufficient to maintain and enhance the economic viability of the agricultural industry in the county over the long term, and to retain agricultural support businesses, such as processors, farm suppliers, and equipment maintenance and repair facilities. The criteria are as follows:
1. The land is not already characterized by urban growth. In determining this factor, the County should consider WAC 365-196-310 and RCW 36.70A.030(19).

2. The land is used or capable of being used for agricultural production. In making this determination, the County shall use the land-capability classification system of the U.S. Department of Agriculture Natural Resources Conservation Service. These eight classes are incorporated into map units and are based on the growing capacity, productivity, and soil composition of the land.

3. The land has long term commercial significance for agriculture. In determining this factor, consider the following nonexclusive criteria:
   a. The majority of the area contains Prime Farmland Soils as determined by the Natural Resource Conservation Service (NRCS).
   b. The area may contain 100-year floodplains as delineated by the Federal Emergency Management Agency (FEMA).
   c. Land use, settlement patterns, the intensity of nearby uses, and the history of approved land development permits are generally compatible with agricultural practices. Existing land uses are primarily full-time agriculture intermixed with part-time agriculture and woodlots; and minimal commitment to non-farm uses has been made.
   d. A majority of the area is composed of agricultural operations that have historically been and continue to be economically viable.
   e. The predominate parcel sizes in the area is large enough to adequately maintain agricultural operations, are generally greater than forty acres.
   a-f. The availability of public services. Urban utility services including public sewer and water are not planned.
   g. The availability of public facilities such as roads used to transport agricultural products.
   h. Special purpose districts that are oriented to enhancing agricultural operations exist, including such as drainage improvement, watershed improvement, and flood control exist.
   i. The areas have a pattern of landowner capital investment in agricultural operations improvements including irrigation, drainage, manure storage, the presence of barns and support buildings, enhanced livestock feeding techniques, agricultural worker housing, etc.
| b.i. | The areas contain a predominance of parcels that have current use tax assessment derived from the Open Space Taxation Act. |
| e.k. | The area’s proximity to urban growth areas. |
| d.l. | The area’s proximity to agricultural markets. |
| e.m. | Land value under alternative uses. |

**Reason for Change:** These are the Agriculture designation criteria Council adopted via Ordinance 92-013, with a few slight changes to wording to bring up to date.

**Policy 8A-34:** Support conservation of productive agricultural land by requiring the use of best management practices including soil and water conservation, livestock waste nutrient/manure management, etc.

**Policy 8A-45:** Discourage conversion of productive agricultural land to incompatible non-agricultural uses.

**Policy 8A-56:** Require all requests for re-designation from agriculture to demonstrate that changed site conditions or circumstances have occurred since the original designation to such an extent that the site no longer satisfies the designation criteria for agricultural lands.

**Policy 8A-67:** Prioritize agricultural activity in land use decisions when land is composed of prime and/or productive agricultural soils and agriculture is the highest value resource use.

**Policy 8A-78:** Establish flexibility in land use plans and regulations to encourage maintenance of the productive agricultural land base, such as agricultural parcel reconfiguration.

**Policy 8A-8:** Maintain NRCS Soil Survey as basic guideline for designating agricultural resource-lands.

**Reason for Change:** Designation criteria are now listed in Policy 8A-3.

**Policy 8A-9:** Conserve water resources from both a quantity and a quality perspective to ensure and possibly enhance continued agricultural viability.

**Policy 8A-10:** Work to ensure water rights are available for agricultural uses.

**Reason for Change:** These policies were moved and became Policies 8F-2 and -3.

**Policy 8A-119:** Use an "Agriculture Protection Overlay" (APO) designation in certain Rural zoned areas as one way to achieve this goal.
increase agricultural production in areas outside of designated agricultural land of long-term commercial significance.

Reason for Change: Clarity as to what goal the APO is supporting.

Policy 8A-1210: The Agricultural Advisory Committee shall advise the Whatcom County Executive and Council on agricultural issues and agricultural land use. Whatcom County shall support the Agricultural Advisory Committee with staff and other resources.

Agricultural Products Industry

Agriculture is an essential contributor to the local Whatcom County economy. Agriculture is most productive in large agricultural communities where neighbors support agriculture and where labor, farm supplies and market systems for farm products are available.

Agriculture is one of the most important resources in Whatcom County. Whatcom County works with farmers to ensure productive agricultural 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.

Goal 8B: Maintain and enhance Whatcom County’s agricultural products industry as a long-term and sustainable industry.

Policy 8B-1: Promote the expansion and stability of local and regional agricultural economies.

Policy 8B-2: Assist Whatcom County’s agricultural industry in the pursuit of its long-term economic potential. This should include the development of strategies and policies necessary to reach this potential, in terms of both production and diversity.

Policy 8B-3: Support agricultural product processing facilities through appropriate planning, zoning, and land use regulations.

Policy 8B-4: Support methods and strategies to market Whatcom County agriculture in ways that ensure that agricultural activities (such as dairying) and entities (such as processors) will remain here in the long term.

Policy 8B-5: Support improving the efficiency and flexibility of state and local environmental regulations affecting the agricultural products industry.
Policy 8B-6: Develop a range of non-regulatory programs, options, and incentives which— that agricultural landowners can employ so long as such programs, options, and incentives can be shown to produce results that to meet or exceed county environmental goals.

Agriculture Related Cultural Heritage

Agriculture is not just a business but a way of life, with many farmers farming the same land their parents and grandparents farmed. The sense of community that these people have built over the years is one of the most valuable assets of our county.

Nevertheless, the livelihood of these people appears to be threatened. Property has become a valuable commodity in Whatcom County and oftentimes young farmers cannot afford to buy productive farmland because the cost is so prohibitive. The reverse is true for retiring farmers. Often they cannot find buyers who can afford the high market value of the land. In some cases this creates pressure to convert the land to other uses.

Reason for Change: The AAC didn’t think this was always true; depends on economic environment.

Goal 8C: Preserve and enhance the cultural heritage that is related to agriculture.

Policy 8C-1: Find ways for Encourage retiring farmers to pass their farms on to their children and for young farmers to be able to afford to buy productive farmland.

Reason for Change: The Planning Commission recommended striking this policy. While they support the intent, they didn’t feel there was anything the County could do to achieve it.

Policy 8C-12: Identify, preserve, and enhance community character, landscape, and buildings associated with agricultural activity.

Policy 8C-23: Involve those who actually are engaged in agricultural activities in the planning process. Utilize Use groups working effectively with the agricultural community to help preserve and/or create a sustainable economic agricultural base.

Policy 8C-34: Support the continuation of owner occupied/family owned farms.

Policy 8C-4: Encourage the use of programs that help beginning farmers buy productive farmland.
Land Use Conflicts

Agriculture may conflict with other land uses. Improper management practices on agricultural land may impact the commercial and recreational use of aquatic lands miles away. Residents of non-farm housing adjacent to farms, and owners and patrons of nearby commercial uses, have complained of nuisances such as odors, dust, chemical sprays, and noise from machinery. Farm equipment, crops, and livestock may suffer from increased vandalism. In addition, non-farm residential development, particularly residential subdivisions, can raise assessed valuation or lead to special assessments on adjacent farmlands, resulting in higher property taxes for farmers. The same is true of commercial uses. On the other hand, the open space value of farmland can be diminished or destroyed by the location of commercial uses such as junk yard, auto wrecking yards, etc.

Many agricultural drainage districts have been in existence since the early 1900s with little or no outside influence. Their sole function has been to keep the water table down low enough to allow crops to grow throughout the season. In the last few years, however, there has been growing concern about the impact this activity may have on fish habitat and fish populations. As a result, Hydraulic permits have been difficult to get from the Washington State Department of Fish & Wildlife and drainage activity has been slowed.

Mining activities, such as the extraction of sand and gravel, are often an alternative use of land zoned for agriculture. Such activities may limit options for later agricultural use, depending upon the intensity of the activity and the extent of soil rehabilitation efforts.

Many profitable agricultural operations are located on land outside of predominantly agricultural areas. Although these operations may not be entirely compatible with neighboring urban and suburban developments, they are important contributors to the agricultural base in Whatcom County.

Goal 8D: Reduce land use conflicts between Whatcom County's agriculture and non-agricultural landowners.

Policy 8D-1: Strive to Work to reduce potential conflicts between incompatible agricultural activities by establishing and maintaining zoning regulations which protect productive agricultural lands of long-term commercial significance from conversion to non-compatible uses. This zoning should recognize the diversity of agricultural landowners and agricultural land uses. This zoning should provide flexible regulations, which encourage all agricultural landowners to maintain the productive agricultural land base while protecting them from conflicting uses.

Reason for Change: Such zoning regulations have been adopted.
Policy 8D-2: Affirm and build upon Maintain the Right-To-Farm ordinance, in order to help curb pressures to convert farms to non-farm uses. Give priority to agricultural uses and owners of parcels zoned for agriculture priority in land use and nuisance conflicts with residents of adjacent properties and adjacent property owners.

Reason for Change: This ordinance has been adopted.

Policy 8D-3: Support improved communication and understanding between agricultural landowners and the public through such mechanisms as voluntary agricultural management plans, community forums, and educational programs.

Reason for Change: Given that farm plans are non-disclosable, the AAC didn’t see how these are a way to improve public communication.

Policy 8D-4: Recognize the importance of surface mining as an agricultural practice when the activity contributes to enhancing subsequent agricultural uses on the property.

Policy 8D-5: Accommodate the location of designated mineral resource lands in or near agriculture zones when determined by Whatcom County to be in the best interests of the community.

Policy 8D-6: Support agricultural activity in mixed farm/rural residential areas, with the understanding that certain farm practices may conflict with other neighboring rural land uses.

Policy 8D-7: Help resolve conflicts associated with maintaining and enhancing quality fish habitat and the necessary drainage work that is annually done by agricultural drainage districts and landowners.

Reason for Change: Added by AAC to include the newly formed WIDs and to move away from language emphasizing conflict in this arena.

Policy 8D-8: Encourage the fencing of livestock away from fish-bearing streams.

Policy 8D-8: Through a continuum of efforts moving from education to enforcement of regulations, that includes outreach, development of voluntary best practices, technical assistance, incentives, monitoring, and regulation, ensure that agricultural practices do not negatively impact aquatic resource lands and critical areas.

Reason for Change: The old policy is a duplicate of Policy 8E-2, so was removed.

Policy 8D-9: Encourage low intensity recreational activities that which help sustain and are compatible with agricultural uses.
Policy 8D-10: In the "Agricultural Protection Overlay" on parcels 20 acres and larger with Rural 5 acre and Rural 10 acre zoning, require non-agriculturally related development to be clustered on 20 or up to 30 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.

Fish and Wildlife

Utilization Use of agricultural lands can impact habitat, including riparian areas, stream flows, channel habitat structure, and water quality.

Goal 8E: Ensure agricultural practices avoid adverse impacts to the habitat of threatened and endangered fish and wildlife species and to aquatic resource lands that support shellfish resources. Encourage agricultural land uses to voluntarily protect and restore habitat of threatened and endangered species through education and incentive programs.

Policy 8E-1: Ensure that adequate riparian buffers are maintained along rivers and streams.

Policy 8E-2: Prevent livestock from degrading riparian and instream habitat by using best management practices for the fencing of livestock from streams and support the provision of alternative watering systems. Encourage fencing along rivers and streams to prevent livestock from degrading riparian and instream habitat.

Policy 8E-3: Encourage utilization the use of integrated pest management practices, including herbicides and pesticides, that protect water quality.

Policy 8E-4: Ensure proper storage and application of compounds that can pollute our waterways such as manure and other fertilizers, pesticides and herbicides, and other compounds that can pollute our waterways.

Reason for Change: Manure isn't the only ag by-product that pollutes our waterways.

Policy 8E-5: Encourage voluntary restoration to properly functioning habitat conditions for those riparian areas and stream reaches that do not currently provide such habitat conditions through voluntary restoration, technical assistance incentives.
Policy 8E-6: Encourage the maintenance and operation of drainage systems such that the habitat and water quality impacts from such systems are minimized and agricultural uses remain viable.

Policy 8E-7: Work with the watershed improvement districts, drainage districts, and the Washington State Department of Fish and Wildlife to resolve tradeoffs associated with fish and wildlife habitat on agricultural lands.

Reason for Change: Moved from action item list to incorporate as policy; add reference to the newly formed WIDs.

Policy 8E-8: Continue to work with farmers on improving water quality practices.

Policy 8DE-9: Provide outreach and education to farmers on using Best Management Practices as defined by WCC 14.02.020 to protect water quality.

Reason for Change: Due to increased concern with water resources in the County.

Water for Agriculture

Agriculture uses a significant amount of water, most of which is pumped from wells or surface waters. Given the competition for scarce water supplies (addressed in Chapter 11, Environment, Water Resources), ways must be found to secure an adequate long-term water supply while reducing water usage and improving water quality prior to it entering the waterways.

Goal 8F: Strive to ensure adequate water supplies to support a thriving agricultural sector.

Policy 8F-1: Actively participate in the WRIA 1 Watershed and Salmon Recovery Programs to ensure that the agricultural sector’s needs, as well as other interests, are addressed.

Policy 8AF-92: Conserve water resources from both a quantity and a quality perspective to ensure and possibly enhance continued agricultural viability.

Policy 8AF-103: Work to support that the agricultural community has access to sufficient direct legal in Work to ensure ensuring that legal water rights and other sources of water are available for agricultural uses.

Policy 8F-4: Balance the needs of agricultural water users with needs for instream uses through such process as the WRIA 1 Salmon Recovery Program.
Reason for Change: Water is an important agricultural issue. Staff thought it best to have an actual goal about it, moved existing agricultural water policies, and created a policy (8F-1) describing the mechanism through which water issues are to be resolved.

Forest Resource Lands – Introduction

Purpose

This section contains policies to guide Whatcom County in conservation of forest resources land of long-term commercial significance, and to implement the provisions of the Growth Management Act and the adopted County-Wide Planning Policies, and the citizen-developed Visioning Community Value Statements.

GMA Requirements

Designation and conservation of forest resource lands of long-term commercial significance is required under the Growth Management Act (RCW 36.70A.060). The Growth Management Act [RCW 36.70A.030 (8)] defines forest lands as follows:

"Forest land" means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, and that has long-term commercial significance. In determining whether forest land is primarily devoted to growing trees for long-term commercial timber production on land that can be economical and practically managed for such production, the following factors shall be considered: (a) the proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses.

Long-term commercial significance is defined by RCW 37.70A.030 (10) as including:

The growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

Map 8-3 shows lands designated as forest resource lands of long-term commercial significance.

Process

Whatcom County has implemented zoning regulations for forest land since the 1970s. With the passage of the Growth Management Act, the county began to review the zoning classifications which had been previously in place. The county's Forest Resource Lands Program was established to review the current forest designations and zoning regulations for compliance with the Growth Management...
Chapter 8 – Resource Lands

Act: The Planning Division began preliminary project work in early 1991. At that time, a citizens’ advisory committee was formed to review draft forest land definitions, criteria, and designations.

In 1991 a Forest Resource Lands Citizens’ Advisory Committee was composed of small forest landowners, industrial forest landowners, representatives of the Washington State Department of Natural Resources, forestry consultants, and private citizens. The committee reviewed the interim Forest Resource Lands Citizens’ Advisory Committee was composed of small forest landowners, industrial forest landowners, representatives of the Washington State Department of Natural Resources, forestry consultants, and private citizens. The committee reviewed the interim-Growth Management Act’s definition utilizing a set of locally derived criteria for more refined definition of forest lands. These criteria included average parcel size, parcel tax status, type of road access to each parcel, ownership status, presence of public services, and environmental constraints. In 1992, the committee’s recommendations were forwarded to the Planning Commission and on to the County Council before adoption in 1993, which by and large accepted the committee’s proposal. The Planning Commission then recommended the County Council the forest land designations and, by the end of 1993, the County Council had adopted the Planning Commission’s recommendations, with minor changes along the way. The draft forest resource land designations and policies fulfilled the Growth Management Act’s interim designation and conservation requirements for resource lands. These interim designations were eventually adopted as part of the Final 1997 Comprehensive Plan, in which over 35,000 acres were designated as Rural Forestry and over 186,000 acres were designated as Commercial Forestry.

In March 1994, the Forest Resource Lands Citizens’ Advisory Committee was reconvened to develop and recommend goals and policies for the comprehensive land use plan. These goals and policies are presented below. The goals and policies are a compilation of the previously existing county goals regarding forest lands, statements from the Visioning Committee’s work, and statements generated by the committee. These goals and policies reflect a broad consensus of the community for the conservation and utilization of the forest resources of Whatcom County.

Reason for Change: These changes were made for brevity while still clarifying the process used for designating resources lands.

GMA Requirements

Designation and conservation of forest resource lands of long-term commercial significance is required under the Growth Management Act (RCW 36.70A.060). The Growth Management Act [RCW 36.70A.030 (8)] defines forest lands as follows:

"Forest land" means lands primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees
subject to the excise tax imposed under RCW 84.33.100 through
84.33.140, and that has long-term commercial significance. In
determining whether forest land is primarily devoted to growing trees
for long-term commercial timber production on land that can be
economical and practically managed for such production, the following
factors shall be considered: (a) the proximity of the land to urban,
suburban, and rural settlements; (b) surrounding parcel size and the
compatibility and intensity of adjacent and nearby land uses; long-
term economic conditions that affect the ability to manage for timber
production; and (c) the availability of public facilities and services
conducive to conversion of forest land to other uses. The Washington
State Office of Community Development recommends (WAC 365-190-
060) that the following factors be considered, when classifying forest
lands, in addition to those found in RCW 36.70A.030: (e) Property tax
classification; Property is assessed as open space or forest land
pursuant to chapter 84.33 or 84.34 RCW; (f) Local economic
conditions which affect the ability to manage timberlands for long-term
commercial production and (g) History of land development permits
issued nearby.

Long-term commercial significance is defined by RCW 37.70A.030 (10) as
including:

The growing capacity, productivity, and soil composition of the land for
long-term commercial production, in consideration with the land's
proximity to population areas, and the possibility of more intense uses
of the land.

Reason for Change: GMA Requirements portion of the Comprehensive Plan was
moved ahead of the Process portion of the Comprehensive Plan.

The interim forest land designations were developed under the original GMA
definition utilizing a set of locally derived criteria for more refined definition of
forest lands. These criteria included average parcel size, parcel tax status, type of
road access to each parcel, ownership status, presence of public services, and
environmental constraints. By utilizing these criteria Whatcom County effectively
considered the same factors for designating forest land required under the
amended definition of forest lands. In addition, the Washington State Department
of Natural Resource lands and the Mount Baker-National Forest lands within eastern
Whatcom County are recognized as forest lands of long-term commercial
significance. Designated forest lands for purposes of long-term commercial
significance are displayed on Map 20.

Forest Resource Lands—Background Summary

Forest resource lands are lands which are used primarily for growing trees for
commercial purposes. In order to be designated as forest resource lands, they must
have the potential for long-term commercial investment for the management of
forest products.

The forest resources of Whatcom County have historically been one of the most
important natural resources in the region. Lands in the lower foothills which that
were initially harvested between 1900 and 1950 now support commercially mature
stands of timber. In addition, a few areas of original forest still remain.

The majority of the county’s non-federal forest resource lands (about 268,597
acres) are located in the foothills of western Whatcom County. Most of this land
(223,613 acres) is zoned for forest production uses, and is The majority of the land
currently zoned for forest production is owned and managed by a few large
institutions, including natural resource based corporations, insurance companies,
the State of Washington, and small private forest management companies. These
landowners manage their lands primarily for the production of timber resources.
The State of Washington manages about 94,000 acres of timber land in Whatcom
County for a variety of public trusts, including state schools and universities, capital
buildings, state and local governments. Forest Board Lands provide revenue from
timber sales to the State general fund, Whatcom County government, and other
junior taxing districts in Whatcom County.

A smaller portion of the land zoned for forest production is owned and managed by
individual woodlot owners and farm/foresters, some of whom reside on their
properties. An additional 108,514 acres of land in lowland Whatcom County is
supporting stands of commercial timber, but is not necessarily managed for
production of forest products. The majority of these lowland areas are zoned either
Rural or Agriculture. Individual woodlot owners and farm/foresters constitute the
majority of landowners of forest lands outside the forestry zone. The goals of
individual forest landowners, whether in the forestry zone or not, encompass a
broader range of objectives than just timber production and may include
management for wildlife, conservation, specialty forest products, firewood, privacy,
aesthetics, and low density residential or other uses compatible with forestry.

Based on data collected from forest practice applications, the average standing
volume of a second growth stand of timber in Whatcom County today is about
30,000 to 40,000 board feet per acre. Today, most timber is harvested between 40
and 90 years of age. The harvested areas are replanted with seedlings specifically
selected for desired growing characteristics, collected from seed trees in the same
elevation and climatic zone as the harvested area.

Traditionally, forest land use has been seen as a lower economic value compared to
agriculture, rural, suburban, urban, commercial, or industrial uses. As a result,
some forest landowners have held forest land in reserve at low cost (current use
tax status) while managing for forest products and waiting for the growth of more
intense land uses in the vicinity of their property. Many landowners in Whatcom
County have taken advantage of the current use taxation programs in order to
make forest management on their land more economical. These programs greatly
benefit community interests by helping forest landowners keep land in open space
and forest use.
With a growing population, there is a genuine need to promote conservation of productive forest land and associated public resources through a balanced combination of regulatory protection as mandated by the Growth Management Act, and the provision of incentives for maintaining lands in long-term commercial timber production. It is state and county policy to provide forest landowners with long-term land use predictability, for both productive forest lands and adjacent non-forest use lands. Premature conversion of those productive forest lands to other land uses which are incompatible with the management of forest resources is recognized as a threat to the forest industry. Such conversions include changing the use of forest land from commercial timber production to incompatible residential, commercial, industrial, or agricultural land uses, or parks and preserves that exclude intense forest production management. Once forest land has been converted and roads, utilities and other infrastructure have been constructed, the land is not as useful for long-term commercial forest production. In addition, the encroachment of land uses such as non-forestry related residential into areas devoted to forest production can create conflicts between residents and forest landowners.

**Forest Resource Lands—Issues, Goals, and Policies**

The following goals and policies apply to both Rural and Commercial Forest lands and address the issues of conserving productive forest land and meeting the goals of the Growth Management Act.

**Forest Land Base**

The forest land base in Washington State and in Whatcom County has been steadily fluctuating-decreasing over time. Most of the forest land base change has been attributed to conversion of forest land to parks, preserves, and set-asides, or environmental regulations. A minor amount of land has been converted to rights-of-way and urban and suburban uses. With the additional population growth forecast for Whatcom County (coming mostly from in-migration), there will be continued pressure to convert all types of lands to residential uses. The greatest pressure to convert forest land will likely occur along the margins of traditional forest land where a spectrum of possible land uses may exist, in areas near infrastructure, and on forest sites with commanding views.

Complicating the issue of maintaining and protecting the forest land base from conversion is the existing diverse character of forest resource ownerships and forest management goals among Whatcom County's timber landowners. While the larger forest landowners manage their lands primarily for timber production, the smaller forest landowners tend to have diverse forest management goals ranging from small scale timber and woodlot uses to preservation of forests for wildlife habitat. Zoning and land use regulations to conserve forest land in Whatcom County need to recognize the range of diverse ownership goals and provide for a range of allowed land uses to ensure the viability of both large and small scale forest management.
goals while achieving the broader comprehensive goal of conserving the forest land base of the county.

**Goal 8F:** Maintain and enhance support increasing Whatcom County's working forest land base and support policies that do not adversely impact the commercial forest land base.

Reason or change: The recommendation attempts to recognize the limitations of the county's ability to increase the forest land base. The following policies would support increasing the forest land base, while shielding the county from litigation should increases not be achieved. Staff also recommends using the term "working forest" rather than "commercial forest" to differentiate them from "Designated Forest Lands" as defined and required by the Growth Management Act.

**Policy 8F-1:** Recognize that rural woodlot owners, farm/foresters, small private timber companies as well as large natural resource corporations, the Federal Government, and the State of Washington constitute the ownership of the forest resource land base of Whatcom County.

**Policy 8F-2:** Provide appropriate land use regulation for the diverse forest resource lands within the county through the designation of Rural Forestry and Commercial Forestry zones.

**Policy 8F-3:** Apply the following general criteria for Rural and Commercial Forestry comprehensive plan designations and zones:

- **Rural Forestry-Zone:** Lands mostly devoted to growing trees for commercial timber production, usually located within public service districts such as fire or water districts, accessed by private roads built to Whatcom County development standards or public roads, with low density residential development. Land parcels are generally 20 acres or greater in size.

- **Commercial Forestry-Zone:** Lands primarily devoted to growing trees for long-term commercial timber production, located outside of public service districts such as fire and water districts, and accessed by private or state forest roads. Land parcels are generally 40 acres or greater in size.

**Policy 8F-4:** Support conservation of productive forest land by requiring the use of best management practices such as proper road construction and maintenance, prompt re-planting of harvested areas, and protection of forest soils.

**Policy 8F-5:** Support conservation of the working forest land base through cooperation between landowners, private organizations and
County Council Preliminary Draft
March 29, 2016

Chapter 8 – Resource Lands

public agencies, and through a broad range of incentives and cooperation between landowners and public agencies such as the utilization of the current use tax assessment provisions of RCW 84.28, RCW 84.33, and RCW 84.34.

Reason for Change: Private land trusts were identified in Action Item #5, which is similar to this policy and proposed for deletion from Action Items section of comp plan. Changed from "land trusts" to "organizations" to include a larger group of stakeholders who may share this vision. RCW 84.28 no longer exists. Rewording clarifies that the RCWs are incentives, and not necessarily tied to cooperation between landowners/organizations/public.

Policy 8F-6
Encourage and support the utilization-use of the Small Forest Landowner Forestry Riparian Easement Program to help small landowner’s economic viability and willingness to keep the land in forestry use (WAC 222-21-005).

Policy 8F-7:
Establish flexibility in land use plans and regulations to encourage maintenance of the productive forest land base.

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.

Reason for Change: Action Item #2 proposed as a policy to maintain and enhance forest land base.

Policy 8F-8:
Discourage inappropriate conversion of productive forest land to incompatible non-forest uses. It is the intent of this policy not to allow conversion of forest land if the proposed use is incompatible with the maintenance of long-term forest management. Incompatible uses include those which:

Reason for Change: This is an incomplete version of Policy 8F-9 and was added as a mistake.

Policy 8F-9:
Discourage inappropriate conversion of productive-designated forest land to incompatible non-forest uses. It is the intent of this policy not to allow conversion of GMA designated 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. Incompatible uses include those which that:

- create fire or safety hazards to adjacent forest land;

Whatcom County Comprehensive Plan 8-24
• permanently alter or remove a significant portion of a parcel from production. A significant portion would be greater than 20% of the lot;
• create significant financial hardships for adjacent forest landowners; or
• can lead to land use conflicts with adjacent forest landowners.

Reason for Change: Language clarifies that this policy addresses designated forest lands, as opposed to other lands that are forested (ex: Rural or Agriculture).
Clarifying the amount of a lot that can be removed from production of forest products before it is considered significant is consistent with the standard lot coverage requirements of the zoning code for the Rural Forestry zone. The Commercial Forestry lot coverage standards would need to be amended from 25% to 20%. The Forestry Advisory Committee supports this amendment, as it is unclear why the zoning code would allow a greater portion of a lot to be removed from active forestry within the Commercial Forestry zone as opposed to the Rural Forestry zone where residential uses are allowed.

Policy 8F-10: Special districts should review their boundaries (e.g. fire districts, water districts) for conformance with forestry designations and consider making appropriate adjustments.

Reason for Change: Similar to Action Item #4. Special districts are best suited to review their service boundaries and ability to serve within the boundaries.

Policy 8F-11: Recognize the difference between designated (mapped) forest lands and working forests. Designated forest lands may include public or private forest lands not actively managed for timber production, such as for parks, open space or habitat preservation purposes. Working forests are actively managed for timber production and to provide a balance of social, economic, and ecological benefits, products, and values.

Policy 8F-12: Maintain a working forest land base sufficient to support a viable local forestry industry by considering the impacts of working forests as part of the legislative decision making process. Measures that can be taken to support working forests may include:

• Land use policies that encourage active management plans on Rural Forest lands;
• Mitigation for loss of forest lands from productivity, including loss due to policy implementation of critical areas ordinance, etc.
• Track acres of forest lands lost from productivity due to conversion, development or policy implementation such as critical areas ordinance, and work with the forestry advisory
committee to identify economically viable mitigation strategies that can be implemented to offset the acres lost.

Reason for Change: Policy 8F-12 is a new policy proposed by staff and the Forest Advisory Committee. Planning Commission recommended adding “including loss due to policy implementation of critical areas ordinance, etc” to the above bullet point.

- Land use policies that recognize the multiple values of working forests and respect the rights and responsibilities of private and public forest landowners;
- Education programs that emphasize recognition that wood is a renewable natural resources;
- Public and institutional education programs that promote the benefits of working forests;
- Championing the implementation of the Northwest Forest Plan and completion of individual forest plans in order to re-balance the social, economic, and ecological benefits and products on a national forest specific basis;
- Ensuring that timber management plans submitted as part of the Designated Forest Land Current Use Tax program are implemented, or remove the property from the program; and
- Discouraging conversion of designated forest lands to non-forest uses.

Reason for Change: Policy 8F-11 and 12 support forestry and are similar to language within the Forestry Advisory Committee No Net-Loss memo to the County Council dated July 22, 2014.

Forest Products Industry

Investment in forest land is complicated by the long time it takes to realize any financial return from growing trees. Once a forest is harvested and a new forest plantation is established, it can take from 40 to 60 years at a minimum before another harvest can occur. Due to the fact that investments in forest land and timber growing are long term in nature, it is necessary to provide forest landowners with assurance that their investments will be realized. Forest resource lands make an important contribution to the local economy in Whatcom County. Resource based employment continues to provide some of the better paying jobs in our local area. Several major employers operate primary and secondary forest product processing facilities. Furthermore, Whatcom County has a long history of involvement in the forest industry, with many families and communities involved in forest management.

Environmental regulations have constrained timber production in some locations, though the impact industry wide is not as significant as other factors. According to a recent timber supply study conducted by the University of Washington, timber
production on private lands is more sensitive to changes in the minimum harvest
age of the available timber supply than it is to changes in the land base as a result
of restrictions on harvest, such as wetlands protection rules. Other timber supply
factors, such as currently available growing stock, stumpage prices, and
labor/technology costs have more influence on timber supply than environmental
regulations.

Reason for Change: This study by UW was referenced in the 1994 DRAFT
Comprehensive Plan. It is no longer a recent study and was not cited in the
Bibliography of the 1994 draft, therefore there is no knowledge about this study.

Goal 8G: **Maintain and enhance Support increasing the viability of Whatcom County’s forest products industry.**

Policy 8G-1: Support improving the efficiency and flexibility of state and local
environmental regulations affecting the forest products industry,
in order to assure environmental protection and improve predictability for the forest products industry while minimizing
the regulatory costs to forest landowners.

Policy 8G-2: Develop a range of non-regulatory programs, options, and
incentives which- that forest landowners can employ to meet or exceed county environmental goals.

Policy 8G-3: Support the efforts of the forest landowners and managers in
Whatcom County to operate in a long-term, sustainable manner
as part of a stable, broad based economy.

Policy 8G-4: Work cooperatively with the Washington State Department of
Natural Resources to ensure the most productive and
appropriate use of Whatcom County’s Forest Board-State Forest
lands within Whatcom County.

Policy 8G-5: **Support Consider** surface mining, along with rock crushing,
washing, and sorting, when done as part of conducting forest
practices within the forestry zones, as compatible uses.

Policy 8G-6: Support primary and secondary forest product production
facilities through appropriate planning, zoning, and land use
regulations.

Reason for Change: Removal of language clarifies support for all forest product
production facilities, not just primary and secondary.

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.
Land Use Conflicts

One of the most significant impacts for timber landowners in Washington State is the growing number of conflicts between forest landowners and their neighbors. These conflicts are the result of expansion into the margins of commercial forest land base by people seeking residential land and recreational tracts, and who bring with them conflicting values concerning resource extraction, such as logging.

Goal 8H: Reduce land use conflicts between Whatcom County’s forest and non-forest landowners.

Policy 8H-1: Refine the Rural and Commercial Forestry zoning regulations to conserve productive forest lands of long-term commercial significance from conversion to non-compatible uses. This zoning recognizes the diversity of Forest Resource landowners and forestry land uses. This zoning should include provisions for compatible, non-forestry uses which encourage all forest landowners to maintain the productive forest land base while conserving them from conflicting uses.

Policy 8H-2: Affirm Whatcom County Code Chapter 14.04, the Right-To-Practice-Forestry ordinance, which requires notification of property owners in the vicinity of forestry zones of the types of normal forest management operations likely to be conducted on forest land.

Policy 8H-3: Prior to issuing a development permit or receiving approval for a rezone, every attempt should be made to annex all development into local fire district boundaries. Before a development permit or a rezone is approved, it should be demonstrated to the satisfaction of the County that adequate fire prevention measures will be in place for the resident and adjacent properties.

Policy 8H-4: Support and encourage improved communication and understanding between forest landowners and the public through such mechanisms as voluntary forest management plans, community forest forums, and educational programs.

Policy 8H-5: Work cooperatively with the Washington State Department of Natural Resources, forest landowners, and the general public to address community concerns and land use conflicts which may arise as a result of forest practices.

Fish and Wildlife

Utilization—Use of forestlands can impact habitat, including riparian areas, stream flows, channel habitat structure, and water quality.
Goal 8I: Support the Department of Natural Resources to ensure that forest practices avoid adverse impacts to the habitat of threatened and endangered fish and wildlife species and to marine waters that support shellfish resources.

Policy 8I-1: Ensure that adequate riparian buffers, based on best available science, are maintained along rivers and streams.

Policy 8I-2: Minimize sedimentation to rivers and streams, to the greatest extent possible, using BMPs.

Policy 8I-3: Ensure that riparian and stream functions are protected when forestlands are converted to non-forestry uses.

Mineral Resources – Introduction

Purpose

The purpose of this section is to guide Whatcom County in conservation of mineral resource lands of long-term commercial significance and in land use decisions involving lands where mineral resources are present, and to implement the provisions of the Growth Management Act and the adopted County-Wide Planning Policies.

Process

In 1990, the Washington State Legislature passed the Growth Management Act. One of the goals of the act is to maintain and enhance resource-based industries. The Act mandates that each county planning under the Act classify and designate mineral resource lands of long-term commercial significance.

To address the mandates of the Growth Management Act, Whatcom County formed a Surface Mining Citizens' Advisory Committee in the 1990s to produce, through a consensus process, the issues, goals, and policies found in this chapter. Planning staff drafted the sub-section on mineral designations following review and comments from the committee.

In 1992, Whatcom County adopted an Interim Classification of Mineral Resources provided by the Washington State Department of Natural Resources. This classification system, as well as existing resource information, was used for the interim designation of mineral resource lands of long-term commercial significance. Through their involvement, the Surface Mining Advisory Committee recommended a longer planning horizon, which would require additional mineral resource areas. Additional MRLs were, in fact, designated when the Comprehensive Plan was adopted in 1997.
Since 1997, amendments for MRL designation have been landowner initiated. Planning staff drafted the sub-section on mineral designations following review and comments from the committee. The committee was comprised of a cross-section of community members including mining operators, foresters, farmers, and rural homeowners—representing diverse interests and geographic areas—in Whatcom County. The County Council adopted the original mineral resource provisions in the 1997 Comprehensive Plan. These provisions were updated in 2004-2005 after reviewing the GMA, Surface Mining Advisory Committee recommendations and new information.

**GMA Requirements**

One of the goals of the Growth Management Act is to maintain and enhance resource-based industries, including the aggregate and mineral resource industries, with the purpose of assuring the long-term conservation of resource lands for future use. The goals and policies in this section support that goal. In addition, the Act mandates that each county shall classify mineral resource lands and then designate and conserve appropriate areas that are not already characterized by urban growth or have other GMA values that may preclude designation and that have long-term commercial significance.

The Growth Management Act requires that each county planning under the act shall designate mineral resource lands. Mineral resource lands are lands primarily devoted to the extraction of minerals or that have known or potential long-term commercial significance for the extraction of minerals.

Classification is first step in implementing natural resource lands designations, as required in RCW 36.70A.170, and requires defining categories to which natural resource lands and critical areas will be assigned. Designation is the second step in implementation, in which natural resource lands must be designated based on their defined classifications. Designated Mineral Resource Lands of Long Term Commercial Significance are displayed on Map 8-4.

As part of the required periodic review, Whatcom County must consider new information in determining if amendments are necessary to the mapped designated mineral resources.

**Mineral Resources—Background Summary**

Mining activities in Whatcom County have taken place since the 1850s, though the nature, scope and extent of such activities has changed considerably through time. These changes have reflected the economics involved at each point in time at least as much as they reflect the geologic character of Whatcom County. Historically, the more important mineral commodities of Whatcom County have been coal, gold (placer and lode), sandstone, clay, peat, limestone, olivine, and sand and gravel aggregate, with the latter three being especially important at present. Many other commodities, however, have been prospected for or extracted.
In 2004, there were 24 Mineral Resource Land (MRL) designations throughout the County, covering 4,204 acres. For planning purposes, the Surface Mining Advisory Committee recommended using an annual demand for sand and gravel of 12.2 cubic yards per capita and annual demand for bedrock of 1.3 cubic yards per capita in the 2004-05 Comprehensive Plan update, consistent with the rates in the 1997 Comprehensive Plan. There were approximately 108 people directly employed by the mining industry in 2000 (Greater Whatcom Comprehensive Economic Development Strategy, p. III-16).

In Whatcom County, sand and gravel mining has been historically concentrated mainly to the east of Interstate-5 and north of Bellingham, with some exceptions. The more important historic aggregate mining areas from east to west include: (1) the Siper and Hopewell Road area two miles north of Nugent’s Corner; (2) the Breckenridge Road area just east of Nooksack; (3) the Pangborn and Van Buren Road area two and one half miles southwest of Sumas; (4) the Pole and Everson-Goshen Road area to the southwest of Everson; (5) the Axton Road area one mile east of Laurel; and (6) the Valley View Road area three miles to the east of Blaine. It is estimated that between 1999-2001 approximately 1.73 million cubic yards of sand and gravel from upland pits were excavated annually in Whatcom County (Report Engineering Geology Evaluation Aggregate Resource Inventory Study Whatcom County, Washington (GeoEngineers, Inc., Sept. 30, 2003, p.7).

Limestone has been mined since the early 1900s in Whatcom County. Historically, the main use for limestone was for Portland cement manufacturers and pulp and paper industries. Today, limestone is mined in the Red Mountain area north and east of Kendall and is primarily used for rip-rap to mitigate effects of flooding, and for crushed rock, and for pulp mills. Limestone mining has decreased significantly over the years. In 1966, about 500,000 tons of limestone were produced annually from deposits on Red Mountain and from deposits north of Maple Falls. Since then, limestone mining has decreased significantly.

Whatcom County is home to one of the largest known deposits of olivine in the United States, located in the Twin Sisters Mountain. The extraction of high quality Twin Sisters dunite (olivine) by the Olivine Corporation, largely from the Swen Larsen Quarry, has ranged from 400 tons in the early years of operation to a more recent annual average of approximately 70,000 to 80,000 tons.

In the past extraction of river gravel occurred primarily within the banks of the Nooksack River between Deming and Lynden, as determined by aggregate size and composition. As of March, 1993, 34 gravel bars had approved status for extraction. Between 1990 and 1993, an average of 170,000 cubic yards per year of river gravel were removed from the Nooksack River. Between 1960 and 1987, removal rates averaged about 50,000 cubic yards per year. However, because of federal regulations and decreasing seasonal windows in which gravel could be removed from the river due to impacts to riparian habitat and endangered salmon spawning and habitat, there has not been any river bar scalping on the Nooksack River since 1995.
Mineral Resources—Issues, Goals and Policies

General Issues

While urbanization-development creates demand for sand and gravel resources, it may also encroach upon or build over those same resources, rendering them inaccessible. Strong community opposition to mining near residential, agricultural, or sensitive environmental areas may also limit extractive opportunities. Adequate resource protection could help to assure the long-term conservation of resource lands for future use. It would also help to ensure a competitive market and to guard against inflated land prices by allowing the supply of minerals to respond to the demand of a free market. Helping the aggregate industry and the associated businesses, trades, and export markets also creates jobs and stimulates the economy, to the benefit of the county.

Surface mining can create potential conflicts with other land uses. Those impacts, however, may include increased noise, dust, scenic impacts/visual blight, traffic, road wear, and neighboring property devaluation. Unreclaimed mines can affect property values while at the same time nearby residents may use the area for shooting, dirt bike riding, and other activities. Controlling trespassing to surface mining can be a significant safety issue for mine operators. Property rights—Adjacent land use 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. Citizens may be generally unaware of the county zoning of surrounding property and the mining uses that are allowed. 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 issues. These and other factors may contribute to a climate of distrust and hostility between the aggregate industry and property owners in the vicinity.

Environmental issues associated with surface mining may include groundwater or aquifer impacts/contamination and disruption of fish and wildlife habitat. Surface mines do have the potential, however, if reclaimed properly, to reclamation can create wetlands and fish and wildlife habitat, possible productive agricultural land for a limited number of crops, enhance agricultural land, or provide land for parks, housing, industrial or and other uses.

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 reduce impact. The productive capacity of the soil and make the underlying aquifer more susceptible to contamination. Removing the soil overburden eliminates the natural filtration system, exposing the aquifer to direct contamination from turbidity, industrial spills, illegal dumping and agriculture products. Removing, stockpiling and spreading soil may create an unacceptable-risk of compromising the productive capacity of the most productive and versatile farmland in the County. Another potential problem is that digging out a side hill and/or through a clay barrier could
tap the groundwater and suddenly drain an aquifer. This creates a conflict between competing natural resource industries; agriculture and mining. While agriculture is a sustainable industry, mining is an industry that relies on a fixed, nonrenewable resource.

Associated mining activities such as rock crushing on-site can greatly increase the "industrial atmosphere" experienced by nearby property owners. This activity, however, helps to keep material transportation costs down. In addition, accessory uses are a necessary part of most operations, and to carry them out on site is cost-effective.

**Goal 8J:** Sustain and enhance, when and where appropriate, Whatcom County’s mineral resource industries, support the conservation of productive mineral lands, and discourage incompatible uses upon or adjacent to these lands.

**Policy 8J-1:** Conserve for mineral extraction designated mineral resource lands of long-term commercial significance. The use of adjacent lands should not interfere with the continued use of designated mining sites that are being operated in accordance with applicable best management practices and other laws and regulations.

**Policy 8J-2:** Support the use of new technology and innovative techniques for extraction, processing, recycling and reclamation. Support recycling of concrete and other aggregate materials. Support the efficient use of existing materials and explore the use of other materials which that are acceptable substitutes for mineral resources.

**Policy 8J-3:** Minimize the duplication of authority in the regulation of surface mining.

**Goal 8K:** Ensure that mineral extraction industries do not adversely affect the quality of life in Whatcom County, by establishing appropriate and beneficial designation and resource conservation policies, while recognizing the rights of all property owners.

**Policy 8K-1:** Avoid significant mineral extraction impacts on adjacent or nearby land uses, public health and safety, or natural resources from mineral extraction.

**Policy 8K-2:** Consider the maintenance and upgrade of public roads before approving mineral extraction. Address all traffic on county roads in a fair and equitable fashion.
Policy 8K-2 represents current comprehensive plan language as of 4/14/2015, as amended by Whatcom County Ordinance #2015-016.

Policy 8K-3: Avoid adversely impacting ground and surface water quality. The protection of aquifers and recharge zones should have precedence over surface mining in the event it is determined by the county that adverse impacts cannot be avoided through the standard use of best management practices. Avoid contamination of aquifers by using uncontaminated and inert materials best management practices for reclamation or on-site storage.

Policy 8K-4: Require, where there exists county has jurisdiction, the reclamation of mineral resource lands to other compatible uses on an ongoing basis as mineral deposits are depleted. Best Management Practices should be used to achieve this.

Policy 8K-5: As part of the mining permit process, have a plan for an ultimate end use for land used for mineral extraction which will complement and preserve the value of adjoining land.

Policy 8K-6: Where not subject to the Surface Mining Act, require security to cover the costs of reclamation prior to extraction activity, and insurance policies or a similar type of protection as appropriate to cover other potential liabilities associated with the proposed activity.

Policy 8K-7: Designate site-specific mineral resource lands only after mineral extraction impacts have been anticipated and evaluated, and potential adverse environmental impacts have been addressed through appropriate mitigation and/or reasonable alternatives.

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, shall require that the existing mine is substantially in compliance with all operating permits and regulations before expansion of the designation will be approved and must be in complete compliance before extraction of the additional area may commence.

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.

CHAPTER 8 – RESOURCE LANDS

RURAL AND URBAN AREAS

Many of the rural areas in Whatcom County have been and are being used for mineral extraction. Low density rural areas with potential natural resources such as sand and gravel may be able to accommodate a variety of uses, and surface mining has been a traditional use. Significant mineral deposits occur in certain parts of the rural areas. Some of these areas have higher surrounding residential densities than others, and many rural residents expect less intrusive forms of land uses. Determining which areas are the most appropriate for mineral extraction is a difficult and challenging task.

GOAL 8L: Achieve a balance between the conservation of productive mineral lands and the quality of life expected by residents within and near the rural and urban zones of Whatcom County.

Policy 8L-1: Discourage new residential uses from locating near designated mineral deposit sites until mineral extraction is completed unless adequate buffering is provided by the residential developer.

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 operator.

Policy 8L-3: Allow accessory uses to locate near or on the site of the mineral extraction source when appropriate. Authorize crushing equipment to locate near the mineral extraction source as a conditional use provided that all pertinent regulatory standards are maintained. Site asphalt and concrete batch plants as a conditional use, addressing potential impacts for the site.

Policy 8L-4: Buffer mineral resource areas adjacent to existing residential areas. Buffers should consist of berms and vegetation to minimize impacts to adjacent property owners. Buffers should be reduced for a limited period of time during reclamation if quality minerals are contained therein.

Policy 8L-5: Encourage mineral extraction operators in the county to voluntarily provide resource use information to nearby landowners, and to develop a good neighbor policy.

Reason for Change: Similar to Action Item #2

Whatcom County Comprehensive Plan 8-35

311
Agricultural Areas

There is considerable overlap between high quality aggregate lands and high quality agriculture lands. Several deposits represent a primary source for sand and gravel and, as well, form the parent material for prime agricultural soils. Both large, deep, open pit mines and smaller projects removing ridges and high ground have been operating in these overlap areas in the agricultural district. The smaller projects usually occur on dairy farms where corn or grass is cultivated. Potential drawbacks from commercial mining in agricultural areas may include reclamation problems, the loss of scenic terrain, an increased risk of groundwater contamination from future agricultural practices, soil rehabilitation difficulties, negative cost-benefit balance, and drainage may also be adversely affected.

Some farmers want the freedom of choice to use their land for farming or surface mining, especially in cases where mining income could "save the farm." Others want to preserve farmland. Some questions to consider are the extent to which surface mining should occur on farmland and the extent to which it should be reclaimed back to farmland if it does occur.

The agriculture zone is sparsely populated and there are fewer conflicts between homeowners and mining industries than in urban or rural zones. Nevertheless, mining activities can significantly impact nearby landowners.

Goal 8M: Recognize the importance of conserving productive mineral lands and conserving productive agricultural lands within or near the agricultural zones of Whatcom County without jeopardizing the critical land base that is necessary for a viable agricultural industry.

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.

Policy 8M-2: Avoid the use of designated agricultural land for mineral or soil mining purposes unless the soils can be restored to their original productive capabilities as soon as possible after mining occurs.

Policy 8M-3: Allow accessory uses such as washing and/or screening of material to locate near or on the site of the mineral extraction source when appropriate. Within MRL designations, authorize application for mineral processing facilities such as rock crushers and concrete plants through the conditional use process.

Policy 8M-4: Recognize the role of commercial surface mining as part of farm enhancement.
Forestry Areas

Surface mining of gravel and rock resources is an integral part of a forest landowner’s forest management. Adequate supplies of gravel and rock not only add to the economics of forest management, but also reduce environmental impacts of forest roads. Rock crushing helps conserve a valuable commodity by reducing the amount of material necessary for road construction. The use of crushed rock on roads reduces the amount of sediment developed and better protects water quality. Zoning densities in the Forestry Districts protect the access to mineral resources in the future. These regions contain most of the county’s hard rock reserves, such as olivine and limestone. In some areas, the soils overlaying mineral deposits may have a lower productivity for growing timber compared to the high mineral resource value.

As lowland sand and gravel resources become exhausted or unavailable, the commercial potential of mining in forest zones increases enough to warrant the expense of hauling. While this would increase the potential for impacts, such as heavier truck traffic, land use conflicts may be minimal based on the lack of or low residential densities in these zones.

Goal 8N: Maintain the conservation of productive mineral lands and of productive forestry lands within or near the forestry zones of Whatcom County.

Policy 8N-1: Recognize the importance of forest lands in the county and the importance and appropriateness of surface mining as part of conducting forest practices within the forest zones.

Policy 8N-2: Allow rock crushing, washing and sorting in the forest zones when appropriate as long as conflicts with other land uses can be mitigated.

Policy 8N-3: Allow commercial surface mining operations in the forest zones when appropriate as long as conflicts with other land use zones can be mitigated.

Policy 8N-4: Carefully consider the siting of asphalt and concrete batch plants due to possible adverse impacts.

Riverine Areas

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 and, if done properly, bar-scalping can stabilize a section of the river channel and decrease flood damage immediately downstream.
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 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.

However, although the public believes river bar scalping will significantly reduce flooding along the entire river, in fact its benefits are local and it may have negative effects in areas surrounding the mining site. Adverse impacts may include: For example, if done improperly gravel removal can de-stabilize the river channel locally and increased, rather than decrease, flooding damage further 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, infrastructure damage, can undermine bridge supports and other structures, cause adjacent banks to erosion, or stabilize, depending on how much and where...
gravel is removed), lowered groundwater tables adjacent to the river, and damage to critical instream and riparian vegetation habitat. Finally, petroleum spills from mining equipment can degrade local surface water quality if not responded to properly.

Improper mining methods in fish spawning reaches can destabilize 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; seasonal and yearly environmental factors make riverbar gravel not a reliable source from year to year. These factors include the amount of gravel that can be mined varies with seasonal and yearly rates of gravel deposition, rates of high and low water levels and timing, and fish lifecycles and migration timing.

Further, various costs raise the price of riverbar gravel, including. 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, access to the river, the repeated handling that is necessary for extraction and processing of the material, and the cost of complying with multi-jurisdictional 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.

**Goal 8P:** Subject to Federal and State regulations, support the extraction of gravel from river bars and stream channels in Whatcom County for flood control purposes and market demands where adverse hydrologic and other environmental effects are avoided or minimized.

**Policy 8P-1:** Designate river gravel as a supplemental source to upland reserves.

**Policy 8P-2:** Allow, when appropriate, the stockpiling, screening, and washing of river gravel in all zone districts when associated with river gravel extraction as close to the extraction site as possible to keep handling and transportation costs to a minimum.

**Policy 8P-3:** Design river gravel extraction to work with natural river processes so that no adverse flood, erosion, or degradation impacts occur either upstream or downstream of extraction.

Whatcom County Comprehensive Plan 8-39
sites. Base mining extraction amounts, rates, timing, and
locations on a scientifically determined sediment budget
adjusted periodically according to data provided by a regular
monitoring plan.

Policy 8P-4: Locate and operate river gravel extraction to provide long-term
protection of water quality and quantity, fish and wildlife
populations and habitat, and riparian vegetation.

Policy 8P-5: Plan and conduct operations on rivers and streams so that
short- and long-term impacts and hazardous conditions are
either prevented or held to minimum levels which that are not
harmful to the general public. Create as little adverse impact on
the environment and surrounding uses as possible.

Policy 8P-6: Fully consider the recommendations of the Flood Hazard
Management Committee to encourage gravel bar scalping that
decreases the likelihood of flooding and lowers the costs of flood
damage and repair, flood management, and emergency
services.

Policy 8P-7: Support the use of gravel from tributary streams for flood
hazard control, provided environmental impacts are fully
addressed.

Policy 8P-8: Support the use of existing public access easements that exist
to allow gravel removal.

Policy 8P-9: Work with other jurisdictions and related agencies to reduce or
eliminate redundant regulations, streamline the permitting
process, and provide greater opportunities for appropriate river
gravel extraction to enhance other important resources,
specifically agricultural.

Mineral Designations

Whatcom County’s interim designation work, accomplished in 1992, was based
upon the following statutory direction:

"On or before September 1, 1991, each county [required to plan under
the Act] shall designate where appropriate: .... Mineral resource lands
that are not already characterized by urban growth and that have
long-term significance for the extraction of minerals ...." (RCW
36.70A.170).

"Minerals” include gravel, sand, and valuable metallic substances
[RCW 36.70A.030(11)].

The Growth Management Act also directed counties to:

"adopt development regulations ...to assure the conservation of...
[designated] mineral resource lands..." [RCW 36.70A.060(1)].
Whatcom County responded to the above mandates as follows:

- By adopting interim Mineral Resource Lands (MRL) designations covering 1,250 acres of lowland sand and gravel deposits. All of these areas had existing reclamation permits from the Washington State DNR covering at least twenty acres.
- By restricting density to one unit per twenty acres within MRL designations and, more recently, by requiring disclosure notices on property and development within three feet of the MRLs.

The GMA goes on to state that counties:

"shall review these designations...when adopting their comprehensive plans ...and may alter such designations...to insure consistency" [36.70A.060(3)].

This is the most pertinent part of the Act in terms of plan direction.

The Washington State Department of Community Development was required to produce "Procedural Criteria," (Chapter 365-195 WAC), to further assist interpretation of the act by counties and cities. This helped to further elucidate the link between mineral designations and the GMA comprehensive plan. The "Procedural Criteria" provides guidance in Section 400, Natural Resource Lands, as follows:

Prior to the development of comprehensive plans, cities and counties planning under the Act ought to have designated natural resource lands of long-term commercial significance and adopted development regulations to assure their conservation. Such lands include agricultural lands, forest lands and mineral resource lands. The previous designations and development regulations shall be reviewed in connection with the comprehensive plan adoption process and where necessary be altered to ensure consistency.

Generally, natural resource lands should be located beyond the boundaries of urban growth areas. In most cases, the designated purposes of such lands are incompatible with urban densities.

The review of existing designations should, in most cases, be limited to the question of consistency with the comprehensive plan, rather than revisiting the entire prior designation and regulation process. However, to the extent that new information is available or errors have been discovered, the review process should take this information into account.

Review for consistency in this context should include whether the planned use of lands adjacent to agriculture, forest or mineral resource lands will interfere with the continued use in an accustomed manner and in accordance with the best management practices of the
designated lands for the production of food, agricultural products, timber, or for the extraction of minerals.

If these guidelines are followed, then the comprehensive plan should address mineral designations by asking the following questions: Is there new information that might lead to different designations at this point and have errors been made?

The interim designations, adopted as—discussed—above part of the 1993 Comprehensive Plan, were based upon minimal criteria. A more complete set of designation criteria is necessary in order to better define which areas in the county are appropriate for mineral designations. These designations should also include quarry rock and valuable metallic mineral sites because interim designations did not include these resources.

The interim designations were also based more upon a twenty year planning horizon than a fifty year planning horizon. The Minimum Guidelines to Classify Agriculture, Forest, and Mineral Lands (Chapter 365-190 WAC) state that "the Department of Natural Resources has a detailed minerals classification system counties and cities may choose to use" (section 070(b)). This classification system recommends a fifty year planning horizon. In the past, the Surface Mining Advisory Committee also has recommended planning for a fifty year supply. While achieving a 50-year local supply may not be practical due to limitations of mineral resources, protecting identified mineral resource areas that are not currently in conflict with other important goals of the GMA is an important long-term goal. However, it should be recognized that due to geologic constraints particular to Whatcom County long-term aggregate supply may not be entirely met by local supplies and some areas of Whatcom County may be better served by import of aggregate materials from sources outside of Whatcom County. Implementing the protection of mineral resources of long-term economic significance this goal would will require the adoption of criteria allowing for additional mineral resource areas.

Additional MRLs were, in fact, designated when the Comprehensive Plan was adopted in 1997 in an attempt to plan for a fifty-year supply of mineral resources. The fifty year demand for minerals in Whatcom County is difficult to project and requires many assumptions. However, in 2004, after review of multiple studies, the Surface Mining Advisory Committee concluded that the existing MRLs do not contain a fifty-year supply of mineral resources, and that meeting the demand for construction aggregate in Whatcom County will require expansion of the mineral resource land designations and the consideration of importing aggregate. The policies and criteria below are meant to guide meeting the demand for construction aggregate. The Surface Mining Advisory Committee estimated that, as of 2005, there will be a supply of approximately 60.7 million cubic yards of sand and gravel and 8.7 million cubic yards of bedrock in existing MRLs that will be available for future use.

The fifty year demand for minerals in Whatcom County is difficult to project and requires many assumptions. Based upon Whatcom County's per capita rate of consumption of 12.2 cubic yards of sand & gravel and 1.3 cubic yards of bedrock that is being utilized for official planning purposes, approximately 174.4 million cubic yards would be required over the fifty year planning period from 2005-2054.
The Washington State Department of Natural Resources, however, has recommended a per capita rate that would result in a fifty year demand of approximately 129 million cubic yards in Whatcom County. This estimate assumes that conservation, recycling, increased cost, high density development (which requires less rock per person), and political decisions will result in reduced demand despite continued population growth. Conversely, some factors may increase demand for aggregate such as the construction of mass transportation systems, the possible substitution of masonry materials for wood products, and increased exports to Canada or other United States counties.

Meeting the demand for construction aggregate in Whatcom County requires expansion of the mineral resource land designations and the consideration of the importation of aggregates. The policies and criteria below are meant to guide meeting the demand for construction aggregate.

**Goal 8Q:** Designate Mineral Resource Lands (MRLs) containing commercially significant deposits throughout the county in proximity to markets in order to minimize construction aggregate shortages, higher transport costs, future land use conflicts and environmental degradation. Balance MRL designations with other competing land uses and resources.

Goal 8Q represents current comprehensive plan language as of 4/14/2015, as amended by Whatcom County Ordinance #2015-016.

**Policy 8Q-1:** Through a county-led county-wide assessment, seek to identify and designate: protect all designate a 50 year supply of potential commercially significant mineral resource lands construction aggregate supply, to meet future demand, to the extent compatible with protection of water resources, agricultural lands, and forest lands and other GMA goals.

**Policy 8Q-2:** Ensure that at least 50% of the total areas designated for construction aggregate is within ten miles from cities and urban growth areas where feasible.

Reason for Change: May not be possible. Resources are located based on geologic history, not human development patterns.

**Policy 8Q-32:** Ensure that designations of urban growth boundaries are consistent with mineral designations by considering existing and planned uses for the designated areas and adjacent properties. Intergovernmental agreements should demonstrate how future land uses of mined areas will protect underlying aquifers, given the increased groundwater vulnerability to contamination.
Policy 8Q-43: Allow mining within designated MRLs through a conditional use permit process requiring:
   (1) on-site environmental review, with county as lead agency, and
   (2) application of appropriate site specific conditions, and
   (3) notification to neighboring property owners within 2,000 feet to insure opportunity for written and oral input.

Policy 8Q-43 represents current comprehensive plan language as of 4/14/2015, as amended by Whatcom County Ordinance #2015-016.

Policy 8Q-54: Consider potential resource areas (PRA) identified in the Report Engineering Geology Evaluation Aggregate Resource Inventory Study Whatcom County, Washington (GeoEngineers, Inc., Sept. 30, 2003) and updated in the Aggregate Resource Inventory 2014 Study Update Whatcom County, Washington (Element Solutions, December 22, 2014) for MRL designation and during county review of land development projects in order to avoid development incompatible with mineral resource extraction.

Policy 8Q-65: Work with the Port of Bellingham, the City of Bellingham, or waterfront property owners to facilitate the importation of mineral resources necessary to provide county citizens with adequate mineral resources at reasonable prices.

Policy 8Q-6: Consider removal of land from Mineral Resource Designation after mining and subsequent reclamation is completed.

Reason for Change: Similar to language in Action Item #8.

Fish and Wildlife

Utilization—Use of mineral resource lands can impact habitat, including riparian areas, stream flows, channel habitat structure, and water quality.

Goal 8R: Ensure that mining avoids adverse impacts to the habitat of threatened and endangered fish and wildlife species.

Policy 8R-1: Ensure that adequate riparian buffers are maintained along rivers and streams.

Policy 8R-2: Ensure proper treatment of wastewater prior to discharge.

Policy 8R-3: Provide and maintain best management practices for erosion control to prevent sedimentation.
Policy 8R-4: Provide proper storage and containment of hazardous materials, and provide for appropriate on-site spill response and clean-up materials and personnel.

Policy 8R-5: Provide for appropriate on-site spill response, containment and clean-up materials and personnel.

Policy 8R-5: Avoid surface mining in the floodplain.

Policy 8R-6: Allow river bar scalping, except where it would adversely affect spawning or critical habitat areas.

Policy 8R-76: Work with state and federal agencies to develop policies and regulations regarding in-stream gravel extraction to ensure that spawning-protected species, essential fish habitat, or other critical habitat areas are not adversely impacted and that flooding or erosion in surrounding areas is not increased.

Reason for Change: Expand the language in proposed Policy 8R-6 to include critical areas and protected species with the intent to incorporate Policies 8R-5 & 6, as frequently flooded areas and protected species are regulated through the Critical Areas Ordinance.

Mineral Resource Lands (MRL) – Designation Criteria
Non-Metallic Mineral Deposits

General Criteria
1. Non-metallic deposits must contain at least one million 250,000 cubic yards of proven and extractable sand, gravel, or rock material per new MRL Designation.

2. Minimum MRL Designation size is twenty acres.


2.3. Expansion of an existing MRL does not need to meet criteria 1 or 2.

3.4. MRL Designation status does not apply to surface mines permitted as an accessory or conditional use for the purpose of enhancing agriculture or facilitating forestry resource operations.

4.5. All pre-existing legal permitted sites meeting the above criteria will be designated.

5.6. The site shall have a proven resource that meets the following criteria:
• Construction material must meet current WSDOT Standard Specifications for common borrow criteria for road, bridge and municipal construction, or Whatcom County standards for other uses.

• Sand and gravel deposits must have a net to gross ratio greater than 80% (1290 cy/acre/foot).

6.7. MRL Designations must not be within nor abut developed residential zones or subdivisions platted at urban densities.

7.8. MRL Designations must not occur within the 10 year zone of contribution for designated wellhead protection areas, as approved by the State Department of Health for Group A systems, and by the Whatcom County Health Department for Group B systems, in accordance with source control provisions of the regulations on water system comprehensive planning. MRL designations may be modified if a wellhead protection area delineated subsequent to MRL designation encompasses areas within a designated MRL. If a fixed radii method is used to delineate a wellhead protection area, the applicant may elect to more precisely delineate the wellhead protection boundary using an analytical model; provided, that the delineated boundary proposed by the applicant is prepared by a professional hydrogeologist; and further provided, that the delineated boundary has been reviewed and approved by the Washington State Department of Health for Group A systems, and by the Whatcom County Health Department for Group B systems. The hydrogeologist shall be selected by mutual agreement of the county, water purveyor, and applicant; provided, if agreement cannot be reached the applicant shall select a consultant from a list of no less than three qualified consultants supplied by the county and water purveyor.

8.9. MRL Designation should not enclose by more than 50% non-designated parcels.

9.10. Site-specific MRL designations shall only be approved after mineral extraction impacts have been anticipated and evaluated, and potential adverse environmental impacts have been addressed through appropriate mitigation and/or reasonable alternatives.

9.11. MRL Designations must be reviewed for internal consistency with other parts of the comprehensive plan so that the MRL designation does not preclude achievement of other parts of the comprehensive plan.

9.12. Expansion of MRL Designations to parcels contiguous to, and held by more than 1% common beneficial ownership or beneficial interest with an existing mine, 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, shall require that the existing mine is substantially in compliance with all operating permits and regulations before expansion of the designation will be approved.
Designation Criteria #10-12 represent the current comprehensive plan language as of 4/14/2015, as amended by Whatcom County Ordinance #2015-016.

Additional Criteria for Designated Urban and Rural Areas

Abutting parcel size density must not exceed one unit per nominal five acres for more than 25% of the perimeter of the site unless project specific mitigation is created.

Additional Criteria for Designated Forestry Areas

Must demonstrate higher value as mineral resource than forestry resource based upon:

- soil conditions.
- quality of mineral resource.
- sustainable productivity of forest resource.

Designation Criteria #14 represents the current comprehensive plan language as of 4/14/2015, as amended by Whatcom County Ordinance #2015-016.

Additional Criteria for Designated Agricultural Areas


River and Stream Gravel

MRL Designation status applies to river gravel bars possessing necessary permits and containing significant quality reserves.

MRL Designation status may apply to those upland sites located in proximity to river gravel sources and used primarily for handling and processing significant amounts of river gravel.

Metallic and Industrial Mineral Deposits

For metallic and rare minerals, mineral designation status extends to all patented mining claims.

Mineral Resource Designation status extends to all currently permitted industrial mineral deposits of long-term commercial significance.

All other non-patented mineral deposits must meet the non-metallic MRL Designation criteria, numbers 6 through 15, as applicable.
Designation Criteria #20 represents the current comprehensive plan language as of 4/14/2015, as amended by Whatcom County Ordinance #2015-016.

Mineral Resources – Site Selection Method

1. Sites meeting Mineral Resources Designation Criteria 1-5 (and areas enclosed by these sites greater than 50%).
2. Sites requested by owner or operator meeting designation criteria.
3. Sites that are regionally significant meeting designation criteria.
4. Sites adjacent to both roads and other proposed MRL sites meeting designation criteria.

Resource Lands – Action Plan

Agricultural Lands

1. Direct the Advisory Committee to review the existing Comprehensive Plan and zoning designations for Agriculture during subarea review to determine whether any adjustments in these boundaries are warranted. The review should include parcels within the Agriculture designation to determine if they should no longer be designated Agriculture, and should include parcels in the Rural designation (and possibly other designations) to determine if they should be designated Agriculture. The review should also include areas outside the immediate Agriculture boundary as available research and data indicate. Designation as "Agriculture Protection Overlay" may be one tool to implement this recommendation.

Reason for Change: APO has been implemented.

2. Direct the Advisory Committee to develop a process that conserves and enhances the Agricultural resource land base.

Reason for Change: Agricultural Strategic Plan in place. See Policy 8A-1.

3. To assist staff and public in evaluating lands for possible inclusion in the Agriculture zone, develop a system such as the LESA (Land Evaluation and Site Assessment) system or a similar mechanism. This system will consider County-wide Planning Policies and Growth Management Act goals for the conservation of the agricultural resource. Other uses for such a system could include:

- Evaluating requests for agricultural land divisions pursuant to the exceptions to the 40-acre minimum parcel size in the Agriculture zone district of Title 20.
3. Reason for Change: These have been done.

4. Establish buffers or setback requirements on non-agricultural lands when they are adjacent to agricultural lands. As a part of this task, establish the quality and type of buffers or setbacks.

Reason for Change: This is accomplished now, either through code or Inter-local agreements (ILAs) with cities.

5. Implement strategies that reduce negative impacts by agricultural uses on natural systems.

Reason for Change: Policies that support this are present under Goal 8E.

6. Coordinate with the members of the agricultural community when addressing issues that affect agriculture in Whatcom County. Representative entities such as the Whatcom Conservation District, the Natural Resource Conservation Service, the Whatcom County Agricultural Preservation Committee, the Whatcom County Farm Bureau, the Whatcom County Dairy Federation, the Whatcom County Cooperative Extension Service and other agriculture-related organizations should be included.

Reason for Change: The Agricultural Advisory Committee contains representatives from agricultural community as listed above, and they are consulted on issues that affect agriculture. Also addressed in policy 8C-3.

7. Support educational short courses which address methods of structuring agricultural estates to minimize inheritance taxes; give special emphasis to utilization of Land Trust as a mechanism by which to protect their farmlands in perpetuity for agricultural uses by their heirs or other farmers.

Reason for Change: See Policy 8C-1.

8. Work with the drainage districts and the Washington State Department of Fish and Wildlife to resolve conflicting interests associated with fish and wildlife habitat.

Reason for Change: Created Policy 8E-7 to address this action item.

9. Encourage equity in present tax assessment systems relating to agricultural land-use.

Reason for Change: Incorporated in current use tax assessment procedures.
Forest Resource Lands

1. Review criteria for Rural Forestry and Commercial Forestry and make amendments as necessary in order to conform with the requirements of the Growth Management Act.

Reason for Change: Statutorily required. No need to have as an action item.

2. Review Title 20.42 (Rural Forestry) and 20.43 (Commercial Forestry) for opportunities to provide for compatible, non-forest uses which encourage forest landowners to keep their land in productive forest uses.

Reason for Change: Moved to Policy 8F-8.

3. Review Chapter WAC 222-21 for opportunities to encourage and support small landowners to use the Small Forest Landowner Riparian Easement Program.

Reason for Change: See Policy 8F-6.

4. Review special district boundaries (e.g. fire districts, water districts) for conformance with forestry designations and make recommendations to appropriate agencies for adjustments.

Reason for Change: Moved to Policy 8F-10.

5. Establish a comprehensive program of forest land conservation incentives to offer to landowners who wish to keep their land in long term productive forest use. Coordinate this program with private land trusts, state agencies, and federal programs.

Reason for Change: See Policy 8F-5.

6. Adopt a memorandum of agreement with the Washington State Department of Natural Resources outlining the roles and responsibilities of Whatcom County and the Department of Natural Resources with regard to regulating forest practice activities in Whatcom County.

Reason for Change: Statutory requirement upon compliance with GMA.

7. The County shall adopt standards, by December 31, 2005, for the administration and enforcement of regulations related to Class IV Forest Practice conversion activities in Whatcom County as specified in RCW 76.09.240.

Reason for Change: Statutory requirement upon compliance with GMA.
8. Develop criteria and best management practices for establishing minimum fire prevention measures for development that takes place outside of a fire district boundary.


9. Formally review designations of productive forest land to determine if changes are necessary to meet forest land designation criteria.

Reason for Change: Statutory requirement, reviewed as part of regular update to comprehensive plan.

Mineral Resources

1. Investigate the problems associated with inactive and non-permitted mining sites and work with the appropriate government agencies to resolve such problems.

Reason for Change: No indications there are problems, either identifiable by staff or the SMAC.

2. Encourage mineral extraction operators in the county to voluntarily provide resource use information to nearby landowners, and to develop a good neighbor policy.

Reason for Change: Moved to Policy 8L-5.

3. Make regulatory processes more efficient and timely, while protecting the land use rights of those affected.

Reason for Change: See Policy 2D-3, which reads "Streamline development regulations to eliminate unnecessary time delays".

4. Implement a surface mining regulatory program, consistent with the comprehensive plan that addresses those areas where there is a conflict between land uses. Maintain an ongoing advisory committee consisting of representatives of diverse interests.

Reason for Change: See WCC 20.73 MRL regulations that implement MRL designations.

5. Develop and/or implement standards that optimize the life cycles of roads, bridges, and buildings, favoring durability over low, initial cost. Such standards can include improved road sub-base preparation (better...
compaction), thicker road bases, reinforcement, alternative materials, and concrete surfaces for some applications.

Reason for Change: Delete. Road standards are tied to WSDOT specifications and sometimes Federal grant requirements.

6. Encourage the use of alternative materials through educational programs.

Reason for Change: See Policy 8J-2, which reads "Support the use of new technology and innovative techniques for extraction, processing, recycling and reclamation. Support recycling of concrete and other aggregate materials. Support the efficient use of existing materials and explore the use of other materials which are acceptable substitutes for mineral resources.

7. Develop a program for use of alternative methods and materials in County projects.

Reason for Change: See Policy 8J-2 (referenced above in Action Item #6)

8. The Mineral Resource Land map designations and/or designation criteria should be reviewed at least once every seven years to determine if changes are necessary to meet mineral resource goals and policies. Such review should include consideration of the removal of land from Mineral Resource Designation after mining activity is completed and the addition of new designations in order to maintain a 50-year supply of mineral resources. Review may occur through subarea plan updates provided a complete review will occur within the seven-year time frame.

Reason for Change: Statutory requirement, reviewed as part of regular update to comprehensive plan. See Policy 8Q-6.

9. Investigate and implement methods to reduce inefficient uses of high-quality gravel deposits.

Reason for Change: See Policy 8J-2 (referenced above in Action Item #6).

10. Budget for and update the Aggregate Resource Inventory study to document the short- and long-range availability and location of quality mineral resources, to be completed by 2010.

Reason for Change: In process and to be completed by December 31, 2014.

11. Support and encourage legislation streamlining regulatory processes and other actions to encourage appropriate utilization of gravel from the Nooksack drainage as a resource where appropriate and a method to
stabilize and/or reduce flooding events and/or reduce the loss of agricultural land to erosion.

Reason for Change: See Policy 8P-7 (Support the use of gravel from tributary streams for flood hazard control, provided environmental impacts are fully addressed.) and 8P-9 (Work with other jurisdictions and related agencies to reduce or eliminate redundant regulations, streamline the permitting process, and provide greater opportunities for appropriate river gravel extraction to enhance other important resources, specifically agricultural).
Proposed Council Changes to Comprehensive Plan

Chapter 8 - Resource Lands

Page and line numbers reflect Planning Commission Recommended Draft dated 1/14/16 (http://wa-whatcomcounty.civicplus.com/DocumentCenter/View/15157). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

Previous changes made by the Council are underlined or struck out, but not bold. New changes are in bold.

1) p. 8-3; lines 1-3: The purpose of this section is to provide a clear set of guidelines that both preserves the agricultural base in Whatcom County, prioritizes the human need for food, fiber, shelter and energy and ensures that both the agricultural industry and the cultural heritage thrive in the years to come. (Brenner, Browne, Sidhu)

2) p. 8-5; line 31: Whatcom County agriculture is widespread and diverse, ranging from small, organic farms in the Mt. Baker Foothills to cold-storage facilities in Bellingham, and includes orchards, dairies, cattle ranches, produce farms, and nurseries, to name a few. Our farms are the country's top producers of red raspberries and are also major producers of milk, beef, blueberries, potatoes, nursery products, and many other agricultural commodities.

The economic impacts of agriculture on Whatcom County are substantial. According to the U.S. Department of Agriculture's 2012 Census of Agriculture, 1,483, Whatcom County farms produced a market value of $326 million in crops and livestock that year, ranking eighth in the state. Milk produced locally in 2013 reached an all-time high market value of $246.1 million. Raspberries and blueberries combined for a record market value of $123.6 million in 2014.

Average annual agricultural employment in Whatcom County in 2014 was 3,512, with substantial seasonal variation within that average, according to the Washington State Employment Security Department. Locally, agricultural jobs soared to 5,661 in the third quarter of 2015. In addition, farms and support businesses, such as equipment retailers, veterinarians, processing facilities, and feed suppliers employ many Whatcom County residents. (Brenner, Browne, Sidhu)

3) p. 8-5; lines 35-39: Agricultural activity is generally considered to be a condition or activity which occurs on agricultural land in connection with the commercial production of
agricultural products. Agricultural land may include, but not be limited to can be described as the land, buildings, freshwater ponds, including the buildings, infrastructure, and machinery used in the commercial production of agricultural products. Agricultural products are those plants and animals useful to humans. Commercially viable agricultural products require generally rich and fertile soil with appropriate amounts of water to bring them to a harvestable stage.

4) p. 8-5; lines 43-46: Agricultural lands are an important resource to the people of Whatcom County and Washington State, yet if not and need to be adequately protected as necessary through zoning and other measures, voluntary measures, such as PDRs, and workable TDRs programs, these lands may be converted to urban or rural uses. (Brenner, Browne, Sidhu)

5a) p. 8-8; line 5: The state legislature has recognized that agriculture faces unprecedented international market competition and costs. Low profit margins have pushed many agricultural operations out of business, which can be seen in the decline of Whatcom County’s agricultural land base from 1949 to 2012. The continued loss of working agricultural land also harms critical areas because, as the Puget Sound Partnership has noted, farm and cattle ranch lands deliver critical area outcomes that are superior to converted lands, in terms of water quality functions, floodplain, aquifer recharge, and food and habitat functions for fish and wildlife species. Because of this, additional regulations need to be carefully tailored to prevent additional threats to already thin farm profit margins that can accelerate conversion to non-agricultural uses. (Brenner, Sidhu) (alternative below)

5b) The state legislature has recognized that agriculture faces unprecedented international market competition and costs. Low profit margins have contributed to the decline of Whatcom County’s agricultural land base from 1949 to 2012. The continued loss of working agricultural land also harm critical areas because, as the Puget Sound Partnership has noted, farm and cattle ranch lands can deliver critical area outcomes that can be superior to converted lands, in terms of water quality functions, floodplain, aquifer recharge, and food and habitat functions for fish and wildlife species. Because of this, additional regulations need to be carefully tailored to prevent additional threats that can accelerate conversion to non-agricultural uses. (Browne) (alternative above)

6a) p. 8-8; Policy 8A-2: Maintain a working agricultural land base sufficient to support a viable local agricultural industry by considering the regulatory impacts to farmers and agricultural lands as part of the legislative decision making process. Measures
that can be taken to support working farms and maintain the agricultural land base may include: ... (Brenner, Sidhu)

- Maintenance of 100,000 acres of agricultural land to support a healthy agricultural industry.
- A workable transfer of development rights program (TDR) in which the development potential of a site could be transferred to another location where development is more favorable.
- The workable TDR program shall give priority to the creation of economically viable receiving areas.
- Developing a marketplace approach to strengthening agricultural practices while enhancing larger-scale watershed processes and functions by identifying feasible opportunities on agricultural land to improve both watershed health and agricultural viability and developing incentives and tools to compensate farmers for actions that exceed minimum regulatory standards.
- Maintaining a Purchase of Development Rights (PDR) program that facilitates the removal of development rights from productive farmland and provides permanent protection of those agricultural lands through the use of conservation easements or other legal mechanisms.

6b) Give priority in the PDR program to land with valid, adequate irrigation water rights and physical access to water sufficient to sustain economically viable irrigation based agriculture. (Browne)

- Incentives and cooperation between landowners and public agencies such as the utilization use of the current use tax assessment provisions.
- Implementing land use policies that encourage farming on Rural lands of high agricultural productivity and potential.
- Discouraging conversion of designated agricultural lands to non-agricultural uses.
- Mitigation for loss of productive agricultural lands, including loss Track acres lost due to conversion, development or policy implementation such as critical areas ordinance, so mitigation strategies can be implemented to offset the acres lost etc.
- Education and marketing of programs that emphasize recognition of the local and regional significance of agricultural land as a natural resource and the economic, social and ecological benefits it provides.
6c) • Working cooperatively with local farmers and coordinating with local and state agencies to address water quality impacts of agricultural activities on local streams and groundwater. (Sidhu)

• Securing an adequate, sustainable and legal supply of irrigation water sufficient to support the long-term viability of the local agricultural industry.

• Identify and evaluate any new or changed zoning or comprehensive plan agricultural lands of long term commercial significance designations as needed or warranted for the Rural Study Areas.

6d) • Required buffers on all new non-agricultural uses on land located adjacent to agricultural activities. (Sidhu)

6e) • Development assistance to agricultural-related enterprises. (Brenner, Sidhu)

6f) • Farm friendly regulations. (Brenner, Sidhu)

6g) • Track acres lost due to conversion, development, or policy implementation, so mitigation strategies can be implemented to offset acres lost. Implement the strategies for mitigation to farmers for productive agriculture land lost due to regulatory requirements. (Brenner, Sidhu)

7) p. 8-10; New Policy 8A-7 (and renumber subsequent policies) Recognize that property owners of land designated as agricultural land of long-term significance have the right to request re-designation or conversion and work cooperatively with farmers to approve re-designation and conversion if the land satisfies the re-designation criteria, and conversion is allowed in the underlying zoning. (Sidhu)

8) p. 8-10; New Policy 8A-8 (and renumber subsequent policies) Recognize that re-designation and conversion are sometimes necessary to ensure the continued economic viability of adjacent agricultural land. (Sidhu)

9a) p. 8-10; Policy 8A-7: Work cooperatively with farmers to Prioritize agricultural activity in land use decisions when land is composed of prime and/or productive agricultural soils... (Brenner, Browne, Sidhu)

9b) ... and agriculture is the highest value resource use. (Brenner)
10) p. 8-11; Policy 8A-10: The Agricultural Advisory Committee shall advise the Whatcom County Executive and Council on agricultural issues and agricultural land use. Whatcom County shall support the Agricultural Advisory Committee with staff and other resources, and shall prioritize the AAC’s input with regard to agricultural resource lands. (Brenner, Sidhu)

11) p. 8-11; New Policy 8A-11: Support voluntary measures and adequate financial compensation for farmers for any zoning changes that could reduce their economic viability. (Brenner)

12) p. 8-11; lines 10-13: Agriculture is an essential contributor to the local Whatcom County economy. Agriculture is most productive in large agricultural communities where neighbors support agriculture and where labor, farm supplies and market systems for farm products are available.

13) p. 8-11; Policy 8B-6: Develop and utilize a range of result-oriented non-regulatory programs, options, and incentives, collaboratively developed and monitored by the County and landowners, that agricultural landowners can employ so long as such programs, options, and incentives can be shown to produce results that meet or exceed county environmental goals. (Brenner)

14) p. 8-12; Policy 8C-2: Involve those who actually are engaged in agricultural activities, and give high regard to their opinions in the County’s decision-making during in the planning process and when instituting regulatory changes that would impact the agricultural community. Use groups working effectively with the agricultural community ... (Brenner, Browne, Sidhu)

15) p. 8-12; New Policy 8C-5: Develop and support more programs to promote ag-tourism and ag-education to increase public awareness of the nutritional and economic value of agriculture and quality food production. (Brenner)

16) p. 8-14; Policy 8D-7: Help resolve conflicts associated with maintaining and enhancing fish habitat and the necessary drainage work that is annually done by agricultural drainage districts, watershed improvement districts and landowners. (Brenner, Browne, Sidhu)

17a) p. 8-15; Policy 8E-6: Encourage the maintenance and operation of drainage systems such that the potential habitat and water quality impacts from such systems are minimized and agricultural uses remain viable. (Sidhu) (alternative below)

17b) p. 8-15; Policy 8E-6: Encourage the maintenance and operation of drainage systems such that the actual and potential habitat and water quality impacts from such systems are minimized and agricultural uses remain viable. (Browne) (alternative above)
18) p. 8-15; New Policy 8E-10: **Develop and implement education and incentive programs that encourage agriculture land owners to take steps to improve habitat of threatened and endangered species.** (Brenner)

19) p. 8-15; New Policy 8E-11: **Support the Department of Agriculture in improving practices avoid adverse impacts to the habitat of threatened and endangered fish and wildlife species and to marine waters that support shellfish resources.** (Brenner)

20) p. 8-15; New Policy 8E-12: **While regulation of water quality is important, the human need for production of food, fiber, shelter and energy by agricultural resource lands is equally critical.** (Browne, Sidhu)

21) p. 8-15; lines 46 – p. 8-16, line 3: Agriculture uses a significant amount of water, most of which is pumped from wells or surface waters. Given the competition for scarce water supplies (addressed in Chapter 11, Environment, Water Resources), ways must be found to secure an adequate long-term water supply while **reducing** encouraging water usage **conservation** and improving water quality prior to it entering the waterways. (Browne, Sidhu)

22) p. 8-31; lines 24-28: **Associated mining activities such as rock crushing on-site can greatly increase the "industrial atmosphere" experienced by nearby property owners. This activity, however, helps to keep material transportation costs down. In addition, accessory uses are a necessary part of most operations, and to carry them out on-site is cost-effective.** (Brenner)

23) p. 8-32; Goal 8K: Ensure that mineral extraction industries do not adversely affect the quality of life in Whatcom County other properties in the vicinity, by establishing appropriate and beneficial designation and resource conservation policies, while recognizing the rights of all property owners. (Brenner)

24)p. 8-35; Policy 8L-5: Encourage mineral extraction operators in the county to voluntarily provide resource use information to nearby landowners, and to develop a good neighbor policy. **Support improved communication and understanding between mineral resource landowners and the public through mechanisms, such as voluntary mine management plans and community and educational forums.** (Brenner)

25) p. 8-35; New Policy 8L-6: **Reduce potential conflicts between mining and incompatible activities by establishing/maintaining zoning regulations that protect productive mineral lands of long-term commercial significance from conversion to non-compatible uses.** (Brenner)
26a) p.8-45; **New Section:** *Aquatic Resource Lands – Introduction*

**Purpose**
This section contains policies to guide Whatcom County in the creation of a new section for this chapter to ensure the conservation of functioning aquatic resource lands of long-term commercial and recreational significance, and to ensure that both industries requiring functioning aquatic lands, and the cultural heritage that use of our aquatic lands represent, thrive in the years to come.

**GMA Requirements**
Goal 8 of the GMA (RCW 36.70A.020) guides the county to “Maintain and enhance natural resource based industries, including productive timber, agricultural, and fisheries industries.” Aquatic lands have a clear nexus regarding maintenance of fisheries industries, including commercial and recreational shellfish harvest. While the GMA does not require specific designation of aquatic resource lands that support aquatic based industries, functioning aquatic lands are so intrinsically necessary for production of historical fish and shellfish production that these lands are identified on our GMA required critical areas maps, shoreline inventory and analysis, and integral in the state /county approved 2008 Shoreline Restoration Plan.

**Issues, Goals, and Policies**
The following goals and policies apply to both designated and undesignated aquatic lands and are meant to help in the creation of this section to address the issues of conserving productive aquatic land and meeting the goals of the Growth Management Act.

(Weimer)

26b) **New Goal 8S:**
Conserve and enhance Whatcom County’s aquatic land base for the long-term and sustainable production of commercial and recreational economic activities. (Weimer)

26c) **New Policy 8S-1:**
Whatcom County Planning staff will work with the Marine Resource Committee, the Shellfish Protection Advisory Committees, and other local aquatic land experts to create a new section of this chapter to support goal 8S to be docketed and processed for consideration no later than 2017. (Weimer)

---

**Proposed Reconsideration of Previous Changes**

In these proposed reconsiderations, previous changes made by the Council are *underlined* or struck out, but not bold. **New changes are in bold.** Previous Council changes proposed for deletion are *highlighted.*
Items 27 through 32 concern replacing the term “aquatic lands” with “aquaculture” and similar changes.

27) p. 8-1; lines 4-9: The growth and harvest of farm products, re-generation and harvesting of timber, use of aquatic aquaculture lands for shellfish harvest, and excavation of minerals all shape Whatcom County's landscape and strongly influence the economy. Resource lands, which include agriculture, forestry, aquatic resource lands fisheries (RCW 36.70A.020) and mineral resource lands, also largely represent Whatcom County's cultural heritage. These natural resource activities have been major industries since European settlement began in the area, and the use of aquatic aquaculture lands by our indigenous citizens far predates European settlement. (Brenner, Sidhu)

28) p. 8-1; lines 12-14: This chapter is divided into four three sections: Agricultural Lands, Forest Resource Lands, Aquatic Aquaculture Resource Lands, and Mineral Resources. (Brenner, Sidhu)

29) p. 8-2; lines 7-8: The Agricultural Lands, Forest Resource Lands, Aquatic Aquaculture Resource Lands, and Mineral Resources sections of this chapter address Goal 8 of the GMA, which reads: ... (Brenner, Sidhu)

30) p. 8-2; line 21-30: Identifying and designating productive resource lands also helps implement County-Wide Planning Policies—that state that Whatcom County shall “become a government of rural areas in land use matters directed towards agriculture, forestry, mineral resources, aquatic aquaculture industries and other natural resources”—[CWPP B(1)]. In addition, land use policies that encourage best management practices are included within this chapter to support and maintain the County-Wide Planning Policies regarding economic development. As part of a broad based economy of productive timber, agriculture, mineral and fisheries—aquatic industries should be maintained in a sustainable manner (CWPP 1-9). (Brenner, Sidhu)

31) p. 8-14; New Policy 8D-8: Through a continuum of efforts moving from education to enforcement of regulations, that includes outreach, development of voluntary best practices, technical assistance, incentives, monitoring, and regulation, ensure that agricultural practices do not negatively impact aquatic aquaculture resource lands and critical areas. (Brenner, Sidhu)

32) p. 8-14; Goal 8E: Ensure agricultural practices avoid adverse impacts to the habitat of threatened and endangered fish and wildlife species and to aquatic aquaculture resource lands that support shellfish resources. Encourage agricultural land uses to voluntarily protect and restore habitat of threatened
and endangered species through education and incentive programs. (Brenner, Sidhu)

33) p. 8-3; line 45: Those lands designated as Agriculture in the comprehensive plan are designated as Agricultural Lands of Long-Term Commercial Significance as defined by GMA, as agricultural lands that have Agricultural lands of long-term commercial significance are land: (a) not already characterized by urban growth (b) that is primarily devoted to the commercial production of agricultural products enumerated in RCW 36.70A.030(2), including land in areas used or capable of being used for production based on land characteristics, and (c) that has long-term commercial significance for agricultural production, as indicated by: “includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land’s proximity to population areas, and the possibility of more intense uses of the land.” (RCW 36.70A.030(10). (Sidhu)

34) p. 8-4; lines 44-45: Conserving productive agricultural lands in rural areas, without infringing on private property rights, without infringing on private property rights, is a primary objective of the APO. (Brenner, Sidhu)

35) p. 8-9; Policy 8A-3: The criteria for designating or de-designating lands under the Agriculture land use designation shall be considered on an area-wide basis. When applying the following criteria, the process should result in designating an amount of agricultural resource lands sufficient to maintain and enhance the economic viability of the agricultural industry in the county over the long term, and to retain agricultural support businesses, such as processors, farm suppliers, and equipment maintenance and repair facilities. The criteria are as follows:

...3. The land has long-term commercial significance for agriculture. In determining this factor, consider the following nonexclusive criteria:

   a. The majority of the area contains Prime Farmland Soils as determined by the Natural Resource Conservation Service (NRCS).

   b. The area may contain 100-year floodplains as delineated by the Federal Emergency Management Agency (FEMA).

   c. Land use settlement patterns, the intensity of nearby uses, and the history of approved land development permits are generally compatible with agricultural practices. Existing land uses are primarily full-time agriculture intermixed with part-time agriculture and woodlots, and minimal commitment to non-farm uses has been made.
d. **A majority of the area is composed of agricultural operations, that have historically been and continue to be economically viable**

...  

(Sidhu)

36) p. 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 manure management, etc. (Brenner, Sidhu)

37) p. 8-10; Policy 8A-5: Discourage conversion of productive agricultural land to incompatible non-agricultural uses. (Sidhu)

38) p. 8-11; line 14: Agriculture is one of the most important resources in Whatcom County. Whatcom County works with farmers to ensure productive agricultural land and improved nutrient management practices help reduce potentially negative impacts on aquatic lands. Whatcom County is also strongly supported by agriculture fiscally with sales and jobs. Agriculture may conflict with other land uses. (Sidhu)

39) p. 8-11; Policy 8B-6: Develop Utilize a range of results-oriented, non-regulatory programs, options, and incentives, collaboratively developed and monitored by the County and landowners, that agricultural landowners can employ as long as such programs, options, and incentives can be shown to produce results that to which meet or exceed county environmental goals regulations. (Sidhu)

41a) p. 8-12; lines 38 Non-farm uses may conflict with agriculture. The Right-To-Farm Ordinance was created because agriculture is the priority use. Usual and accustomed farm activities create odors, dust, sprays, noise from farm machinery, etc. and are prioritized with the Right-To-Farm Ordinance. 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. Residents of non-farm housing adjacent to farms, and owners and patrons of nearby commercial uses, have complained of nuisances such as odors, dust, chemical sprays, and noise from machinery. Farm equipment, crops, and livestock may suffer from increased vandalism. In addition, non-farm residential development, particularly residential subdivisions, can raise assessed valuation or lead to special assessments on adjacent farmlands, resulting in higher property taxes for farmers. The same is true of commercial uses. (Brenner) (partial alternative below)
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. Residents of non-farm housing adjacent to farms, and owners and patrons of nearby commercial uses, have complained of nuisances such as odors, dust, chemical sprays, and noise from machinery. (Sidhu) (partial alternative above)

Encourage the fencing of livestock away from fish bearing streams. Through a continuum of efforts moving from education to enforcement of regulations, that includes outreach, development of voluntary best practices, technical assistance, incentives, monitoring, and regulation, ensure that agricultural practices do not negatively impact aquatic resource lands and critical areas. Help farmers fence livestock away from fish bearing streams. (Brenner) (alternative below)

Through Develop a continuum of efforts moving from including education to enforcement of regulations, that includes outreach, development of voluntary best practices, technical assistance, and incentives, monitoring, and regulation, to minimize impacts when conflicts arise between agriculture and other land uses ensure that agricultural practices do not negatively impact aquatic resource lands and critical areas. (Sidhu) (alternative above)

Work with agricultural land users to find efficient and effective cooperative ways to protect and improve habitat of threatened and endangered species through education and incentive programs. Ensure agricultural practices avoid adverse impacts to the habitat of threatened and endangered fish and wildlife species and to aquatic resource lands that support shellfish resources. Encourage agricultural land uses to voluntarily protect and restore habitat of threatened and endangered species through education and incentive programs. (Brenner, Sidhu)

Provide assistance where necessary to ensure fencing of livestock away from rivers and streams to prevent livestock from degrading riparian and instream habitat and from polluting water quality. Prevent livestock from degrading riparian and instream habitat by using best management practices for the fencing of livestock from streams and support the provision of alternative watering systems. Encourage fencing along rivers and streams to prevent livestock from degrading riparian and instream habitat. (Brenner, Sidhu)

Encourage voluntary restoration to properly functioning habitat conditions for those riparian areas and stream
reaches that do not currently provide such habitat conditions through voluntary restoration, technical assistance and incentives. (Sidhu)

46) p. 8-16; Policy 8F-1: Actively participate in the WRIA 1 Watershed and Salmon Recovery Programs to ensure that the agricultural sector’s needs, as well as other interests, are addressed. (Sidhu)

47) p. 8-16; Policy 8F-3: Work to encourage support that the agricultural community’s has access to sufficient in ensuring that legal direct legal water rights and other sources of water are available for agricultural uses. (Sidhu)

48) p. 8-16: New Policy 8F-4: Balance Support the needs of agricultural water users with while balancing needs for instream uses through such processes as the WRIA 1 Salmon Recovery Program. (Sidhu)

49) p. 8-30; lines 36 – p. 31 line 2: Surface mining can create conflicts with other land uses. Those impacts, may include increased noise, dust, scenic impacts, traffic, road wear, and neighboring property devaluation. Mines can affect property values while at the same time nearby residents may use the area for shooting, dirt bike riding, and other activities. Controlling trespassing to surface mining can be a significant safety issue for mine operators. Property rights. Adjacent land use 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. Citizens may be generally unaware of the county zoning of surrounding property and the mining uses that are allowed. 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 issues. These and other factors may contribute to a climate of distrust and hostility between the aggregate industry and property owners in the vicinity. Other land uses may create conflicts with surface mining, if not zoned appropriately. If zoned appropriately, there is little chance of other uses being disturbed by usual mineral resource activities, such as noise, dust, scenic impacts, traffic, road wear, or property devaluation. (Brenner)

p. 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, enhance agricultural land, or provide land for parks, housing, industrial or other uses. Surface mines, when reclaimed properly, can create wetlands and fish and wildlife habitat, possible productive agricultural land, or provide land for parks, housing, industrial, or other uses. When not reclaimed properly, mines
may create environmental issues, such as groundwater of aquifer impacts, and contamination or disruption of fish and wildlife habitat. (Brenner)

Changes Approved March 8 and March 22

p. 8-1; lines 4-9: The growth and harvest of farm products, re-generation and harvesting of timber, use of aquatic lands for shellfish harvest, and excavation of minerals all shape Whatcom County's landscape and strongly influence the economy. Resource lands, which include agriculture, forestry, aquatic resource lands and mineral resource lands, also largely represent Whatcom County's cultural heritage. These natural resource activities have been major industries since European settlement began in the area, and the use of aquatic lands by our indigenous citizens far predates European settlement. (Weimer)

p. 8-1; lines 12-14: This chapter is divided into four three sections: Agricultural Lands, Forest Resource Lands, Aquatic Resource Lands, and Mineral Resources. (Weimer)

p. 8-2; lines 7-8: The Agricultural Lands, Forest Resource Lands, Aquatic Resource Lands, and Mineral Resources sections of this chapter address Goal 8 of the GMA, which reads: ... (Weimer)

p. 8-2; line 21-30: Identifying and designating productive resource lands also helps implement County-Wide Planning Policies— that state that Whatcom County shall become a government of rural areas in land use matters directed towards agriculture, forestry, mineral resources, aquatic industries and other natural resources" [CWPP-B(1)]. In addition, land use policies that encourage best management practices are included within this chapter to support and maintain the County-Wide Planning Policies regarding economic development. As part of a broad based economy of productive timber, agriculture, mineral and fisheries aquatic industries should be maintained in a sustainable manner {CWPP-1-9}. (Brenner)

p. 8-2; lines 45-46: Those lands designated as Agriculture in the comprehensive plan are designated as Agricultural Lands of Long-Term Commercial Significance as defined by GMA: ... (Weimer)
Those lands designated as Agriculture in the comprehensive plan are designated as Agricultural Lands of Long-Term Commercial Significance as defined by GMA. Agricultural lands of long-term commercial significance are land: (a) not already characterized by urban growth (b) that is primarily devoted to the commercial production of agricultural products enumerated in RCW 36.70A.030(2), including land in areas used or capable of being used for production based on land characteristics, and (c) that has long-term commercial significance for agricultural production, as indicated by: “includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land’s proximity to population areas, and the possibility of more intense uses of the land.” (RCW 36.70A.030(10). (Browne, Donovan)

Conserving productive agricultural lands in rural areas, without infringing on private property rights, is a primary objective of the APO.

Conserve productive agricultural lands and agricultural resource lands, including areas with prime soils that are not now zoned agriculture, or where the areas is composed of agricultural operations that have historically been and continue to be economically viable, by developing and implementing a long range strategy. The planning horizon should be 20 years in the short term and 100 years in the long term. (Browne)

Maintain a working agricultural land base sufficient to support a viable local agricultural industry by considering the impacts to farmers and agricultural lands as part of the legislative decision making process. Measures that can be taken to support working farms and maintain the agricultural land base may should include: ... (Donovan)

- Maintenance of 100,000 acres of agricultural land to support a healthy agricultural industry. (Donovan)

- A workable transfer of development rights program (TDR) in which the development potential of a site could be transferred to another location where development is more favorable. (Weimer, Donovan)

- The workable TDR program shall give priority to the creation of economically viable receiving areas. (Browne)

- Developing a marketplace approach to strengthening agricultural practices while enhancing larger-scale watershed processes and functions by identifying feasible opportunities on agricultural land to improve both watershed health and agricultural viability and
developing incentives and tools to compensate farmers for actions that exceed minimum regulatory standards. (Weimer)

- Mitigation for loss of productive agricultural lands, including loss of track acres lost due to conversion, development or policy implementation such as critical areas ordinance, so mitigation strategies can be implemented to offset the acres lost etc. (Weimer)

- Identify and evaluate any new or changed zoning or comprehensive plan agricultural lands of long term commercial significance designations as needed or warranted for the Rural Study Areas. (Staff)

p. 8-9; Policy 8A-3: The criteria for designating or de-designating lands under the Agriculture land use designation shall be considered on an area-wide basis. When applying the following criteria, the process should result in designating an amount of agricultural resource lands sufficient to maintain and enhance the economic viability of the agricultural industry in the county over the long term, and to retain agricultural support businesses, such as processors, farm suppliers, and equipment maintenance and repair facilities. The criteria are as follows:

4. The land is not already characterized by urban growth. In determining this factor, the County should consider WAC 365-196-310 and RCW 36.70A.030(19).

5. The land is used or capable of being used for agricultural production. In making this determination, the County shall use the land-capability classification system of the U.S. Department of Agriculture Natural Resources Conservation Service. These eight classes are incorporated into map units and are based on the growing capacity, productivity, and soil composition of the land.

6. The land has long-term commercial significance for agriculture. In determining this factor, consider the following nonexclusive criteria:

   e. The majority of the area contains Prime Farmland Soils as determined by the Natural Resource Conservation Service (NRCS).

   f. The area may contain 100-year floodplains as delineated by the Federal Emergency Management Agency (FEMA).

   g. Land use settlement patterns, the intensity of nearby uses, and the history of approved land development permits are generally compatible with agricultural practices. Existing land uses are primarily full-time agriculture intermixed with part-time agriculture and woodlots, and minimal commitment to non-farm uses has been made.

   h. A majority of the area is composed of agricultural operations, that have historically been and continue to be economically viable.
i. **The predominate** parcel sizes in the area is large enough to adequately maintain agricultural operations, are generally greater than 40 acres.

j. **The availability of public services.** Urban utility services including public sewer and water are not planned.

k. **The availability of public facilities such as roads used to transport agricultural products.**

l. Special purpose districts that are oriented to enhancing agricultural operations exist, including such as drainage improvement, watershed improvement, and flood control exist.

m. **The areas have has a pattern of landowner capital investment in agricultural operations improvements including irrigation, drainage, manure storage, the presence of barns and support buildings, enhanced livestock feeding techniques, agricultural worker housing, etc.**

n. **The areas contain a predominance of parcels that have current use tax assessment derived from the Open Space Taxation Act.**

o. **The area's proximity to urban growth areas.**

p. **The area's proximity to agricultural markets.**

q. **Land values under alternative uses.**

(Staff)

p. 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 manure nutrient management, etc. *(Donovan)*

p. 8-10; Policy 8A-5: Discourage conversion of productive agricultural land to incompatible non-agricultural uses. *(Weimer)*

p. 8-11; Policy 8B-6: Develop a range of non-regulatory programs, options, and incentives that agricultural landowners can employ so long as such programs, options, and incentives can be shown to produce results that to meet or exceed county environmental goals. *(Weimer)*

p. 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. *(Weimer)*
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.** (Weimer)

Maintain the right to farm ordinance. **Give priority to agricultural uses and owners of parcels zoned for agriculture priority in land use and nuisance conflicts with residents of adjacent properties and adjacent property owners.** (Donovan)

**New Policy 8D-8** (insert new 8D-8, renumber existing 8D-8 and following 8D policies): **Through a continuum of efforts moving from education to enforcement of regulations, that includes outreach, development of voluntary best practices, technical assistance, incentives, monitoring, and regulation, ensure that agricultural practices do not negatively impact aquatic resource lands and critical areas.** (Weimer)

**Goal 8E:** **Ensure agricultural practices avoid adverse impacts to the habitat of threatened and endangered fish and wildlife species and to aquatic resource lands that support shellfish resources. Encourage agricultural land uses to voluntarily protect and restore habitat of threatened and endangered species through education and incentive programs.** (Weimer)

**Policy 8E-2:** **Prevent livestock from degrading riparian and instream habitat by using best management practices for the fencing of livestock from streams and support the provision of alternative watering systems. Encourage fencing along rivers and streams to prevent livestock from degrading riparian and instream habitat.** (Weimer)

**Policy 8E-4:** **Ensure proper storage and application of compounds that can pollute our waterways such as manure and other fertilizers, pesticides and herbicides.** (Weimer)

**Policy 8E-5:** **Encourage voluntary restoration to properly functioning habitat conditions for those riparian areas and stream reaches that do not currently provide such habitat conditions through voluntary restoration, technical assistance and incentives.** (Weimer)

**Policy 8E-6:** **Encourage the maintenance and operation of drainage systems such that the habitat and water quality impacts from such systems are minimized and agricultural uses remain viable.** (Weimer)
Active participation in the WRIA 1 Watershed and Salmon Recovery Programs to ensure that the agricultural sector’s needs, as well as other interests, are addressed. (Weimer)

Work to support that the agricultural community has access to sufficient in ensuring that legal direct legal water rights and other sources of water are available for agricultural uses. (Weimer)

New Policy 8F-4: Balance the needs of agricultural water users with needs for instream uses through such process as the WIRA 1 Salmon Recovery Program. (Donovan)

Such conversions include changing the use of forest land from commercial timber production to incompatible residential, commercial, industrial, and agricultural land uses, or parks and preserves that exclude intense forest production management. (Brenner)

Passed March 29

1) p. 8-21; lines 3-4: The commercial working forest land base in Washington State and in Whatcom County has been steadily decreasing over time. (Brenner)

2) p. 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. (Brenner)

3) p. 8-24; Policy 8F-12: Maintain a working forest land base sufficient to support a viable local forestry industry by considering the impacts of working forests as part of the legislative decision making process. Measures that can be taken to support working forests may include:

3b) Mitigation for loss of forest lands from productivity, including loss due to policy implementation of critical areas ordinances, etc. (Donovan, Weimer)

3c) Track acres of forest lands lost from productivity due to conversion, development or policy implementation such as critical areas ordinance, and work with the forestry advisory committee to identify economically viable mitigation strategies that can be implemented to offset the acres lost. (Weimer)
4) p. 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. (Weimer)

5) p. 8-27; Goal 8I: Support the Department of Natural Resources in ensuring that forest practices avoid adverse impacts to the habitat of threatened and endangered fish and wildlife species and to marine waters that support shellfish resources. (Brenner)

6) p. 8-27; Policy 8I-1: Ensure that adequate riparian buffers, based on best available science, are maintained along rivers and streams. (Weimer)

7) p. 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. (Brenner)

8) p.8-30; lines 40-43: Controlling trespassing to surface mining can be a significant safety issue for mine operators. Adjacent land use 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. (Weimer)

p. 8-30 line 45-: These and other factors may contribute to a climate of distrust and hostility between the aggregate industry and 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/operators. Numerous federal, state, and local regulations also mitigate impacts of noise, dust, traffic, and environmental impacts.

9) p. 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, enhance agricultural land, or provide land for parks, housing, industrial or other uses. (Brenner)

10) p. 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. (Brenner)
11) p. 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.** (Weimer)

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 operator.** (Donovan)

12a) p. 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. (Weimer) **(alternative below)**

13) p. 8-35; Policy 8M-4: **Recognize the role of commercial surface mining as part of farm enhancement.** (Weimer, Donovan)

14c) p. 8-36: **Delete Riverine Areas language or restore introduction language to original (as follows):**

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 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. (Donovan) *(14a & 14b alternative)*

15) p. 8-41: Policy 8Q1: **Through a county-led, county-wide assessment** seek to identify and designate protect— all potential commercially significant mineral resource lands construction aggregate supply, to meet future demand, compatible with water resources, agricultural lands, forest lands and other GMA goals. *(Weimer)*

16) p. 8-42; Policy 8R-6: **Avoid river bar scalping where it would adversely affect salmon spawning or critical habitat areas.** *(Donovan) (if riverine section is retained)*

17) p. 8-43; MRL Criteria:

17a) 1. Non-metallic deposits must contain at least 1,000,000 250,000-cubic yards of proven and extractable sand, gravel or rock material per new MRL Designation. *(Donovan) (for discussion)*

17b) 2. Minimum MRL Designation size is **ten twenty** acres. *(Brenner, Donovan)*

... 

17c) 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. *(Weimer)*
15. Prohibit MRI 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....
Briefing and discussion on Comprehensive Plan Chapter 10 (Design).

ATTACHMENT:

1. Cover letter

SEPA review required? ( ) Yes ( ) NO
SEPA review completed? ( ) 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 in 2016 (RCW 36.70A.130). The Planning and Development Services Department would like to make a presentation and discuss Comprehensive Plan Chapter 10 (Design) with the Council.

Related County Contract #: AB2016-047
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: Mark Personius, Assistant Director

DATE: May 19, 2016

SUBJECT: Comp Plan Update – Chapter 10 (Design)

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 in 2016, as required by the Growth Management Act. Staff is requesting to make a presentation to the County Council relating to Chapter 10 - Design on May 31, 2016.

Staff proposes deleting Chapter 10, with the exception of the goal and policies on historic and cultural resources, which would be moved to Chapter 2 Land Use. When the chapter was originally adopted, the County Council elected not to adopt policies that the Planning Commission had recommended in 1996. This reduced the chapter to a series of general goals without specific implementing policies (with the exception of the historic and cultural resources section, under Goal 10E). Many of the general topics discussed in the remaining chapter are addressed in greater detail in other chapters such as Land Use, Transportation, Natural Resources, Recreation, and Environment (for example, rural character, open space, clustering, and natural resources) or through development standards, incentives or regulations that do not require a “Design” chapter of the Comprehensive Plan to implement. Such issues may be better addressed through community or watershed specific planning approaches within the discretion of Whatcom County. Some design issues, such as rural clustering, have already been addressed as part of the County’s rural element. Furthermore, a “Design” element is not required by the GMA. However, the GMA (Planning Goal 13) and WAC 365-196-450 call on counties to identify and encourage the preservation of historic and cultural resources. Because historic and cultural resources are important topics – which are addressed in GMA Planning Goal 13 – staff proposes retaining this topic (Goal 10E and implementing policies) as part of Chapter 2 Land Use.

The Council has requested a summary of the substantive changes made by the Planning Commission. The Planning Commission considered Chapter 10 – Design on August 13, 2015. Planning Commission recommended deleting the Chapter, as proposed by staff.

Thank you for your consideration of this matter. We look forward to discussing it with you.
Public hearing on County Council preliminary draft of Comprehensive Plan Chapter 11, Environment

ATTACHMENT: Preliminary draft, Comprehensive Plan Chapter 11, Environment

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 17, 2016, regarding the periodic update of the Whatcom County Comprehensive Plan, Chapter 11, Environment (AB2016-047K). This hearing will give the public an opportunity to provide comments to the County Council relating specifically to Chapter 11.

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:

2/23/2016: Briefed and discussed
4/5/2016: Discussed and provided preliminary direction
4/19/2016: Comments received
4/19/2016: Discussed and proved preliminary direction
5/3/2016: Comments received
5/3/2016: Discussed and provided preliminary direction

COUNCIL ACTION:

5/17/2016: Public Testimony Received
5/31/2016: This item was not discussed

Related County Contract #: AB2016-047
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.
# Chapter Eleven

## Environment

### Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>2</td>
</tr>
<tr>
<td>Chapter Organization</td>
<td>2</td>
</tr>
<tr>
<td>Purpose</td>
<td>2</td>
</tr>
<tr>
<td>GMA Goals and County-Wide Planning Policies</td>
<td>3</td>
</tr>
<tr>
<td>GMA Requirements</td>
<td>3</td>
</tr>
<tr>
<td>Environmental Setting</td>
<td>4</td>
</tr>
<tr>
<td>Environmental Management</td>
<td>6</td>
</tr>
<tr>
<td>Introduction</td>
<td>6</td>
</tr>
<tr>
<td>Background Summary</td>
<td>6</td>
</tr>
<tr>
<td>Issue, Goals, and Policies</td>
<td>6</td>
</tr>
<tr>
<td>Community and Environmental Protection</td>
<td>67</td>
</tr>
<tr>
<td>Administration and Regulation</td>
<td>8</td>
</tr>
<tr>
<td>The Environment and Property Rights</td>
<td>910</td>
</tr>
<tr>
<td>Climate Change</td>
<td>11</td>
</tr>
<tr>
<td>Natural Hazards</td>
<td>13</td>
</tr>
<tr>
<td>Introduction</td>
<td>13</td>
</tr>
<tr>
<td>Background Summary</td>
<td>1413</td>
</tr>
<tr>
<td>Issues, Goals, and Policies</td>
<td>16</td>
</tr>
<tr>
<td>Water Resources</td>
<td>2120</td>
</tr>
<tr>
<td>Introduction</td>
<td>2120</td>
</tr>
<tr>
<td>Background Summary</td>
<td>21</td>
</tr>
<tr>
<td>Whatcom County Water Resource Programs</td>
<td>22</td>
</tr>
<tr>
<td>Issues, Goals, and Policies</td>
<td>2322</td>
</tr>
<tr>
<td>Watershed Planning and Management</td>
<td>2322</td>
</tr>
<tr>
<td>Surface Water and Groundwater</td>
<td>2524</td>
</tr>
<tr>
<td>Stormwater and Drainage</td>
<td>26</td>
</tr>
<tr>
<td>Water Conservation</td>
<td>3130</td>
</tr>
<tr>
<td>Lake Whatcom Watershed</td>
<td>3130</td>
</tr>
<tr>
<td>Natural Systems</td>
<td>3332</td>
</tr>
<tr>
<td>Introduction</td>
<td>3332</td>
</tr>
<tr>
<td>Background Summary</td>
<td>3433</td>
</tr>
<tr>
<td>Fish and Wildlife Populations and Habitat</td>
<td>3433</td>
</tr>
<tr>
<td>Marine Resources Management</td>
<td>3534</td>
</tr>
</tbody>
</table>

"Whatcom County Comprehensive Plan"
Introduction

Each person in Whatcom County has a fundamental right to a healthful and safe environment in which to live and grow. With this right comes a responsibility to contribute to the protection and enhancement of our natural environment. Consequently, an important goal of the Whatcom County Comprehensive Plan is to protect or enhance the county's environmental quality. This means that, individually and collectively, we have the obligation to protect these resources for our children and their children. Essential to this is the establishment of safe development practices and patterns that do not significantly disrupt natural systems and that ensure the continuation of ample amounts of clean water, natural areas, farmlands, forest lands, and fish and wildlife habitat.

Chapter Organization

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. An Action Plan at the end of the chapter recommends specific actions to implement these goals and policies. Together, the elements sections of this chapter provide the direction necessary to ensure and promote long-term sustainability of the environment in Whatcom County.

Reason for Change: Action plan has been deleted, and unaccomplished actions added to the policies.

Purpose

Whatcom County's natural environment, with its seasonally abundant supply of water, its beauty, and its other natural resources, has attracted people to our community for generations. This setting is important to our sense of well-being, to our health, to our economic well-being, and to our future. Yet sustaining these assets in the face of increasingly intense human activity has become more difficult over the each years. The challenge of protecting this environment while accommodating growth will require maintaining guidelines for development a blueprint that can help guide development so that it growth does
not ultimately overrun the very assets that brought most of us here. The purpose of this chapter is to create such a blueprint guidelines.

Process

This chapter was first originally produced by the Citizens' Environmental Task Force (ETF). The ETF began its task with fourteen members from diverse backgrounds, who were selected by the County Executive in October 1993. The ETF's objectives were divided into two tasks: develop an Environmental chapter for the Comprehensive Plan, and develop regulatory and non-regulatory tools to implement the provisions of the Comprehensive Plan.

Members of the ETF participated in the county's Visioning Process by attending town hall meetings to explain the committee's activities and to gather additional public input regarding the environment. The values and alternatives gathered through the Visioning Process are reflected in this chapter.

GMA Goals, and County-Wide Planning Policies, and Visioning Community Value Statements

GMA Planning Goal 10, "Environment," provides the directive for much of this chapter. It requires Whatcom County to "protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water." In addition, some of the goals and policies of this chapter support Planning Goal 9, "Open Space and Recreation," which directs the county to "conserve fish and wildlife habitat."

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 water pollution. The CWPP also support protecting wildlife habitat and corridors, natural drainage features, and "other environmental, cultural and scenic resources."

GMA Requirements

The GMA also requires Whatcom County to identify and manage critical areas in such a manner as to prevent destruction of the resource base and reduce potential losses to property and human life. The GMA has identified Critical Areas to include the following areas and ecosystems:

- Wetlands
- Areas with a critical recharging effect on aquifers used for potable water
- Critical Aquifer Recharge Areas
- Fish and wildlife habitat conservation areas

Whatcom County Comprehensive Plan

11-3
Frequently flooded areas
Geologically hazardous areas: (GMA Definition)

**Background Sources**
The background information contained in this chapter incorporates background information from the following documents:
- Whatcom County Environmental Resources Report Series: Hydrologic and Fishery Resources of Whatcom County. Whatcom County Planning Department, December 1994.

Reason for Deletion: These references are old. Newer, pertinent documents are referenced below and in the bibliography.

**Environmental Setting**
Whatcom County bedrock geology can be divided into five bedrock geologic provinces. From east to west these provinces are the Methow terrain, the Cascade Crystalline Core, the Northwest Cascades System, the Fraser Lowland, and the San Juan Island system. Tectonic activity over the past 15 million years has created the present North Cascades and the formation of Mount Baker, a 10,000-foot high composite volcano.

The mountains of Whatcom County, as well as the streams, lakes, valleys, and hills, and shoreline features are the result of millions of years of geologic events. 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. A minor advance of glacial ice, the Sumas Advance, ended approximately 10,000 years ago. The ice formed from the accumulation of snow in the British Columbia Coast Range and interior of British Columbia. Numerous glaciers are still present within the mountains of Whatcom County, and some of these mountain glaciers formerly extended far down the mountain valleys of the County. The underlying bedrock was deeply eroded during these glacial events creating very steep mountainsides, and in some areas, particularly in northwestern Whatcom County, a thick sequence of glacial related sediments was deposited. The glacial ice was approximately 6,000 feet thick in the vicinity of Bellingham.
Two main glacial advances are the most important to our area, the Salmon Springs glaciation and the later Vashon glaciation. Each time the massive glacier advanced, it dammed up the Puget lowlands to form a huge lake. As the floating ice melted, sand, gravel, clay and occasional boulders would melt out of the ice and fall to the sea floor. This deposit, the Bellingham Drift, covers the ground surface over a large area of western Whatcom County. Each time the Ice Age glacier advanced, it also compacted underlying sediments with its great weight. It created a concrete-like material called "till" (also known as "hardpan") beneath it. Because the Bellingham Drift consists primarily of clay and silt, it is relatively impermeable; water tends to accumulate on the ground surface. Wetlands are common on the Bellingham Drift.

On the bottom of the lake, "rock flour"—the finely ground remains of rocks pulverized by glacial action—settled out. These deposits became the familiar "blue clays" of the Puget lowland. The milky color of the Nooksack River is due to the same kind of rock flour, created by glacial activity on the slopes of Mount Baker.

Additionally, each time the glacier retreated, water from the melting ice deposited thick layers of sand and gravel known as "outwash." The outwash areas are typically where we find our most productive aquifers, since these loose sands and gravel are porous and drain rapidly. While these areas absorb rainwater for our later use from wells, they are also vulnerable to contamination. An example of this phenomenon is found in the outwash sands and gravels resulting from the Sumas Advance. Large melt water streams and rivers flowed from this glacier depositing the Sumas Outwash sands and gravels. The Sumas Outwash sands and gravels make up the best non-floodplain farmland in the County and some of the highest quality construction gravel deposits—as well. Abandoned outwash channels were formerly used as sources of peat.

Each of these glacial sediments—lake bed deposits, till and outwash—is present in various places from place to place and in varied combinations in Whatcom County. These sediments provide both the formations that hold the groundwater for many of the area’s wells, and the parent material for most of the different soils.

Out of these long physical processes a complex natural ecology has emerged that supports a diversity of wildlife. Many of our lakes, rivers, and streams support fish including, but not limited to, native species such as the five Pacific salmon (Chinook, Coho, Sockeye, Chum, Pink) as well as Steelhead, Rainbow Trout, Cutthroat (coastal and resident), Bull Trout, and Dolly Varden. Every year salmon return to spawn in the streams and rivers of Whatcom County. Buffelhead and goldeneye ducks winter here. Additionally, numerous bird species including scoters, snow geese, trumpeter swans, canvasbacks, cormorants, grebes, loons, and other migrating waterfowl pass through every spring and fall as they travel between their breeding grounds in Alaska and Canada and their wintering grounds in California and Mexico. Mallards, Canada geese, great blue herons, and numerous songbirds live in the county year-round. Maintaining these unique resources is a high priority for both present and future county residents. Whatcom County is home to a distinct subspecies of the Great Blue Heron, which is the third largest colony in the Puget Sound area. The wetlands, fields, streams, and nearshore habitat in the county.

Whatcom County Comprehensive Plan 11-5
support many birds of special concern, such as the bald eagle (ESA threatened),
the pileated woodpecker (candidate for State threatened list), and the peregrine
falcon (ESA monitored). The National Audubon Society has designated Semiahmoo,
Drayton Harbor, and Birch Bay as “important Bird Areas.”

Environmental Management

Introduction

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.

GMA Requirements

See Appendix C.

Background Summary

Development in the last 100 years has had a significant impact on the natural
environment in Whatcom County. At the turn of the 20th century, the areas
surrounding Lynden, Sumas, and Ferndale were logged, drained, and converted to
agricultural land. In the intervening years, many of the remaining forests were
logged, many streams re-routed and channelized, and much of the native
vegetation removed and replaced with a wide variety of introduced vegetative
types. Roads now crisscross most areas, with homes, farms, businesses, and
industries scattered throughout the county.

Issue, Goals, and Policies

There are designated lands in Whatcom County that can still accommodate
extensive development. The County also has areas that are sensitive to
human activity (wetlands, streams, lakes, marine shorelines) and lands that can
pose a hazard to the community (floodplains and unstable slopes). In these areas
are the areas where development must be carefully planned or limited to maintain
environmental quality and public safety. This can be done through the creation and
implementation of goals and policies that seek to reduce hazards and prevent
adverse environmental impacts.

Community and Environmental Protection

The elements of the natural environment—water, air, soil, plants, and animals—are
interconnected and interdependent, functioning as one dynamic ecosystem.
Environmental resources within this ecosystem are extensive and, in some cases,
irreplaceable. They provide important beneficial uses to the community such as: the supply of clean drinking water; management of stormwater run-off and flood
hazard management; control; support for a wide variety of fish and wildlife; fresh air; and a sense of place that residents invest in, enjoy, and expect.

Some of these same resources result in serious environmental constraints or pose a hazard to development and a danger to the community. Flooding in the Nooksack River is frequent and impacts much of the valley floor. There are numerous wetlands and hydric soils throughout the lowlands that provide critical wetland functions but are generally unsuitable for inhibit development. The steep gradient and geologic structure of the mountain ranges in conjunction with heavy annual precipitation can contribute to slope instability and flood-prone drainage basins.

Much of the environmental degradation and destruction to property occurs as a result of a lack of information or understanding knowledge—rather than willful action. Natural systems are subtle and complex. Too often both their benefits and hazards are not readily apparent to the community. Additionally, baseline information is not always available to help identify project the real costs or hazards of building in Whatcom County. There is a need for further research and education.

**Goal 11A:** Protect natural resources and systems, life, and property from potential hazards.

**Policy 11A-1:** Support good stewardship of Whatcom County lands, and apply this principle to the management of public lands.

**Policy 11A-2:** Protect the environment through a comprehensive program that includes voluntary activity, education, incentives, regulation, enforcement, restoration, monitoring, acquisition, mitigation, and intergovernmental coordination.

**Policy 11A-3:** Continue to identify, and designate, and protect Environmentally Critical Areas and other important environmental features.

**Policy 11A-4:** Manage designated Environmentally Critical Areas (ECAs) as needed to minimize or protect against environmental degradation and reduce the potential for losses to property and human life.

**Policy 11A-5:** Actively pursue voluntary, cooperative, and mutually beneficial efforts aimed at advancing county environmental goals.

**Policy 11A-6:** Aim to meet or exceed Adopt in accordance with national, state, and regional regulations the required air quality standards. Work with the Northwest Clean Air Agency to ensure compliance with applicable air quality standards. Develop and implement programs to monitor and assure compliance with those standards.

*Whatcom County Comprehensive Plan* 11-7
Reason for change: No individual jurisdiction adopts its own air monitoring programs; the Northwest Clean Air Agency performs this role.

| Policy 11A-7: Using Best Available Science, support efforts to educate and inform the public as to the benefits of a healthy and viable environment, their ecologically fragile areas, and their economic and social value. |
|——|
| Policy 11A-8: Coordinate efforts with property owners, citizen groups, and governmental and non-governmental agencies in furthering Whatcom County's environmental goals and policies. |
|——|
| Policy 11A-9: Cooperate with state and federal agencies and neighboring jurisdictions to identify and protect threatened and endangered fish and wildlife species and their habitats. |
|——|
| Policy 11A-10: Support acquisition, conservation easements, open space, and other such programs to protect high-value natural areas as identified through the GMA planning process, the Natural Heritage Plan, the state Priority Habitats and Species (PHS) program, the Lake Whatcom Management Program, and other sources. |
|——|
| 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. |
|——|
| Policy 11A-12: Broadly inform the citizens-people of the 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. |

Administration and Regulation

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. 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.

Reason for Change: Amended by the P/C because they thought the language too negative.

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.

Policy 11B-1: Develop, as a significant primary component of a comprehensive environmental management program, non-regulatory measures that include voluntary activity, education, incentives, restoration, acquisition, advanced mitigation (i.e., mitigation done in advance of impacts), and intergovernmental coordination.

Policy 11B-2: Provide incentives for good stewardship of the land through the use of non-regulatory and innovative land use management techniques.

Policy 11B-3: Support education as an important tool in developing public appreciation for the value of natural systems and provide the public with informational materials and presentations relating to natural system functions, regulations, and issues.

Policy 11B-4: Promote cooperation and coordination among involved government agencies when multiple agencies have jurisdiction over aspects of a single project.

Policy 11B-5: Process the environmental review of building and development permit applications within an established timeframe that is predictable and expeditious.

Policy 11B-6: Provide clear, timely, appropriate, and understandable direction to citizens, developers, and property owners.

Policy 11B-7: Simplify and keep regulations as simple as possible and establish and maintain effective inspection, compliance, and enforcement measures.

Policy 11B-8: Recognize the policies of the Whatcom County Shoreline Management Program as constituting a "Shoreline Element" of this plan. The shoreline program regulations and policies shall be considered to be consistent with this plan until such time as any necessary amendments are made.

The Environment and Property Rights

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 or her property may have an impact on the larger environmental system that sustains us as a community and on the property rights of other property owners.

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. 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.

**Goal 11C:** In implementing Whatcom County environmental policies, provide for protection of private property rights, economic opportunities, and plan appropriately for growth.

**Policy 11C-1:** Actively pursue voluntary and cooperative efforts that advance Whatcom County's goals in a mutually beneficial manner.

**Policy 11C-2:** Review current comprehensive When adopting new environmental protection programs, ensure that they consider multiple economic parameters including development objectives, and impacts, and the economic benefits of the natural environment as both a resource and an amenity.

**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 to 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.

**Policy 11C-4** Avoid standards and procedures likely to require compensation to property owners or invalidation of such rules. 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 leading to compensation for takings, rather than build compensation into the system.


Climate Change

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. In Washington State, the Climate Impacts Group (CIG), a consortium of scientists at the University of Washington, has done the most extensive analysis of potential local climate change impacts in the Pacific Northwest. 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. See Climate Change Impacts and Adaptation in Washington State: Technical Summaries for Decision Makers, Climate Impacts Group, University of Washington, December 2013. The CIG confirms that global climate models project mid-21st century temperatures in the Pacific Northwest that are higher than the natural range of temperature observed in the 20th century. The CIG reports that as a result of likely climate change—causing slightly higher average annual temperature—impacts to the Pacific Northwest will likely affect a broad spectrum of the natural environment, but most notably changes to water resources, including:

- 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 resulting in scouring floods that negatively affect salmon populations if winter precipitation and rain-on-snow events 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).

Climate change impacts are likely to include longer-term shifts in forest types and species, potentially increasing wildfire risk and greater exposure to insects and disease. Nearshore and riverine fisheries may be subjected to increased stress due to even lower average summer stream flows (and higher summer stream temperatures) and increased acidity in Puget Sound. 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.

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.
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)

Reason for Change: Climate change was not addressed in the Comprehensive Plan

Goal 11D Strengthen the sustainability of Whatcom County’s economy, natural environment, and built communities by responding and adapting to the impacts of climate change.

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. The County should consider potential long-range climate change implications into its on-going functional planning and implementation actions. The County should:

1. Study the resilience of its natural and built environments to the potential impacts of climate change;

2. Identify the relative vulnerability of these sectors to climate change; and,

3. Examine the adaptive capacity of these sectors to cope with or mitigate climate change and take advantage of any beneficial opportunities.

Policy 11D-32 Develop strategies that encourage a diversified and sustainable economy that is resilient to the impacts of climate change.

Policy 11D-43 Promote the efficient use, conservation, and protection of water resources.

Policy 11D-54 Pursue strategies to reduce the vehicle miles traveled (VMT) in the county by encouraging expanded availability and use of public transportation, carpooling, and non-vehicular modes of transportation.

Policy 11D-75 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.
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.

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.

Policy 11D-8: Encourage sustainability by developing strategies and practices to reduce landfill waste from Whatcom County government facilities to near zero.

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.

Reason for Change: Address most current scientific assessments of potential, local climate change impacts.

Natural Hazards

Introduction

The location, climate, and geology of Whatcom County combine to create many natural hazards to people and their developments. Earthquakes, volcanoes, landslides, and flooding streams and rivers are some of the major natural hazards found in our region. Additionally, old mines are scattered around the county that could be dangerous to the community. Natural Hazards goals and policies are intended to provide guidance to county government as it assists its citizens in effectively managing natural hazards in a manner which minimizes the danger.
Background Summary

Natural Hazards include the following (Map 2711-4):

Landslide Hazards – The geologically recent retreat of glaciers from the Whatcom County landscape, succeeded by contemporaneous geomorphic processes of erosion, sediment transport, deposition, isostatic rebound and tectonic uplift, has left many hillsides over-steepened and susceptible to naturally occurring and human-triggered slope failure landslides and erosion-earth movements. Several large, well-known landslides are presently active exist in Whatcom County, such as the Swift Creek Slide on Sumas Mountain and the Darrington Slide located in the upper Jones Creek Watershed. In addition, numerous large-scale, pre-historic slope failure deposits have been mapped by past workers and are readily identified in more recently available LiDAR imagery. Various slope failure processes contribute to the mosaic of landslide hazards present in the County: the large slide on Slide Mountain south of Maple Falls. These larger landslides affect significant areas with the potential for a multitude of impacts ranging from periodic small- to large-scale rockfall and slides, as well as the potential for massive debris slides and avalanches, destructive debris flows, and deep-seated earthflows, slumps and slides deposits. Numerous smaller These landslides 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 also exist in the county, affecting smaller areas. In addition, the presence of certain types of geologic conditions and formations are commonly cause culprits in the occurrence of landslides, namely the Chuckanut Formation and the Darrington Phyllite, but are also frequently observed in unconsolidated glacial sediments, in the presence of day-lighting groundwater seeps and springs, on slopes in excess of 35 percent, along coastal bluffs, and in areas of fluvial erosion susceptible to landsliding under certain conditions. In the 1970s, a portion of Interstate 5 south of Bellingham collapsed where the freeway crossed portions of unstable Chuckanut Formation.

Reason for Change: Updated due to updated knowledge.

Alluvial Fan Hazards – Alluvial fan hazards areas exist where steep mountain streams flow onto floodplains or into lakes and deposit debris and sediment. Because these streams are steep and flow in confined canyons, they can carry more sediment and debris than a similar-sized stream flowing over flat land. During a large storm, streams on alluvial fans can create catastrophic flooding and debris floods, such as were experienced in 1983 in the Lake Whatcom area. During this storm event, the Sudden Valley development on Lake Whatcom incurred significant damage to property from flooding and debris flows on the Austin Creek alluvial fan.

Flood Hazards – Heavy winter rains and a transient snowpack combined with the steep and sometimes unstable slopes of Whatcom County's foothills create
conditions ideal for flooding and debris flows along many of our rivers and streams. The Nooksack River floodplain alone covers 38,000 acres in Whatcom County. In 1989 and 1990, the Nooksack River overflowed and flooded lowland Whatcom County causing millions of dollars of damage. During some extreme floods, the Nooksack River overflows near Everson and adversely impacts residents along Johnson Creek in Sumas, and in the Abbotsford area of British Columbia. It is predicted that climate change will exacerbate flooding, due to increased sea level and changes in rainfall patterns. Significant damage may result from these such floods. In 1991, Whatcom County formed a countywide Flood Control Zone District to address the major flooding issues in the county.

**Volcanic Hazards** – The presence of Mt. Baker is an asset to our region. Its 10,778-foot peak is one of the dominant features of Whatcom County’s landscape. However, Mt. Baker is also considered one of the most potentially active volcanoes in the Cascade Range, and of the six major volcanoes in the range, Mt. Baker is considered by geologists to be very hazardous during and after an eruption. The frequency of Mt. Baker volcanic events averages once every 200 years. The last recorded significant event was about 200 years ago. Pyroclastic flows, ash flows, and especially volcanic mudflows, (also called known as lahars,) are believed to be the greatest dangers to human life and development in Whatcom County. Geologic evidence indicates that an eruption on Mt. Baker caused a major mudflow-lahar about 6,000-6,600 years ago which that inundated the Middle Fork Nooksack Valley from its headwaters downstream past the confluence with the North Fork at Welcome. The same mudflow, or lahar is now known to have been over 300 feet deep in the upper reaches of the Middle Fork and extended as far east-west as Nugent’s Corner, and likely traveled to the Puget Sound. A major mudflow-lahar along the Nooksack would divert the river from its channel and cause mass flooding. Fortunately, volcanic eruptions are infrequent with periods of hundreds and thousands of years between events, but this infrequency also makes forecasting a volcanic eruption extremely difficult. However, a major eruption of Mt. Baker would pose a serious threat to human life and property. The deeply weathered nature of the rocks forming Mt. Baker may also fail, triggering a mudflow that would travel rapidly down the stream channels ringing the volcano and result in damage similar to that from a volcanic eruption trigger. 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.

Reason for Change: According to web research, the event frequency doesn’t appear to be true; in fact there doesn’t appear to be a frequency to the known events.

**Earthquake Hazards** – Whatcom County lies within the influence of the convergent plate margin between the Pacific and North American Plate termed the Cascadia Subduction Zone. Regionally-extensive and damaging, a major earthquakes, termed mega-thrusts, are possible when stress generated between the subducting Pacific Plate and over-riding North American Plate is released, fault area off the coast of western North America. The Cascadia subduction zone has the

*Whatcom County Comprehensive Plan* 11-15
potential for a mega-thrust earthquake is capable of generating an earthquake of magnitude 9, eight or greater, and research has indicated an approximate recurrence interval of earthquakes every 500-600 years. Associated with the stresses generated at the convergent plate margin are shallow, crustal faults that are mapped. This type of earthquake is called a great interplate earthquake. Throughout Whatcom County, earthquake activity on these fault systems is much more frequent than that observed at the Cascadia Subduction Zone, and the has recently experienced much smaller interplate earthquakes near Deming area is considered one; fortunately with little damage to property. Deming is one of the most seismically active areas in Washington. Recent research has shown that these crustal faults are capable of generating a magnitude 7 earthquake with an average recurrence interval of These types occur more frequently (30 to 50 years) than the great interplate earthquakes. While all buildings are susceptible to damage from seismic-shaking earthquakes, structures built on peat soils, and large areas of non-structural fill, or liquefiable soils are prone to more severe shaking during an earthquake. If the shaking is strong enough, or of sufficient duration, structures may collapse or become damaged due to building fatigue, ground settlement/liquefaction, and/or lateral spreading. In addition to seismic hazards posed by the Cascadia Subduction Zone, a significant mega-thrust earthquake has the potential to generate a large and destructive tsunami that has the potential to affect most low-bank areas of the County.

Reason for Change: Updated due to updated knowledge.

Mine Hazards – Mine hazard areas are sites of abandoned underground mine shafts, adits, and mine tailings. Coal mining was a major industry in Whatcom County in the early part of the 20th century, and several major mines were developed in various parts of the county. All of the formerly active mines are now no longer worked and are abandoned. For the most part these mine locations are known and mapped, such as the extensive coal mines under the northern part of the City of Bellingham and in the Blue Canyon area of South Lake Whatcom.

Issues, Goals, and Policies

Landslides – Siting human development on or adjacent to known landslide hazard areas can create health and safety risks for humans and their property, on and around these hazards, especially during extreme weather events and earthquakes, but may also occur with little or no warning. In the case of the Swift Creek LandslideSumas Mountain, the release of asbestos-laden sediment poses an additional risk to public health. Development activity can also de-stabilize naturally unstable slopes and impact natural systems. However, predicting the exact timing, location, or extent of a damaging landslide is difficult, and in particular areas of the County landslide hazards are not possible to completely mitigate or avoid. In some circumstances, the development of upland properties may place While upslope landowners may develop their properties with little or no on-site impacts, downslope neighbors and natural systems may be placed at risk from rockfall or landslides as a result of the upslope land.
development. A similar relationship holds true for development at the toe of a potentially unstable slope. In either event, development in proximity to landslide hazards must proceed in consideration of potential impacts in order to ensure life safety and preserve and protect public and private infrastructure.

Reason for Change: Updated due to updated knowledge.

Alluvial Fans - Because alluvial fan areas are associated with streams, are generally gently sloping and elevated above the adjacent floodplain, and are located at the base of mountains, they have historically been popular places to develop. However, once every 10-25 years, a large storm event occurs in our area and floods homes and developments, causing damage to property, natural systems, and sometimes loss of lives.

Flooding - Floodwaters from the Nooksack River can damage rural homes, agricultural areas, businesses, and industries in the small cities situated along the river; fish and wildlife habitat and other natural systems; and disrupt transportation and utility corridors. Storm tides can flood homes and roads along low, exposed marine shorelines in the Birch Bay, Sandy Point, Point Roberts, and Gooseberry Point areas. Homes along Lake Whatcom, Lake Samish, and Cain/Reed Lakes have also been impacted by flooding during extreme storm events. Property and public safety are also impacted by rapid channel morphology events.

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 mudflow-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.

Earthquakes - A major earthquake could/may likely and significantly affect Whatcom County. If the shaking is strong enough, buildings may collapse, roads could be damaged, and/or communications, power, and utilities could be severely disrupted, mud and rock slides could occur on unstable slopes, and local sea levels may change as shorelines assume altered post-quake elevations.

Reason for Change: Recommended changes by the Marine Resources Committee.

Mines - Some abandoned mine areas may pose a risk of ground subsidence from the collapse of abandoned mine shafts. Air and water pollution may also be hazards associated with abandoned mine tailings and trapped toxic gases. Development on or near mine hazards could be adversely impacted.

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.

Balanced Management - A central issue common to all development in natural hazard areas is the need for Whatcom County to balance the responsibility of local government to protect the public interest and provide for a safe and healthy environment while safeguarding the rights of private property owners.

Economic Impact - Damage to private and public property resulting from the siting of human development in areas of natural hazards is significant to the people of Whatcom County. The 1990 Nooksack River floods caused over $20 million dollars of-in damage to roads, bridges, buildings, and farmland. Disaster relief efforts are expensive and dangerous to conduct during an emergency. Public efforts to reduce hazards, such as the establishment of the Flood Control Zone District, are also expensive.

Goal 11DF: 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.

Reason for change: We do use regulations as well as these other measures to achieve this.

Policy 11DF-1: Avoid or minimize public investments for future infrastructure development on known natural hazard areas.

Policy 11DF-2: Utilize the Best Available Science to research and investigate the nature and extent of known natural hazards in the county and make this information available to the general public and policy makers in an accessible and understandable form.

Policy 11DF-3: Broadly inform the people of Whatcom citizens 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.

Policy 11DF-4: Formally establish acceptable levels of public risk for development in known natural hazard areas based upon the

Whatcom County Comprehensive Plan 11-18
nature of the natural hazard; and levels of public risk, and establish—maintain regulatory criteria for approving, disapproving, conditioning, or mitigating development activity.

Policy 11DF-5: Allow all permitted uses that do not require human habitation as 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 sensitive or federally listed sensitive plant and animal species.

Policy 11DF-65: Prohibit the siting of critical public facilities in known natural hazard areas unless the siting of the facility can be shown to have a public benefit which that outweighs the risk of siting in the particular hazard area.

Policy 11D-7: Develop a comprehensive land use management program consistent with the findings and recommendations of the Comprehensive Flood Hazard Management Plan.

Reason for Change: Similar to and redundant with new policy 11F-15.

Policy 11DF-876: Maintain develop 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, transfer of development rights, and public acquisition.

Policy 11DF-987: Review and revise be consistent with the Natural Hazard goals and policies and consider the locations of Natural Hazard Areas when establishing or changing zoning patterns and densities.

Reason for Change: Policies 11F-9 – 15, below, were moved from the Action Items section which is being deleted.

Policy 11DF-1098: To address the causes of flooding and avoid expensive and maintenance-intensive bank protection measures, the County shall prioritize its floodplain property acquisition program, and add an emphasis on and emphasize restoring river connectivity to historic side channels and floodplain areas. This approach addresses the causes of flooding in contrast to expensive and maintenance intensive bank protection measures.

Policy 11DF-109: Take steps to discourage additional new floodplain development in the floodplain.

Policy 11DF-110: 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 may deny development permits intended for permanent or seasonal human habitation.

Policy 11DF-121: 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 geohazard;
- 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 level to which future development must be designed and appropriate locations for them.

Policy 11DF-132: Formally establish acceptable levels of public risk for use in approving and conditioning development activity in known natural hazard areas. The established level of risk may be expressed as the potential hazard posed as determined by scientific and historical methods applicable to each specific natural hazard.

Policy 11DF-143: Review the findings and recommendations of alluvial fan hazard evaluations and make appropriate recommendations for land use and zoning regulations to the County Council to assist in reducing the hazards posed on these fans. Whatcom County has
Policy 11DF-154: Review the findings and recommendations of the Comprehensive Flood Hazard Management Plan (CFHMP) and make appropriate recommendations for land use and zoning regulations to the County Council to assist in the implementation of the CFHMP.

Policy 11F-15: Identify known locations of abandoned wells that could produce methane and/or other hazardous substances and where immediate danger of methane and hazardous substance leaking exists. Condition development approvals on affected parcels to mitigate those impacts.

Reason for Change: Policies 11F-9 – 15, above, were moved from the Action Items section which is being deleted.

Water Resources

Introduction

Water resources refer to the numerous surface waters such as lakes, streams, wetlands; groundwater; aquifers; estuaries; and marine waterbodies within Whatcom County (Map 2411-1). These waterbodies are often integrally linked through the complex network referred to as the water cycle. The water cycle describes the series of transformations that occur in the circulation of water from the atmosphere onto the surface and into the subsurface regions of the earth, and then back from the surface to the atmosphere. 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. The quality of life and economic health of our county's communities depend on the maintenance of a safe and reliable water supply. Decisions affecting any element of the water environment must be based on consideration of the effects on other elements.

Background Summary

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. Agriculture relies on both ground and surface water for irrigation, drinking water for livestock, and facility wash down. Businesses and industries may also require water, sometimes in substantial quantities, from non-
potable as well as and potable supplies. Water is also essential to meet many of what are referred to as "in-stream" uses, such as for recreation, shellfish growing and harvesting, habitat for fish and wildlife habitat, aesthetics, and other uses and benefits.

Groundwater is contained in aquifers, which are subterranean layers of porous rock or soil. Most of the surficial aquifers in Whatcom County 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, other and industry, and other uses.

Rainfall that does not soak into the ground or evaporate is regarded as surface water and runs into drainage courses such as ditches, streams, wetlands, rivers, lakes, and the Strait of Georgia supports local surface and marine waters. Natural and manmade drainage systems have many important functions, including storing excess water flow, purifying surface water, recharging groundwater, conveying water, and supporting important biological activities. As more areas in Whatcom County are being urbanized, natural water resource systems are being replaced with built systems, leading to permanent changes in hydrology.

Whatcom County government has a major role in helping to maintain these benefits through its many responsibilities and programs, particularly in the areas of health, safety, land use, and development. 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. The water resource section focuses primarily on groundwater and surface water management. Surface water management relates generally to watershed protection and stormwater/drainage systems. However, some policy direction may indirectly be provided for areas such as wetlands, estuaries, streams, and marine waterbodies within the Water Resource section. Some of these areas are covered in more detail in other sections within the Environment Chapter.

Whatcom County Water Resource Programs

Whatcom County has and/or participates in numerous water resource programs aimed at protecting and enhancing water quality and quantity, including:

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

These programs are described in Appendix G.

Reason for Change: The Planning Commission felt that the descriptions of the County’s water resource and salmon recovery programs should be in an appendix.
rather than the body of this chapter, mostly for brevity's sake, but also because their organization may be changing soon.

Issues, Goals, and Policies

Watershed Planning and Management

General

Problems exist which affect water resources in Whatcom County. Surface and groundwater quality problems can be found in many areas of Whatcom County and are described in various chapters of the Comprehensive Plan. There are significant legal limitations in obtaining new consumptive water rights in a majority of the County. Management actions between and within jurisdictions are not always well coordinated or consistent. Additionally, there is much to learn about the physical characteristics and availability of the resource, since water resources are heavily linked in complex systems that are only understood in varying degrees. Sound technical data upon which to base a thorough understanding of these complex systems is still continuously being developed. Other issues, in the last 10 years, there have been many updated regulations, and policies such as the Clean Water Act, Endangered Species Act, and State water code, and tribal actions act to further exacerbate which come into play more and more, aimed at solving and rationalizing and lend unpredictability to the problems associated with water.

These problems and issues have already led to many impacts on the community. The impacts include health concerns associated with drinking contaminated water; fisheries depletion and closure of shellfish harvesting areas and other in-stream problems; a lack of adequate water storage and delivery systems to meet the requirements of growth and development; concerns with the availability of water to meet existing agricultural and public water supply demands; potential difficulties and additional costs associated with obtaining building permits and subdivision approvals; and other related increasing financial costs to the community:

Long-term resolution of the numerous, complex, and changing water issues requires action in many areas. Sound technical data and a better understanding of the water systems is needed, including the recognition that water resources must be managed as an integrated system. Cooperation and coordination among the various users, jurisdictions, and those who impact the resource is necessary. Creative solutions should be pursued which extend beyond regulatory action to include education and technical and financial assistance.

Reason for Change: Much of the above text was incorporated into Appendix G.

Goal 11EG: Protect and enhance water quantity and quality and promote sustainable and efficient use of water resources.

Policy 11EG-21: Maintain as a high priority the protection of water quality and quantity, and associated features like watersheds and aquifers.

Whatcom County Comprehensive Plan 11-23
Policy 11EG-2: Actively participate in and support WRIA 1 Watershed Planning efforts associated with the coordination of local, federal, tribal, and state agencies to achieve integration or consistency between the various levels of environmental regulations relating to the County. In conjunction with the cities, other municipal corporations, tribal governments, federal and state agencies, public and private utilities, and the public, develop programs, such as WRIA Watershed Management Planning, which promote sustainable and efficient use of water resources.

Policy 11E-12: Actively participate in the development of WRIA Watershed Management Plannings efforts and the process to establish a county-wide water resources management body.

Reason for Change: Policies 11G-2 & 3 were combined.

Policy 11EG-83: Work cooperatively with Federal, State, and local jurisdictions, Tribal governments, municipal corporations, and the public to implement the goals and policies and action items contained in this chapter Comprehensive Plan as well as state water resources and water quality laws.

Policy 11EG-4: Participate in the coordination of all local water and land management efforts, plans, and data to ensure adequate oversight of water quantity and quality issues.

Policy 11EG-5: Manage and prioritize water resources for multiple instream and out-of-stream beneficial uses, including commensurate with instream flows set by the State Department of Ecology.

Reason for Change: Recommended change by Dept. of Ecology. When issuing water rights, the state’s surface water & groundwater codes specifically do not prioritize one beneficial use above another. Also, in-stream flows and water rights are all by priority date.

Policy 11EG-16: Actively promote and participate in education, research, and information opportunities which better inform our understanding of the county’s complex water resource systems. New information should be considered in the development and evaluation of management actions.

Policy 11EG-37: Pursue the most effective methods for protecting water quantity and quality, through both regulatory (e.g. zoning, enforcement, fines) and non-regulatory approaches (education, incentives, and technical/financial assistance). Emphasis should be placed on non-regulatory approaches where possible and effective.

Policy 11EG-98: Track the development of policies and regulations at the local, state, and federal level. Provide input to those regulations and
policies as necessary to ensure that the interests of Whatcom County are considered.

Policy 11FG-69: In conjunction with all jurisdictions, develop and adopt programs to protect water quality and quantity within watersheds, aquifers, and marine waterbodies that which cross jurisdictional boundaries.

Policy 11FG-110: Promote awareness and participation in management and protection efforts by individual citizens and the community as a whole.

Surface Water and Groundwater

Surface water systems face sediment, nutrient, bacteria, petroleum, metals, and other contamination from a variety of point and non-point sources. Groundwater supplies in some areas are also vulnerable to contamination. Nitrates, arsenic, bacteria, elevated chlorine levels, EDB, 1,2-DCP, and other contaminants have been found in some groundwater supplies at levels that exceed those considered safe for drinking water.

Reason for Change: Background information is now provided in Appendix G.

Goal 11FH: Protect and enhance Whatcom County’s surface water and groundwater quality and quantity for current and future generations.

Policy 11FH-1: Manage surface water systems, where appropriate, on a watershed basis.

Policy 11H-2: Coordinate efforts to bring all water users in Whatcom County into compliance with state and federal water laws in a way that enhances stream flows, water quality, and fish and wildlife habitat.

RFC: The P/C felt that the County should be coordinating such efforts with other agencies.

Policy 11FH-23: 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 which 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), WRRA Watershed Management Planning, and under legislative policy direction (e.g. Nooksack Basin, Lake Whatcom, Lake Samish and Drayton Harbor).
Policy 11F-7: Continue identifying areas that require special protection such as wellhead protection areas, aquifers, and high priority watersheds, and incorporate that knowledge into management actions, including dissemination of the information to the general public.

Policy 11F-3: In conjunction with the public and appropriate local, State, Tribal, and Federal jurisdictions, develop management strategies for those areas requiring special protection. Management efforts should consider both water quality and quantity. Water quality efforts should help reduce the likelihood that potential contaminant sources will pollute water supplies. Water quantity efforts should include consideration and protection of recharge areas as appropriate and potential effects on stream flow.

Reason for Change: The above three policies were similar, so combined into one.

Policy 11F-H-4: Support the completion and implementation of local and state Watershed Action—Management Plans, the Lower Nooksack Strategy, the Lake Whatcom Management Program, NPDES Phase II Permitting, and the WRIA Watershed Management Projects as some of the means of addressing non-point source pollution.

Policy 11F-H-5: Pursue the adoption and implementation of ground and/or surface water management plans and their integration into the plans into local comprehensive plans. Designate the Lake Whatcom and Lake Samish Watersheds as high priority in this effort.

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.

Stormwater and Drainage

Stormwater is that portion of rainwater that does not naturally percolate into the ground or evaporate, but flows overland or through pipes, gullies, or channels into a defined channel, or a constructed infiltration facility. In many cases, stormwater is associated with impervious surface in areas where development has taken place. In these areas, replacement of natural drainage systems with built systems results in short and long-term public costs and can lead to environmental degradation, including flooding, erosion, sedimentation, habitat loss, and degradation of water quality.

Various land uses can have significant effects on water flow. Sedimentation from ground disturbed by grading, new development, farming, and logging can reduce river or stream channel capacity, fill small lakes, and smother aquatic life and habitat. Surface water runoff from developed areas can carry pollutants such as
petroleum products, soil, heavy metals, garden chemicals, and animal wastes into the water system; runoff from farms and forests can bring pollutants including fertilizers and pesticides.

Reason for Change: Background information is now provided in Appendix G.

**Goal 11GI:** Protect water resources and natural drainage systems by controlling the quality and quantity of stormwater runoff.

**Policy 11GI-1:** Manage stormwater runoff to minimize surface water quality and quantity impacts and downstream impacts on channel morphology, property owners, and aquatic species and habitats.

**Policy 11GI-2:** Maintain or enhance, when appropriate, natural drainage systems and natural water storage sites in order to better protect water quality, moderate water quantity, minimize environmental degradation, and reduce public costs.

**Policy 11GI-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.

**Policy 11GI-4:** Support the use by resource industries, such as agriculture, forestry, and mineral resource extraction, of management practices that minimize erosion and sedimentation, and significantly reduce pollutants.

**Policy 11GI-5:** Evaluate the role of watersheds in the maintenance of water quality and quantity and determine what cumulative impacts development activity may have on watershed hydrology.

**Policy 11GI-6:** Develop specific stormwater management programs for each drainage basin within the county's jurisdiction which may be impacted by urban levels of development. Recognize the Lake Whatcom Watershed, Lake Samish, and Drayton Harbor as high priorities in this effort. Coordinate efforts with the Lake Whatcom Management Committee's Program, the various shellfish protection districts, and other watershed management plans.

**Policy 11GI-7:** Establish, as a high priority, a stormwater maintenance program which ensures that stormwater systems are adequately maintained and function at or near design capacity.

**Policy 11GI-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,
Policy 11GI-9: Develop and administer stormwater management standards as required by the NPDES Phase II Permit.

Policy 11GI-10: Develop and administer regulations and incentives such that there is no net loss of ecological functions and values of regulated wetlands and fish and wildlife habitats.

Policy 11I-11: Place a high priority on integrating impervious surface reduction incentives into policies, regulations, and standards for the Lake Whatcom and Lake Samish watersheds.

Reason for Change: Policy 11I-11 comes from the Action Plan that was removed from this chapter.

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.

1. Implement the Western Washington Phase II Municipal Stormwater Permit as part of the National Pollutant Discharge Elimination System (NPDES) Program. Incorporate watershed considerations into the development of a comprehensive stormwater management strategy for designated areas.

2. Review Stormwater Special Districts Standards, Watershed Protection Districts, and other related codes that address runoff treatment from potentially polluting surfaces for their applicability to other sensitive watersheds with the Technical Advisory Committee and other appropriate agencies. Coordinate efforts for ongoing monitoring and evaluation within the sensitive watersheds and NPDES areas.

1-3. Amend subdivision, zoning, and other land use regulations and design standards to require 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.

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

Develop a comprehensive stormwater management program designed to manage runoff from public facilities and industrial, commercial, and urban residential areas including streets and roads in compliance with NPDES requirements. Establish a stormwater management plan for rural roads. Each component of the program shall cover both new and existing developments. Emphasis should be placed on controlling stormwater through source controls and Best Management Practices. Establish a long term goal of minimal pollutant discharge into surface water resources.

At a minimum, the components of this program shall include:

- Identification of potentially significant pollutant sources and their relationship to the drainage system and water bodies.
- Investigation of problem drains, including sampling.
- Programs for operation and maintenance of storm drains, detention systems, ditches, and culverts.
- A water quality response program to investigate sources of pollutants, spills, fish kills, illegal hookups, dumping, and other water quality problems. These investigations should be used to support compliance/enforcement efforts.
- Assurance of adequate local funding for the stormwater program through surface water utilities, sewer charges, fees, or other revenue-generating sources.
- Local coordination arrangement such as interlocal agreements, joint programs, consistent standards, or regional boards or committees.
- Regulations requiring implementation of stormwater control for new development.
- A public stormwater educational program aimed at residents, businesses, and industries in the urban area.
- Strong inspection, compliance, and enforcement measures.
• An implementation schedule;
• Adequate design specifications and construction practices to ensure minimal on-site erosion and sedimentation during and after construction;

3. Incorporate watershed considerations into the development of a comprehensive stormwater management strategy. This should include the identification of priority watersheds relative to stormwater management and the application of Action Item 1 to each watershed in the order of their priority;

4. Review Stormwater Special Districts Standards that address runoff treatment from potentially polluting surfaces for their applicability to other sensitive watersheds.

5. Amend subdivision, zoning, and other land use regulations and design standards to require that land use activities minimize the amount of impervious surface. Low impact surfacing options should be encouraged wherever possible.

6. 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.

7. 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.

8. Work with the Technical Advisory Committee and other appropriate agencies in revising or developing standards necessary to ensure watershed protection and then coordinate the effort within sensitive watersheds for ongoing monitoring and evaluation.

9. Develop and implement a stormwater maintenance program for the Lake Whatcom Watershed that would ensure that existing systems are adequately maintained;

10. Ensure that existing stormwater standards are adequately enforced within Stormwater Special Districts.

Reason for Change: The double underlined and struck out policy was an action item. The new language (underlined) is a rewrite of the policy by Public Works.
Water Conservation

Goal 11-J:  **Policy 11E-4:** Support water conservation, reclamation, and reuse measures, and education as a means to helping ensure sufficient water supplies in the future.


Policy 11EJ-82: Support efforts to establish and protect sustainable water supplies to meet existing and future demands for water in the county.

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.

Lake Whatcom Watershed

Goal 2MM11-K: Prioritize the Lake Whatcom watershed area as an area in which to minimize development, repair existing stormwater problems (specifically for phosphorus), and ensure forestry practices do not negatively impact water quality. Provide sufficient funding and support to be successful.

Policy 2MM11-K-1: Work with property owners to find acceptable development solutions at lower overall densities than the present zoning allows.

Policy 2MM11-K-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 2MM11-K-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 2MM11-K-4: Work cooperatively with the City of Bellingham, and the Lake Whatcom Water and Sewer District Water 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.
Reason for Change: “Applicable associations” added by P/C in response to the Sudden Valley Community Association’s request.

Policy 2MM11-K-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 2MM11-K-6: Do not allow density bonuses within the Lake Whatcom Watershed.

Policy 2MM11-K-7: Work cooperatively with the City of Bellingham 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.

Policy 2MM11-K-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 2MM11-K-9: Work to keep state-owned forest lands in the Lake Whatcom Board and Forest Purchase lands within the Lake Whatcom watershed in public ownership, and support managing forestry on these lands in a manner that minimizes sediment and phosphorus yields from streams.

Policy 2MM11-K-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.

Reason for change: This change was recommended by the County Health Department.

Policy 2MM11-K-11: 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 text was moved from the action plan items in Chapter 2.

Policy 2MM11-K-12 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 text was moved from the action plan items in Chapter 2.
Policy 2BB11-K-14: Facilitate meeting the unique needs of Sudden Valley due to its location within the Lake Whatcom Watershed.

Policy 2BB11-K-15: Recognize the existing parcelization and the commitment for development of the remaining multi-family parcels in Sudden Valley.

Policy 2BB11-K-16: Work with the Community Association towards voluntary achievement of the density reduction target of 1,400 of additional lots within Sudden Valley.

Policy 2BB11-K-17: If vacant lots in the Lake Whatcom watershed come available due to a tax foreclosure the County may acquire them, remove the developments rights and then place them back on the market through the public auction process to recover any residual value. If the County acquires lots through tax foreclosure, consider selling them as non-buildable lots.

Policy 2BB11-K-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.

Policy 2BB11-K-2419: 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.

Note: Policies 11-K-14 through 21 were moved from Chapter 2.

Natural Systems

Introduction

“Natural systems” refers to the complex biological ecosystem that has grown developed from the geologic setting of Whatcom County. It includes fish and wildlife, as well as diverse vegetation that has adapted to a variety of physical and climatic conditions (Map 2511-2, Map 2611-3). 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.

**Background Summary**

Whatcom County provides a wide variety of natural habitats which support and
shelter a diverse array of fish and wildlife species. The county’s wildlife is
particularly varied and abundant when compared to many other areas of
Washington State. There are a number of factors that have contributed to this:
abundant water resources, rich soils, mild climate conditions, and a moderate
degree of urbanization are among the most important. Among the habitats of
importance to fish and wildlife are the following:

- wetlands, lakes, and streams;
- nearshore, intertidal, and 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.

Aquatic habitats include rivers, streams, ponds, lakes, and their riparian borders.
Together, these habitats are essential to Whatcom County’s fish and wildlife.
Twenty-six species of fish—including twelve economically important stocks of
salmon and trout—inhabit fresh water in Whatcom County for all or part of their life
cycles. Healthy flowing streams and rivers, as well as off-channel wetland habitats,
are essential to the survival of the majority of these fish. Wetland ponds, especially
beaver ponds, provide optimal habitats for rearing and over-wintering of young
fish, particularly Coho salmon and cutthroat trout juveniles.

Most regional wildlife species regularly use aquatic and riparian habitats for
breeding, feeding, shelter, and migratory activities. Of this large grouping, over half
are dependent upon wetland habitats at some point in their life cycles, and would
decline or disappear in the absence of wetlands. Wetlands also contain unique
vegetative communities that harbor many species of rare and unusual plants.

**Native-Fish and Wildlife Populations and Habitat**

Optimum habitat for Pacific Northwest salmon and other fish is one that resembles
the riparian landscape of pre-settlement times: braided streams wandering freely
through nearly continuous forest; trees overhanging and partly fallen into streams;
stream beds with abundant logs, step waterfalls, pools, and cutbanks; and
vegetated marine and estuarine communities. In most cases, it is not realistic to
return to that state. However, measures can be taken to retain or regain those
features which provide the minimum requirements of a viable fishery.
The best habitat for native wildlife includes native plants, which have evolved and occur naturally in the county. Native plants are more closely matched to local soils, climate, and wildlife. They provide the right kinds of food, shelter, and diversity needed by wildlife. Native plants frequently need less watering, spraying, pruning, fertilizing, and other maintenance than do exotic or imported plants. 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. Loss of native vegetation also can occur through invasions such as the spread of Spartina, which can drastically displace important native eelgrass communities.

Salmon Recovery Program

The decline of salmonids throughout Washington and the Pacific Northwest over the past century is well established. Since 1991, numerous evolutionarily significant units (ESUs) of Pacific salmonids have been listed as endangered or threatened under the Endangered Species Act (ESA), including those of chinook, coho, chum, sockeye, and steelhead. Decline in salmonid abundances have been attributed to widespread loss and degradation of habitat, due to hydropower, residential and urban development, agriculture, and forestry. Fishing and hatchery production have also contributed to declines.

Whatcom County participates in the WRIA 1 Salmon Recovery Program aimed at protecting and enhancing native salmon stock, which is described in Appendix G.

Reason for Change: The Planning Commission felt that the descriptions of the County’s water resource and salmon recovery programs should be in an appendix rather than the body of this chapter, mostly for brevity’s sake, but also because their organization may be changing soon.

Marine Resources Management

Marine habitats include all salt water bodies and their shorelines, kelp beds, eelgrass meadows, salt marshes, beaches, and mudflats. 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; closures of recreational and commercial shellfish beds; degradation and losses of eelgrass beds, kelp forests, and other marine habitats; and dwindling populations of seabirds and marine mammals.

The Northwest Straits Marine Conservation Initiative was authorized by Congress in 1998. The Initiative established the Northwest Straits Commission and Marine Resources Committees (MRCs) in seven western Washington counties, including
County Council Preliminary Draft
May 3, 2016

Chapter 11 – Environment

Whatcom County. The MRCs’ main purpose is to guide local communities, using up-to-date information and scientific expertise, to achieve the important goals of resource conservation and habitat protection within the Northwest Straits. The Whatcom County MRC acts as an advisory committee to the Whatcom County Council.

Shellfish Recovery

Many of the marine waterbodies in Whatcom County support natural and cultured bivalve shellfish, including oysters and many species of clams. 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. Commercial shellfish growers, recreational clam and oyster harvesters, and Native Americans have used this resource for many years. It is an important part of our community’s heritage.

Our ability to grow and harvest shellfish that is safe for human consumption is directly linked to surface water quality and the influence it has on marine waters. The primary measure of water quality for shellfish harvesting is bacterial contamination associated with human sewage and animal wastes. Potential sources of fecal bacteria include municipal sewage treatment plants, on-site sewage systems, boat waste, farm animals, pets, and wildlife. Since 1995, valuable shellfish beds in Portage Bay and Drayton Harbor have been downgraded (harvest prohibited) due to non-point pollution impacting recreational, tribal, and commercial harvesting. In 2014, Portage Bay was identified as a threatened Shellfish Growing Area by the Washington Department of Health. (Washington Department of Health, 2014)

Shellfish Protection Advisory Boards

Whatcom County has three Shellfish Protection District Advisory Boards Committees, 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.

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


This document outlines the MRC’s mission, vision, values, goals, and objectives, and strategies for achieving them.
Shoreline Management Program

The State Legislature passed the Washington State Shoreline Management Act (SMA) in June 1971. The SMA was overwhelmingly passed by public initiative in 1972. Under the SMA, each county and city was required to prepare a shoreline “master program” in accordance with the shoreline guidelines issued by the State Department of Ecology in 1972.

The Whatcom County Shoreline Management Program (SMP), WCC Title 23, is the document that implements the goals and policies of the SMA at the local level. It was adopted in 1976 in accordance with RCW 90.58. The goals and policies of the Whatcom County Shoreline Management Program also constitute the shoreline component of the Whatcom County Comprehensive Plan.

Under the provisions of the SMA, all development along shorelines of the state is required to comply with the provisions of local shoreline master programs. The Whatcom County Shoreline Management Program works with other chapters of the Whatcom County Code to protect and preserve saltwater and freshwater shorelines throughout the county by managing natural resources and directing development and land use suitable for the shoreline environment.

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).

Whatcom County and the Washington State Department of Ecology (DOE) share joint authority and responsibility for the Whatcom County SMP. Whatcom County Planning and Development Services is the primary agency responsible for implementation of the Whatcom County Shoreline Management Program.

Issues, Goals, and Policies

General – Natural Systems

Growth and urbanization of the land base have and may continue to impose a risk to the degradation and reduction of natural systems. Wetlands and estuaries continue to be lost incrementally. Streams and their adjacent riparian habitat are affected by land clearing, ditching, erosion, and road building. Lakeshore development degrades the foreshore environment for waterfowl and other species, as well as negatively affecting water quality. It is estimated that Washington has also lost approximately one-third of its historic eelgrass beds from a variety of causes, including dredging, shading, and filling. Large-diameter snags and downed logs, an essential feature for dozens of wildlife species, are lost during clearing or intensive forest management. Forested habitats are lost to a number of development processes including urbanization, agriculture, increased rural/
suburban housing density, and timber harvesting. The delicate environment of cliffs and caves may be affected by housing development, mining, and other activities. Conversely, grasslands, thickets, fields, and fence rows are habitats largely provided and enhanced by human activities, and are thus fairly abundant and stable within the developing county. The existence of farms, in particular, has contributed to an abundance of these more open, pastoral habitats.

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, bank armoring 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. In addition, the physical processes that create functional habitats for fish life stages are altered by increasing flows through stormwater runoff or consuming water volume for other out-of-stream uses.

Finally, the cultural value of functioning habitats, including wetlands and the fish and wildlife they harbor, has often been ignored in land use decisions. The gathering of fish, game, and other natural resources forms a central aspect of many cultures in this region. Also, the mere presence of these natural resources constitutes a community amenity that is a substantial part of our local economic base.

Goal 11HL: Protect and enhance natural systems, which provide economic, ecological, aesthetic, and cultural benefit.

Policy 11HL-1: Define and identify habitats and habitat features important to a balanced and sustainable web of life that supports fish and wildlife.

Policy 11HL-2: Develop and adopt programs which protect habitats that are essential to the conservation of species that have been identified as endangered, threatened, or sensitive by the state or federal government. These programs should maintain and encourage restoration of habitat conditions for threatened-listed species.

Policy 11HL-3: Develop and adopt programs which provide incentives for the protection of environmentally fragile areas or critical wildlife habitats and corridors.

Policy 11HL-4: Where feasible, incorporate fish and wildlife habitats into public capital improvement projects, and consider for incorporation into a mitigation banking program.
Policy 11HL-5: Provide measures to mitigate negative water quality and quantity impacts from both public and private alterations of natural drainage systems.

Policy 11HL-6: Consider sensitive fish, shellfish, and wildlife species and their habitats when establishing zoning densities and patterns.

Policy 11HL-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.

Policy 11HL-8: Give careful consideration to the siting of industrial, commercial, residential, and other land use designations when located near important marine habitats.

Policy 11HL-9: Protect, retain, and enhance the beneficial uses and functions of streams and rivers. Define and identify the beneficial uses and functions of streams and rivers, which including wildlife and fisheries habitat, water quality, open space, aesthetics, and recreation.

Policy 11HL-10: Protect and enhance natural systems when flood hazard management control measures are utilized.

Policy 11HL-11: Regulate the operation of river gravel extraction activities in such a manner so as to provide long-term protection of fish and wildlife habitat and water quality.

Policy 11HL-12: Support Ensure that design and development of residential and industrial development that minimizes disturbance to rivers, streams, and functioning riparian areas.

Policy 11HL-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 shall be mitigated.

Fish and Wildlife Populations and Habitat

Goal 11JM: Protect and enhance natural systems that support native fish and wildlife populations and habitat.

Policy 11JM-1: Strongly discourage any activity that might cause significant degradation of the fishery resource or habitat.

Policy 11JM-2: Protect and enhance Support the protection and enhancement of significant fish spawning and rearing habitat, food resources, refugia (shelter), and travel passages.
Policy 11JM-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.

Policy 11JM-4: Support protection and enhancement of fish and wildlife habitat through site design in new development.

Policy 11JM-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.

Policy 11JM-6: Discourage shoreline armoring. Instead, encourage natural or bio-engineering solutions such as planting native vegetation, engineered log jams/LWD, and beach nourishment along eroding banks to address stream and shoreline bank erosion problems. Riparian buffers should be replanted with suitable native vegetation as a part of all bank stabilization projects.

Policy 11JM-7: Encourage native vegetation and soils retention and plantings which provide or maintain the beneficial uses and functions of streams, rivers, lakes, and marine shorelines.

Policy 11JM-8: Maintain and encourage restoration of habitat functions for threatened and endangered fish species.

Policy 11M-9: Use Best Available Science to inform the creation of regulations to mitigate adverse impacts of development adjacent to rivers, streams, and marine shorelines.

Policy 11M-10: Encourage landowners to protect surface water quality with filter strips or other appropriate water cleansing mechanisms installed between lawns, landscaping, livestock pens, or agricultural fields and waterbodies.

Reason for Change: Proposed policies 11M-9 and 11M-10 were proposed by the Marine Resources Committee.

Policy 11M-11: Formulate and implement a comprehensive, watershed landscape-based, environmental management program to protect fish and wildlife. The program will include the following:

1. Formulate an administrative approach to the review of development and planning proposals that consider natural system policies.

Whatcom County Comprehensive Plan 11-40
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.

1-5. Support the development of an educational booklet materials which lists, describes, and characterizes the appropriate use of native vegetation to enhance natural systems in Whatcom County.

Reason for Change: Proposed policy 11M-11 comes from the Action Plan that was removed from this chapter.

Policy 11M-12: Consider establishing formal meander limits for the Nooksack River, precluding additional development within this zone, and promote the River and Flood property acquisition program within these areas.

Reason for Change: Proposed policy 11M-12 comes from the Action Plan that was removed from this chapter.

Policy 11M-13: Diligently work to prevent and reduce the spread of invasive species.


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; the careful use of hatcheries; and responsible harvest.

Reason for Change: There were no policies acknowledging the County's position regarding salmon recovery or its work with the Salmon Recovery Board.

Wetlands

Wetlands are crucial environmental features in Whatcom County. Once thought of as waste areas and unproductive lands, it is now known that wetlands provide invaluable functions in aquifer recharge, groundwater storage, floodwater detention, pollutant removal and purification of water supplies, as well as provision of fish and wildlife habitat. Loss of wetlands has been due to many factors, including urbanization, and to a large degree to agricultural development and associated drainage projects.
A plethora of complex and often confusing laws govern the definition, delineation, and protection of wetlands. These laws originate at national, state, and county levels. Land managers and private citizens often experience difficulty in interpreting, synthesizing, and applying wetland regulations. In general, however, state regulations must comply with federal standards and local regulations must comply with both federal and state standards.

**Goal 11KN:** Conserve and enhance important regulated wetlands.

**Policy 11KN-1:** Recognize natural wetlands such as swamps, bogs, saltwater marshes, and ponds for their value in cleaning water, reducing flood damage, providing valuable habitat for plants, fish and wildlife, and as sites for groundwater recharge.

**Policy 11KN-2:** Develop and adopt criteria to identify and evaluate wetland functions that meet the Best Available Science standard and that are consistent with state and federal guidelines.

**Policy 11KN-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 control, real estate, cultural attributes, and other entities uses.

**Policy 11KN-4:** Encourage land development to avoid or mitigate wetland impacts. Impacts to important regulated wetlands should be contingent upon full mitigation measures that equitably compensate for wetlands impacts, on a case-by-case basis. Approved mitigation measures shall include resources for long-term monitoring and adaptive management of mitigation outcomes to assure effectiveness. Strongly discourage alteration of land that results in the degradation of type 1 and 2 significant wetlands.

**Reason for Change:** The P/C felt that mitigation monitoring should last longer than 5 years, and that the applicant should pay for it. They also agreed that “significant” should be replaced with “type 1 and 2,” as it better defines what the County would consider significant.

**Policy 11KN-5:** Property rights and public services are an essential components 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.
Policy 11KN-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.

Policy 11KN-7: Development proposals 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.

Marine Habitat

Marine habitats include all salt water bodies and their shorelines, kelp beds, eelgrass meadows, salt marshes, beaches, and mudflats. 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; closures of recreational and commercial shellfish beds; degradation and losses of eelgrass beds, kelp forests, and other marine habitats; and dwindling populations of seabirds and marine mammals.

The Northwest Straits Marine Conservation Initiative was authorized by Congress in 1998. The Initiative established the Northwest Straits Commission and Marine Resources Committees (MRCs) in seven western Washington counties, including Whatcom County. The MRCs’ main purpose is to guide local communities, using up-to-date information and scientific expertise, to achieve the important goals of resource conservation and habitat protection within the Northwest Straits. The Whatcom County MRC acts as an advisory committee to the Whatcom County Council.

Reason for Change: This text was moved to an earlier section of this chapter.

Goal 11LO: Protect and enhance marine resources in Whatcom County.

Policy 11LO-1: Support the Whatcom County Marine Resources Committee in their 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 bed 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).

Policy 11O-3: Promote naturalized shoreline buffers and restoration of riparian vegetation.

Reason for Change: Policy 11O-3 was added by the P/C.

Shellfish Habitat

Many of the marine water bodies in Whatcom County support natural and cultured bivalve shellfish, including oysters and many of species of clams. The warm, nutrient-rich tideflats in and around Lummi, Portage, and Birch Bay, and Drayton Harbor, and Eliza and Lummi Islands represent unique water resources in this regard. Commercial shellfish growers, recreational clam and oyster harvesters, and Native Americans have utilized this resource for many years. It is an important part of our community's heritage.

Our ability to grow and harvest shellfish that is safe for human consumption is directly linked to surface water quality and the influence it has on marine waters. The primary measure of water quality for shellfish harvesting is bacterial contamination associated with human sewage and animal wastes. Potential sources of fecal bacteria include municipal sewage treatment plants, on-site sewage systems, boatwaste, farm animals, pets, and wildlife. Since 1995, valuable shellfish beds in Portage Bay and Drayton Harbor have been downgraded (harvest prohibited) due to non-point pollution impacting recreational, tribal, and commercial harvesting. In July 2003/2014, Birch Portage Bay was added identified as a threatened Shellfish Growing Area by the Washington Department of Health to the Washington State list of threatened shellfish harvesting areas. (Washington Department of Health, 2014)

Reason for Change: This text was moved to an earlier section of this chapter.

Goal 11MP: Protect and enhance shellfish habitat in commercial and recreational areas in order to ensure a productive resource base for long-term use.

Policy 11MP-1: Identify and designate marine shellfish habitat for commercial and recreational uses.

Policy 11MP-2: Restore degraded waters within the drainage basins of shellfish growing areas to a level that allows/supports shellfish harvesting by work with the Department of Ecology, Tribes, Department of Health, and affected property owners to improve water quality.

Reason for Change: Suggestion by Dept. of Ecology.

Policy 11MP-3: Protect shellfish resources by means of pollution prevention and enforcement when necessary. This should include surface and
Policy 11MP-4: Improve knowledge of the importance of protecting, preserving, and improving the quality of shellfish habitat within the County. Seek out valuable partnerships that will raise awareness, provide education, and enhance shellfish habitat.

Policy 11MP-5: Develop Low Impact Development standards in shellfish habitat areas.

Policy 11MP-6: Identify and encourage the use of stormwater treatment systems and Best Management Practices that will help reduce fecal coliform bacteria levels in stormwater that discharges directly into shellfish habitat areas and encourage their use and construction.

Policy 11MP-7: Solicit input from the Puget Sound Action Team staff and Shellfish Protection District advisory committees and appropriate state, federal, and tribal agencies when considering updates to the Comprehensive Plan that relate to shellfish protection.

Policy 11MP-8: Identify and restore functions, selected through best available landscape-based science, of key wetland areas, which are selected through best available landscape-based science.

Policy 11MP-9: Modify county roadside ditch maintenance procedures to protect water quality.

Policy 11MP-10: Continue to partner with jurisdictions in British Columbia to minimize impacts on water quality, including what affects shellfish habitat.

Reason for change: Proposed Policies 11P-11 through 16 were moved from Action Plan, which has been deleted.

Policy 11MP-11: Work within the structure of County programs such as the WRJA Watershed Management Planning process to achieve improvements in land use Best Management Practices that will positively affect change in marine water quality.

Policy 11MP-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.

Policy 11MP-13: Develop educational tools and opportunities to raise public awareness of marine issues and to inform them of how they can have a positive impact by helping preserve these marine resources.
Policy 11MP-14: Identify areas (such as wetlands and the nearshore environment) that are important to shellfish habitat preservation. Also identify river and stream processes that adversely impact shellfish habitat. Use this information when making land use management and preservation decisions.

Policy 11MP-15: Create a tracking mechanism to document progress made toward improving downgraded shellfish areas. This information will be useful not only in helping to support an upgrade when water quality shows improvement, but also in helping to prevent degradation in currently approved shellfish areas.

Policy 11MP-16: Work with other County Shellfish Advisory Boards, eCommittees, programs, or processes, such as MRC Marine Resources Committee, Salmon Recovery Fund Board, and WRRA Watershed Management Board, and other local, state, federal, and tribal agencies Planning to address issues associated with shellfish, shellfish area closures, and shellfish habitat.

Reason for change: Proposed Policies 11P-11 through 16 were moved from Action Plan, which has been deleted.

Policy 11MP-17: Consider establishing the Drayton Harbor Watershed as a sending area when considering a transferrable transfer of development rights (TDR) program sending area in the Drayton Harbor Watershed.

Reason for change: Policy 11P-17 was moved from Policy 2F-7 and edited.

It was tabled by Council over the wording “voluntary, workable” added by Brenner throughout Ch. 11 wherever TDR was used.

Policy 11P-18 Support the Department of Health’s On-Site Sewage System (OSS) Program as a means to lower degradation of our waterways.

Reason for Change: Monitoring septic systems is an important component of helping keep our waters clean.

Other Marine and Marine Dependent Organisms and Systems

Our Marine system supports not only local, critical, and global fisheries resources, but also a myriad of interdependent organisms, the importance of which we lack the capacity to fully grasp. The Marine ecosystem is a complex web of life that is increasingly affected by anthropogenic impacts. Toxics, hormones, heavy metals, and other harmful substances flushed into nearshore and marine environments with storm water have been shown to have deleterious cumulative impacts on a range of aquatic and marine dependent organisms. 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.
Policy 11-O: Promote Best Management Practices, land use, and stormwater policies that result in a minimal release of harmful chemicals and metallic substances into surface water and the marine environment.

Reason for Change: Recommended addition by the Marine Resources Committee.

Environment—Action Plan

Note: The Action Plans in each of the Comprehensive Plan elements is proposed for deletion, as many of the items have been accomplished. Those that have not been accomplished are being considered for adding into the policies, above.

Environmental Management

Community Protection and Environmental Preservation

Work with the community to develop and implement a comprehensive environmental management strategy. The result of these efforts should be a Comprehensive Environmental Management Program that identifies both regulatory and non-regulatory elements. These elements should be organized, developed, and implemented consistent with the three sections of the Environmental chapter. They include Water Resources, Natural Systems, and Natural Hazards.

Explore and develop a funding source for environmental management efforts. The development of a management strategy should include evaluation of resource availability to ensure realistic goals and efficiency in implementation.

Reason for deletion: This work has been accomplished through the adoption of the Critical Areas Regulations, participation in the WRIA 1 planning process and development of the Watershed Plan, participation in the Salmon Recovery planning process and development of the Salmon Recovery Plan, and other similar plans.

Environmental Management Program Development

Regulatory Action

Ensure that local regulations are not in conflict with one another, are in compliance with the comprehensive plan, meet the GMA requirements, and are capable of being administered in an efficient and fair manner. Successful integration of Whatcom County environmental regulations must include the following:

- Whatcom County Code
- Title 16 Environment
- Critical Areas Regulations
- SEPA Regulations
- Agriculture Nutrient Management Plan
- Title 17 Flood Damage Prevention

Whatcom County Comprehensive Plan 11-47
Flood Hazard Management
- Title 20 Zoning
- Water Resource Protection Overlay Districts
- Stormwater Special Districts
- Water Resource Special Management Areas
- Clearing Regulations
- Title 21 Land Division Regulations
- Title 23 Shoreline Management Program
- Title 15 Building and Construction
- Whatcom County Comprehensive Plan (agriculture, forestry, mining)
- Whatcom County Coordinated Water System Plan
- Other Local Environmental Regulations or Standards

Reason for deletion: This action has been accomplished.

- Development Standards: As a subset of regulations, update the existing development standards to provide the detailed specifications to implement the necessary regulatory and non-regulatory environmental programs in Whatcom County. At a minimum, these should include or compliment the following:
  - Whatcom County Road Standards
  - Chapter 2: Stormwater Management
  - Chapter 3: Land Clearing
  - Low Impact Development Standards

Because standards only provide the technical guidance for implementation of those activities allowed by regulatory authority, the development of these standards must follow both comprehensive plan and regulatory development.

Reason for deletion: This action has been accomplished.

- Continue to participate and support WRIA Watershed Planning efforts associated with the coordination of local, federal, tribal, and state agencies to achieve integration or consistency between federal, tribal, state, and local environmental regulations relating to the county. The objective should be to reduce confusion, conflicts, and duplication in administrative interpretation and at the counter during the permitting process.

Reason for deletion: This action item has been moved to Policy 11E-5.

- Take steps to discourage additional floodplain development.

Reason for deletion: This has been largely accomplished through the adoption of the Critical Areas Regulations, WCC Chapter 17 (Flood Damage Prevention), and the Comprehensive Flood Hazard Management Plan. Additionally, it has been included to Policy 11D-11.
Non-regulatory Action

- Develop a comprehensive and streamlined system of permitting and approval of building and land development projects which incorporates environmental protection. All effort should be made to make the permitting process accessible and understandable to the public. To this end, the application and permitting process should be housed in one accessible location. Additionally, a uniform, step-by-step procedure should be developed for the permitting process. This procedure should be available as a printed handout to prospective applicants and other interested parties.

Reason for deletion: This action item has been accomplished.

- Develop systems for tracking development in sensitive areas such as the Lake Whatcom, Lake Samish, Drayton Harbor, and Birch Bay watersheds or priority areas containing habitats used by federally listed threatened or endangered species.

Reason for deletion: This action item has been accomplished.

- Maintain a working relationship with a local Land Trust and/or other similar organizations. In doing so, Whatcom County should seek assistance in the development and implementation of such non-regulatory elements as education, acquisition, mitigation and mitigation banking, conservation easements, and other non-regulatory tools.

Reason for deletion: This action item has been accomplished.

- Develop non-regulatory programs for consideration of adoption by the County Council. In achieving these non-regulatory elements, Whatcom County should endeavor to reach cooperative arrangements with landowners, jurisdictions, and other interests. The programs will be comprised of a number of elements, including:
  
  Education  
  Free-Market Mechanisms  
  Technical Assistance  
  Restoration and Preservation  
  Acquisition  
  Innovative Development Alternatives  
  Incentives such as Development Rights Transfer, Tax Deferrals, etc.  
  Mitigation Banking  
  A technical committee should be established to develop these options and offer further recommendations to the County Council. Additionally, consideration should be given to the

Whatcom County Comprehensive Plan

11-49

403
merits of using other sources of expertise in developing a non-regulatory program of this type.

Reason for deletion: This action item has been accomplished.

- Administrative Procedure
  - Improve existing administrative procedures as follows:
  - Enforcement: Establish strong education, inspection, compliance, and enforcement measures for each of the three programs (Natural Hazards, Water Resources, and Natural Systems). An analysis of existing enforcement effectiveness should establish the requirements for additional enforcement needs.
  - Staffing: Provide adequate staffing to administer and enforce the programs outlined above. The county should analyze staffing needs and provide adequate staffing to meet these needs.
  - Permits: Develop a streamlined permit process so that the applicant can readily understand what is required (in simple, straightforward language), can fill out the application without expending large amounts of time and money, and does not have to wait unacceptable periods of time. In meeting this objective, the county should pursue the following:
    - One stop service.
    - Clear permit information and instructions.
    - Well thought out and reasonable permit requirements.
    - Acceptable permit processing time.
    - Code flexibility when necessary to provide for a reasonable use of property while still protecting environmental values.
  - Review: By pre-approved, private sector professionals, where appropriate, to provide choice of reviewing options for applications.
- Accountability: Review and modify existing policies, regulations, and administrative processes to ensure efficiency, effective service to the community, and implementation of the environmental goals of the Comprehensive Plan. Provide a timetable for the environmental review portion of permits to ensure predictable and expeditious processing of permits.

Reason for deletion: This action item has been accomplished.

The Environment and Private Rights
- Develop working relationships with development, environmental protection, and property rights organizations, with a clear vision of promoting the greatest public good and environmental health.

Reason for deletion: This action item has been accomplished.

Natural Hazards
- Require applicants for development permits located in identified 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
according to the following ordered preference:

- Avoid the identified hazard area if possible.

If not:

- Provide a qualified professional assessment of the hazard, type, frequency,
potential magnitude, and adequate mitigation.

- Provide an engineered structural design to withstand calculated forces
associated with the design event applicable to a specific natural hazard while
creating no off-site impacts to adjacent property owners or natural systems.

- If off-site impacts are likely to occur as a result of the engineered design,
provide mitigation plans for identified adverse off-site impacts to adjacent
property owners and natural systems along with the above engineered structural
design.

- 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 may deny
development permits intended for permanent or seasonal human habitation.

Reason for deletion: This action item has been moved to Policy 11D-12.

Reason for deletion: Moved to policies.

- Include identified natural hazard areas in areas designated for density
reduction.

Reason for deletion: In considering any density changes, natural hazard areas are
always considered.

**Water Resources**

- Promote and participate in efforts to protect and manage water quality
and quantity through non-regulatory actions such as education,
incentives, and technical/financial assistance. Particular emphasis
should be placed on efforts that increase and enhance efficiency
among existing programs. Programs that emphasize multiple solutions
to water resource questions should receive top priority.

- Use processes such as the WRIA Watershed Management Planning and
the Lake Whatcom Management Program to actively promote and
participate in education, research, and information opportunities that
better our understanding of the county’s complex water resource
systems. New information should be considered in the development
and evaluation of management actions.
Promote more efficient use of resources by supporting and/or participating in efforts of the Countywide Conservation Committee, the Whatcom Water Utilities Committee (WWUC), WRIA Watershed Management Planning, and other avenues as they may arise.

Reason for deletion: These items are similar to policies already included above.

Continue identifying areas that require special protection such as wellhead protection areas, aquifers, and high-priority watersheds, and incorporate that knowledge into management actions, including dissemination of the information to the general public.

Reason for deletion: This item has been moved to Policy 11F-7.

Pursue adoption and implementation of ground and/or surface water management plans and protection efforts, and integrate the plans into local comprehensive plans.

Support existing and pending programs such as those directed at Lake Whatcom, the Nooksack Basin, Abbottsford/Sumas Aquifer, Blaine Groundwater Management Area, Drayton Harbor and Portage Bay Shellfish Protection Districts, Samish Bay Watershed, Critical Aquifer Recharge Areas, WRIA Watershed Management Planning, and Wellhead Protection (Sumas, Blaine and Everson are currently under development). The level of support for these programs must be consistent with County budgeting priorities.

Reason for deletion: These items are similar to policies already included above.

Support/build upon the implementation and completion of local/state Watershed Action Plans, the Lake Whatcom Management Program, and WRIA Watershed Management Planning as some of the means of addressing non-point-source pollution.

Reason for deletion: This item has been moved to Policy 11F-8.

Identify critical aquifer recharge areas and develop management options for review by the County Council.

Develop criteria for establishing water resource protection areas, and adopt measures to protect those areas.

Encourage metering of public water systems with Urban Growth Areas.

Actively participate in the current process to establish a countywide water resources management body.

Reason for deletion: These items are similar to policies already included above.

**Stormwater**

Develop a comprehensive stormwater management program designed to manage runoff from public facilities and industrial, commercial, and
urban residential areas including streets and roads in compliance with
NPDES requirements. Establish a stormwater management plan for
rural roads. Each component of the program shall cover both new and
existing developments. Emphasis should be placed on controlling
stormwater through source controls and Best Management Practices.
Establish a long-term goal of minimal pollutant discharge into surface
water resources.
• At a minimum, the components of this program shall include:
  • Identification of potentially significant pollutant sources and their
    relationship to the drainage system and water bodies.
  • Investigation of problem drains, including sampling.
  • Programs for operation and maintenance of storm drains, detention
    systems, ditches, and culverts.
  • A water quality response program to investigate sources of pollutants,
    spills, fish kills, illegal hookups, dumping, and other water quality
    problems. These investigations should be used to support
    compliance/enforcement efforts.
  • Assurance of adequate local funding for the stormwater program
    through surface water utilities, sewer charges, fees, or other revenue-
    generating sources.
  • Local coordination arrangement such as interlocal agreements, joint
    programs, consistent standards, or regional boards or committees.
  • Regulations requiring implementation of stormwater control for new
    development.
  • A public stormwater educational program aimed at residents,
    businesses, and industries in the urban area.
  • Strong inspection, compliance, and enforcement measures.
  • An implementation schedule.
  • Adequate design specifications and construction practices to ensure
    minimal on-site erosion and sedimentation during and after
    construction.
  • Incorporate watershed considerations into the development of a
    comprehensive stormwater management strategy. This should include
    the identification of priority watersheds relative to stormwater
    management and the application of Action Item 1 to each watershed in
    the order of their priority.
  • Review Stormwater Special Districts Standards that address runoff
    treatment from potentially polluting surfaces for their applicability to
    other sensitive watersheds.
  • Amend subdivision, zoning, and other land use regulations and design
    standards to require that land use activities minimize the amount of
    impervious surface. Low impact surfacing options should be
    encouraged wherever possible.
  • 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.
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.

Work with the Technical Advisory Committee and other appropriate agencies in revising or developing standards necessary to ensure watershed protection and then coordinate the effort within sensitive watersheds for ongoing monitoring and evaluation.

Develop and implement a stormwater maintenance program for the Lake Whatcom Watershed that would ensure that existing systems are adequately maintained.

Ensure that existing stormwater standards are adequately enforced within Stormwater Special Districts.

Reason for deletion: This item has been moved to Policy 11G-12.

Place a high priority on integrating impervious surface reduction incentives into policies, regulations, and standards for the Lake Whatcom and Lake Samish watersheds.

Reason for deletion: This item has been moved to Policy 11G-11.

Prioritize project review in the Lake Whatcom, Lake Samish, and Drayton Harbor watersheds. Continue to implement an administrative review process for new development projects within the Lake Whatcom, Lake Samish, and Drayton Harbor watersheds to clearly resolve potential stormwater problems prior to construction.

Reason for deletion: This action has already been incorporated into PDS procedures.

Natural-Systems

General

Formulate and implement a comprehensive watershed-based environmental management program to protect fish and wildlife. The program will include the remaining action items.

Reason for deletion: This item has been moved to Policy 11J-11.

Formulate an administrative approach to the review of development and planning proposals that consider natural-system policies.

Investigate and develop programs for acquisition and restoration of important fish and wildlife habitat areas.
Develop and enter into cooperative agreements with State and Federal agencies and neighboring jurisdictions for the purpose of identifying and protecting natural systems.

Reason for deletion: These items have been accomplished via other means.

Identify and map important habitat corridors throughout the county.

Support the development of an educational booklet which lists, describes, and characterizes the appropriate use of native vegetation to enhance natural systems in Whatcom County.

Reason for deletion: This action item has been accomplished.

**Fish and Wildlife**

- Update the County fish and wildlife folio.

- Develop an outreach program with landowners and citizens for the purpose of further identifying, understanding, and supporting stewardship of wildlife species and their habitats. This program may include open space tax incentives, cooperative arrangements, volunteer stewardship programs, site specific management plans, conservation easements, and provision of educational materials.

- Support the development of educational programs to reduce adverse cumulative impacts to fish and wildlife from incremental riparian vegetation removal on marine and freshwater shorelines, especially in areas of higher density development.

- Develop geographically-based wildlife management plans for important habitat conservation areas. These plans should take into full account the unique environmental qualities of the area as well as the existing or-planned surrounding land use activities and constraints. These plans should be used as a basis for both the formulation and administration of regulations that address fish and wildlife protection.

- Amend the existing Whatcom County Development Standards to provide design standards and specifications for the passage of fish through culverts where necessary and feasible. Implement a program that corrects existing obstructions to fish passage.

Reason for deletion: These action items have been accomplished.

- Develop and distribute educational materials to the public that describe the characteristics of healthy and viable fish and wildlife habitats.

Reason for deletion: This action item has been accomplished.
Identify existing and historically important fish habitats. Include a component that seeks to protect and restore these habitats and to mitigate future impacts to fish habitats.

Reason for deletion: This action item has been accomplished.

Determine appropriate stream and river buffer widths, based upon Best Available Science that will optimize fish and wildlife habitat and water quality.

Reason for deletion: This action item has been accomplished.

Coordinate the various jurisdictional interests and the responsibilities of Whatcom County.

Reason for deletion: This action item has been accomplished.

Amend the Whatcom County Shoreline Management Program to protect threatened and endangered species, consistent with RCW 90.58 and Department of Ecology rules (WAC 173-26).

Reason for deletion: This action item has been accomplished.

Amend the Critical Areas regulations to protect threatened and endangered species, consistent with RCW 36.70A.172, which calls for giving special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries, and Department of Ecology rules relating to Best Available Science (WAC 365-195, Part IX).

Reason for deletion: This action item has been accomplished.

Amend the Whatcom County Land Division Regulations approval criteria to 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.

Reason for deletion: This action item has been accomplished.

Review and consider amendments to the Whatcom County Development Standards, Stormwater Management chapter, to protect threatened and endangered species. Review and consider amendments to the Stormwater Management chapter consistent with the Department of Ecology’s new manual.

Reason for deletion: This action item has been accomplished.

Review and consider amendments to the Whatcom County Development Standards, Land Clearing chapter, to protect threatened and endangered species.

Reason for deletion: This action item has been accomplished.
Establish formal meander limits for the Nooksack River, preclude additional development within this zone, and promote the River and Flood property acquisition program within these areas.

Reason for deletion: This item has been moved to Policy 11J-12.

**Wetlands**

- Consider rezoning of areas of the County that are largely comprised of critical areas.
- Develop a system of classifying wetlands, assigning buffers, and addressing riparian wetlands and habitat for listed species that follows state-guidelines.
- Incorporate Best Available Science to support criteria for buffer reductions and mitigation.

Reason for deletion: These items have been accomplished.

- Formulate a comprehensive watershed-based wetlands protection component of the management program that incorporates both regulatory and non-regulatory elements in order to protect wetlands in Whatcom County. This component will include the remaining action statements.
- Describe, inventory, and categorize wetland systems in Whatcom County. Assess the functions and values of these systems as they relate to fish, wildlife, water quality, and water quantity.

Reason for deletion: These action items have been accomplished.

- Synthesize the myriad federal, state and local regulations relating to wetlands into a single, unified local policy document that meets the intent and direction of the comprehensive plan. This document should be as brief and concise as possible.

Reason for deletion: This action item has been accomplished.

- Develop a mitigation program that will allow for full build-out of designated Industrial and Commercial zoning districts. The program should include provisions for the creation of off-site wetland mitigation and for the creation and use of mitigation banking.

 Reason for Change: There are other options for achieving this.

**Marine**

- Work within the structure of County programs such as the WRIA Watershed Management Planning process to achieve improvements in land-use Best Management Practices that will positively affect change in marine water quality.
- 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.

- Develop educational tools and opportunities to raise public awareness of marine issues and to inform them of how they can have a positive impact by helping preserve these marine resources.

- Identify areas (such as wetlands and the nearshore environment) that are important to shellfish habitat preservation. Also identify river and stream processes that adversely impact shellfish habitat. Use this information when making land use management and preservation decisions.

- Create a tracking mechanism to document progress made toward improving downgraded shellfish areas. This information will be useful not only in helping to support an upgrade when water quality shows improvement, but also in helping to prevent degradation in currently approved shellfish areas.

Reason for deletion: Moved to policies Policy 11M-11 through 11M-16.
Proposed Council Changes to Comprehensive Plan

Chapter 11 – Environment

Page and line numbers reflect Planning Commission Recommended Draft dated 1/14/2016 (http://wa-whatcomcounty.civicplus.com/DocumentCenter/View/15160). To improve clarity of Councilmember requested changes, previous edits (i.e. staff and Planning Commission) are included, but not show as edits.

Previous changes made by the Council are underlined or struck out, but not bold. New changes are in bold.

1) 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.

• Recommend updates to Whatcom County land use policies and development regulations to support renewable energy development goals. (Mann)

2) p. 11-13; New Policy 11D-10: Create updates to Whatcom County land use policies and development regulations to support renewable energy development goals. (Brenner)

3) p. 11-23; Policy 11G-2: Actively participate in and support WRRA 1 Watershed Planning efforts associated with the coordination of to coordinate local, federal, tribal, and state agencies to achieve integration and/or consistency between the various levels of environmental regulations relating to the County. (Brenner)

4) p. 11-26; Policy 11H-4: Support the implementation of local and state Watershed Management Plan, the Lower Nooksack Strategy, the Lake Whatcom Management Program,
NPDES Phase II Permitting, and the WRIA 1 Watershed Management Plan Projects. (Brenner)

5) p. 11-30; New Policy 11J-3: Coordinate local water and land management efforts, plans, and data to ensure adequate oversight of water quality and quantity issues. (Brenner)

6) p. 11-30; New Policy 11J-4: Encourage commercial and agricultural water users to quantify water use to promote conservation. (Donovan)

7) p. 11-30; New Policy 11J-5: Utilize water use data to reward conservation and maintain availability of water for agriculture and instream flow. (Donovan)

8) p. 11-30; New Policy 11J-6: Implement a plan with the Department of Ecology by 2025 to measure and record commercial and agricultural water usage. (Donovan)

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

39) p. 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 efforts with the Lake Whatcom Management Committee process. (Brenner)

40) p. 11-31; Policy 11-K-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 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 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 components 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 bed 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).
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 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. (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 citizens of the County residents 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); and
- Different levels of risk associated with different types of land use;

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: 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 11I-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 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 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 helping ensure sufficient water supplies in the future. (Brenner)

12) p. 11-30; New Policy 11I-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)

Approved May 3

1) p. 11-18; Delete 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)

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

Whatcom County has three Shellfish Protection District Advisory Committees, 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, bank armorizing, 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 shall 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 shall 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 to 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 to 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 helping to support supporting an upgrade when water quality shows improvement, but also in helping to prevent 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)

1) p. 11-20; New Policy 11F-16: Identify known locations of abandoned wells that could produce methane and/or other hazardous substances and where immediate danger of methane and hazardous substance leaking exists, condition development approvals on affected parcels to mitigate those impacts. (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 may 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)
Briefing and discussion on the Comprehensive Plan Appendices.

ATTACHMENT:

1. Cover letter
2. Draft Planning Commission Findings

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 in 2016 (RCW 36.70A.130). The Planning and Development Services Department would like to discuss Comprehensive Plan Appendices with Council. The Appendices are:


COMMITTEE ACTION:
6/14/2016: Briefed and discussed

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: Matt Aamot, Senior Planner

THROUGH: Mark Personius, Assistant Director

DATE: June 1, 2016

SUBJECT: Comp Plan Update/UGA Review – Appendices

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, as required by the Growth Management Act. The Comprehensive Plan update and UGA review is being conducted in coordination with the seven cities in Whatcom County. It is anticipated that the Council will adopt an ordinance relating to the Comprehensive Plan update and UGA review in July 2016.

Staff would like to discuss Comprehensive Plan Appendices with the Council on June 14, 2016. The Appendices are:

- Appendix A – Glossary;
- Appendix B - List of Acronyms;
- Appendix C – GMA Goals, County-Wide Planning Policies and Visioning Value Statements;
- Appendix D – Bibliography;
- Appendix E - Whatcom County 20-Year Capital Facilities Plan;
- Appendix F – Six Year Capital Improvement Program for Whatcom County Facilities;
- Appendix G - Transportation Impact Fee Background Information (proposed for deletion);
- Appendix H - Airport Overlay Zones; and
- Appendix I – Airport FAR Part-77 Imaginary Surfaces.
The Council has requested a summary of the substantive changes made by the Planning Commission. The Planning Commission considered the Appendices on May 26, 2015. Planning Commission changes to the staff recommendations include the following:

**Appendix F (Six-Year Capital Improvement Program)** – Add the following note under the inventory of existing parks: “Pursuant to RCW 36.87.130, there are also public access properties on right-of-way ends that intersect shorelines.”

The proposed amendments to the Appendices will be posted on the County’s website at: [http://www.whatcomcounty.us/1170/Comprehensive-Plan-Updates](http://www.whatcomcounty.us/1170/Comprehensive-Plan-Updates).

Thank you for your consideration of this matter. We look forward to discussing it with you.
WHATCOM COUNTY
PLANNING COMMISSION

2016
Comprehensive Plan Periodic Update
Appendices

FINDINGS OF FACT AND REASONS FOR ACTION

1. The Planning Commission held a public hearing regarding these amendments on May 26, 2016. Notification of the public hearing was published on May 13, 2016.

2. A determination of non-significance (DNS) was issued under the State Environmental Policy Act (SEPA) on May 27, 2016.

3. Notice of the proposed amendments was submitted to the Washington State Department of Commerce on April 28, 2016.

4. Pursuant to WCC 2.160.080, in order to approve the proposed comprehensive plan amendments the Planning Commission and County Council must find all of the following:
   A. The amendment conforms to the requirements of the Growth Management Act, is internally consistent with the county-wide planning policies and is consistent with any interlocal planning agreements.
   B. Further studies made or accepted by the Department of Planning and Development Services indicate changed conditions that show need for the amendment.
   C. The public interest will be served by approving the amendment. In determining whether the public interest will be served, factors including but not limited to the following shall be considered:
      1) The anticipated effect upon the rate or distribution of population growth, employment growth, development, and conversion of land as envisioned in the comprehensive plan.
      2) The anticipated effect on the ability of the county and/or other service providers, such as cities, schools, water and/or sewer purveyors, fire districts, and others as applicable, to provide adequate services and public facilities including transportation facilities.
      3) Anticipated impact upon designated agricultural, forest and mineral resource lands.
   D. The amendment does not include or facilitate spot zoning.
E. Urban growth area amendments that propose the expansion of an urban growth area boundary are required to acquire development rights from a designated TDR sending area, with certain exceptions.

5. **WCCP Appendix A - Glossary of Terms.** The proposed amendments add certain definitions from other WCCP appendices to ensure the definitions are consistent with state law, state administrative code, County codes, and pertinent technical documents.

6. **WCCP Appendix B - Acronyms.** The proposed amendments to Appendix B add several acronyms that are used repeatedly in the document but were not already included. The amendments also remove acronyms that are listed in the appendix but do not appear – or appear only once – in the WCCP document.

7. **WCCP Appendix C - Countywide Planning Policies.** Currently this appendix contains the Growth Management Act Goals, Visioning Value Statements, and the Countywide Planning Policies, with a Glossary for the latter. Appendix C will be amended to contain only the Countywide Planning Policies. The proposed WCCP Chapter 1 contains the GMA Planning Goals, along with a discussion of the goals. The community value statements were developed in 1994 to assist in creation of the original 1997 Comprehensive Plan. Today, there are many advisory committees and commissions that are specifically focused on many of these issues and concerns. These committees and commissions fill a void that was present during the comprehensive plan visioning process. These value statements will be preserved as part of the historical record of comprehensive planning in Whatcom County. The proposed amendments delete the glossary to the Countywide Planning Policies to avoid duplication with the glossary in Appendix A. Terms from this glossary that were not already in Appendix A are proposed to be moved to that appendix.

8. **WCCP Appendix D - Bibliography.** The proposed amendments to Appendix D add references to reports the County used when preparing the current periodic update.

9. **WCCP Appendix E - Whatcom County 20-Year Capital Facilities Plan and WCCP Appendix F - 6-Year Capital Improvements Program.**

B. GMA planning goal # 12 is to "Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards" (RCW 36.70A.020(12)).

C. The GMA, at RCW 36.70A.070(3), requires that a comprehensive plan must include a capital facilities plan element consisting of:
1) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities.

2) A forecast of the future needs for such capital facilities.

3) The proposed locations and capacities of expanded or new capital facilities.

4) At least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes.

5) A requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent.

D. The updated Whatcom County 20-Year Capital Facilities Plan (CFP) and the updated Six-Year Capital Improvement Program (CIP) for Whatcom County Facilities contain inventories of existing public facilities, a forecast of future needs, proposed expanded or new capital facilities, costs and funding sources. The existing 20-year CFP and existing Six-Year CIP will be repealed.

E. Existing Comprehensive Plan Policy 4A-4 addresses the GMA requirement to reassess the land use element if probable capital facility funding falls short.

10. **WCCP Appendix G – Transportation Impact Fee Background Information.** In 2005 the County added transportation impact fee background information to Appendix G. However, the County has not enacted impact fees. Therefore the existing appendix is not needed. The proposed amendments delete the existing Appendix G in its entirety and replace it with a description of the County’s water resource and salmon recovery programs. This new material has been reviewed as part of the Planning Commission and County Council public hearings on WCCP Chapter 11 amendments.

11. **WCCP Appendix H – Airport Overlay and WCCP Appendix I – Airport Surfaces.**

A. RCW 36.70.547 requires “Every county, city, and town in which there is located a general aviation airport that is operated for the benefit of the general public, whether publicly owned or privately owned public use, shall, through its comprehensive plan and development regulations, discourage the siting of incompatible uses adjacent to such general aviation airport. Such plans and regulations may only be adopted or amended after formal consultation with: Airport owners and managers, private airport operators, general aviation pilots, ports, and the aviation division of the department of transportation. . .”
B. The Whatcom County Council created an Airport/Land Use Compatibility Advisory Committee in 2003 (Resolution 2003-058).

C. The Airport/Land Use Compatibility Advisory Committee issued final recommendations in 2004.

D. The County Council adopted Comprehensive Plan amendments relating to airport/land use compatibility in 2005 (Ordinance 2005-004). This ordinance included an "Airport Overlay Zones" map (relating to land use near an airport) in Appendix H for the Bellingham International Airport. It also included "Imaginary Surfaces" maps (relating to height of structures near an airport) in Appendix I for the Bellingham International Airport and the Blaine Municipal Airport.

E. The Blaine Municipal Airport closed in 2008. Therefore, the proposed amendments delete the "Imaginary Surfaces" map for Blaine from Appendix I.

**CONCLUSIONS**

1. The subject amendments are consistent with and implement the GMA planning goals. The proposed amendments conform to applicable requirements of the GMA.

2. The proposed amendments satisfy the approval criteria of WCC 2.160.080.

**RECOMMENDATION**

Based upon the above findings and conclusions, the Whatcom County Planning Commission recommends approval of the proposed amendments to the Whatcom County Comprehensive Plan.
WHATCOM COUNTY PLANNING COMMISSION

Nicole Oliver, Chair

Becky Boxx, Secretary

Commissioners present at the May 26, 2016 meeting when the vote was taken:
Kelvin Barton, Atul Deshmane, Gary Honcoop, David Hunter, Natalie McClendon,
Nicole Oliver, Andy Rowlson, Gerald Vekved.

Vote: Ayes: 7, Nays: 0, Abstain: 1, Absent: 1. Motion carried to adopt the
above amendments.
APPENDIX G

(Proposal – delete the existing Appendix G and replace with a description of the County’s water resource and salmon recovery programs)
APPENDIX A

Affordable housing: Residential housing that is rented or owned by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household's monthly income. (WAC 365-1965-210) The definition of “affordable housing” is to be developed by individual jurisdictions as part of their Comprehensive Plan Process.

Agricultural land: Land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production. (RCW 36.70A.030(2))

Alluvial fan: A fan-shaped deposit of sediment and organic debris formed where a stream flows or has flowed out of a mountainous upland onto a level plain or valley floor.

Annexation: The act of incorporating an area into the domain of a city.

Aquifer: A geologic formation, group of formations, or part of a formation capable of yielding a significant amount of groundwater to wells or springs. (WAC 173-160)

Built environment: Elements of the environment developed by humans, including land uses, transportation systems, and public services and utilities.

Capital Facilities Plan: A required element of the Comprehensive Plan designed to form a better match between development and provision of services. It must include an inventory of existing facilities, forecast of future needs and a six-year financing plan.

Cluster Development: Cluster Development provides the flexibility to maintain open space and plan around distinctive site features or constraints by clustering development on smaller lots than conventional development. As a result, an undeveloped tract is created, while maintaining the same overall density.

Compatible: Capable of existing together in harmony (as distinguished from "identical").

Compensation: Something given or received as an equivalent for services, debt, loss injury, etc.
**Comprehensive plan:** An integrated policy planning document designed to guide land use decisions, including the designation of urban growth areas, based on a consideration of land use alternatives, likely impacts, and possible mitigating measures.

**Conditional use:** A use permitted only after public review and approved by the Hearing Examiner, and to which special conditions may be attached by the Hearing Examiner. (Whatcom County Zoning Code 20.97.075)

**Cottage industry:** Small industrial, commercial, or service operations, on a parcel where the operator resides; frequently with an art or craft orientation or related to information processing or to the natural resources of the area. However, it may be of any type, so long as the scale of the operation is in keeping with the surrounding area and off-site impacts are comparable in intensity to those generated by residential uses allowed in the zone. (Whatcom County Zoning Code 20.97.087), which meets all of the criteria in Whatcom County Code 20.80.980.

**County-Wide Planning Policies (CWPP):** As required by GMA, the County Council and the City Councils of all the cities adopted a set of policies, which embody a vision for the future of Whatcom County. They are a framework intended to guide the development of comprehensive plans for each jurisdiction in the county.

**Critical Areas:** As defined by each jurisdiction, including at least the following areas and ecosystems: (a) wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.

**Critical facilities:** As defined in the Whatcom County Critical Areas Ordinance, means buildings and other structures that are intended to remain operational in the event of extreme environmental loading from flood, wind, snow, volcanic activities, or earthquakes pursuant to the most current International Building Code (IBC). The definition in Whatcom County’s Critical Areas Ordinance 16.16.800(19). (Ord. 97-956). These include:

a. **Emergency Facilities**
   i. Fire and police stations;
   ii. Tanks or other structures containing, housing or supporting water or other fire-suppression materials or equipment required for the protection of essential or hazardous facilities, or special occupancy structures;
   iii. Emergency vehicle shelters and garages;
   iv. Structures and equipment in emergency-preparedness centers;
   v. Stand-by power generating equipment for essential facilities;
   vi. Structures and equipment in government communication centers and other facilities required for emergency response.

b. **Hazardous Facilities.** Structures supporting or containing sufficient quantities of toxic or explosive substances dangerous to the safety of the general public if released.
e. Special Occupancy Structures
i. Covered structures where primary occupancy is public assembly;
ii. Buildings for schools, colleges, adult education or day-care centers;
iii. Hospitals and other medical facilities;
iv. Jails and other detention facilities.

Current-use taxation: Taxing farm and forest lands under their current use, instead of at the higher rate appropriate to lands available for development.

Density: A measure of the intensity of development, generally expressed in terms of dwelling units per acre. It can also be expressed in terms of population density (people per acre).

Density transfer: See "transfer of development rights."

Development: Any activity that requires federal, state, or local approval for the use or modification of land or its resource. These activities include, but are not limited to, subdivisions and short subdivisions, binding site plans, planned unit developments, variances, shoreline substantial development, clearing activity, excavation, embankment, fill and grade work, activity conditionally allowed, building or construction, revocable encroachment permits, and septic approval.

Distribution pipeline: Means a pipeline other than a gathering or transmission line or as defined at 49 CFR 192.3, as if amended.

Downzone: Reclassification from the current zone designation to one where the density of permitted development is lower.

Easement: The right, privilege, or interest that one party has in the land of another. (Dictionary of Real Estate Terms)

Essential State or Regional Transportation Facilities: The interstate highway system, interregional state principal arterials including ferry connections that serve state-wide travel, intercity passenger rail services, intercity high-speed ground transportation, major passenger intermodal terminals excluding all airport facilities and services, the freight railroad system, marine port facilities and services that are related solely to marine activities affecting international and interstate trade, and high-capacity transportation systems serving regions as defined in RCW 81.104.015.


FERC: Is a common abbreviation to refer to the Federal Energy Regulatory Commission.

Forest land: Land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for

Whatcom County Comprehensive Plan

A-3
such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, and that has long-term commercial significance. In determining whether forest land is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered: (a) The proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses. (RCW 36.70A.030(8))

**Gathering Pipeline:** Means a pipeline that transport gas from a current production facility to a transmission or main or as defined at 49 CFR 192.3, as amended.

**General aviation airport:** A facility where airplanes can take off and land that is publicly owned or privately owned but used by the public. It can include a terminal, hangers and refueling facilities and other accessory uses. Aircraft landing areas used solely for personal use, agricultural use, forest management, or to serve the Eliza Island community are not general aviation airports. Airports used solely for commercial service or military use are not general aviation airports.

**Geographic Information System (GIS):** An automated or manual system capable of organizing, storing, analyzing and retrieving geographically related (mapped) information. It is intended to support sound decision-making regarding the management of a community's resources. Increasingly, the term is applied to computerized systems which combine digital mapping with automated land use data files.

**Greenbelts/Greenways:** These are undeveloped open space, natural areas, including agricultural lands, recreational lands, golf courses and other recreational uses, wildlife corridors and other similar uses.

**Groundwaters:** All waters that exists beneath the land surface or beneath the bed of any stream, lake or reservoir, or other body of surface water within the boundaries of this state, whatever may be the geological formation or structure in which such water stands or flows, percolates or otherwise moves. There is a recognized distinction between natural groundwater and artificially stored groundwater (RCW 90.44)

**Group Home:** A residence that is licensed by the state as either a boarding home or an adult family home.

**Growth management:** A method to guide development in order to minimize adverse environmental and fiscal impacts and to maximize the health, safety, and welfare of the community.
**Growth Management Act (GMA):** State law requiring jurisdictions with certain projected growth rates to prepare a comprehensive land use plan.

**Impact/Mitigation fee:** A payment of money imposed upon new development as a condition of approval, as defined and provided by RCW 82.02 and/or 43.21c. This fee must be used exclusively to finance improvements in capital facilities that are necessitated by the development. (CWPP)

**Inclusionary Zoning:** Zoning that requires developers to provide a portion of housing units in a specific project or area to meet the needs of low and moderate income people.

**Incompatible:** Not capable of existing together in harmony.

**Incorporated area:** Area inside city limits.

**In-fill:** The practice of using developable land that lies within a city, UGA, or developed area outside resource lands, where services are available rather than passing over such parcels in favor of land farther out or farther from available services. (CWPP)

**Infrastructure:** Streets, water and sewer lines, and other public facilities basic and necessary to the functioning of an urban area.

**In-patient facilities:** Buildings and accessory uses primarily utilized to provide health care service or medical attention, care or treatment that requires at least one overnight stay.

**Interlocal agreement:** An agreement intended to apply within designated Urban Growth Areas to set clear and reasonable criteria for orderly annexations, including guidelines on size and timing of annexations and urban levels of development, appropriate development standards and tax revenue sharing provisions. Participants in the agreement could include the county, any adjacent city, affected fire districts, (if applicable) and any other utility provider. (CWPP)

**Level of service (LOS):** An established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need. **Level of service standards are synonymous with locally established minimum standards.** (WAC 365-1956-210) Level of service for transportation is usually expressed as a proportion derived by comparing a roadway’s current volume to its capacity. For example, the level of service of a road segment is expressed by a declining letter scale ("A" is free-flowing traffic; "F" is a traffic jam). For most other facilities, the standard is units of the facility (i.e., acres of park land, number of jail beds, square feet of office space) per 1,000 people.
Local Improvement District (LID): A defined geographical area or special district set up by ordinance to finance streets, sewers, and other public improvements that directly benefit properties in the district. The improvements are paid for by the benefited property owners over a period of time, usually 10 to 20 years.

Long-term commercial significance: Includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land’s proximity to population areas, and the possibility of more intense uses of the land. (RCW 36.70A.030(10))

Low Impact Development: A stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation and use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design. LID strategies can be applied to new development, urban retrofits, infrastructure improvements and revitalization projects to protect aquatic resources.

Low Income Housing: The federal government defines low-income housing as housing provided for individuals earning 50% or less of the average family wage of the local jurisdiction.

Master planned resort: A self contained and fully integrated planned unit development, 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. A master planned resort may include other residential uses within its boundaries, if the residential uses are integrated into and support the on-site recreational nature of the resort.

Mineral resource land: Land primarily devoted to, or with the documented presence of and/or potential for, the long-term and commercially significant extraction of minerals such as precious metals, coal, sand and gravel, etc.

Mitigation: Measures taken to avoid, minimize, or compensate for adverse environmental impacts associated with a (project or non-project) land use action.

Natural Resource Lands: Natural Resource Lands include agricultural, forestry, and mineral resource lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other agricultural products, for the commercial production of timber, and that have long-term significance for the extraction of minerals.

New fully-contained community: A development proposed for location outside of the existing designated urban growth areas, which is characterized by urban densities, uses and services and meets the criteria of RCW 36.70A.350. (WAC 365-
1956-210) The criteria include new infrastructure, traffic demand management programs, buffers, a mix of uses, affordable housing, environmental protection, development regulations, mitigation of impacts on resource lands, and protection of critical areas.

**Non-compatible:** See "Incompatible."

**Nonconforming use:** A building or premises—land occupied by a legally established use that does not conform with the regulations of the zoning district in which it is situated—located. (Whatcom County Zoning Code 20.97.270)

**Non-federal land:** The areas of Whatcom County not under federal management (i.e., the areas not included in the Mt. Baker National Forest or North Cascades National Park).

**One-number locator service (one-call):** Means a service through which a person can notify utilities and request field marking of underground facilities.

**Open space:** Any parcel or area of land or water not covered by structures, hard-surfacing, parking areas and other impervious surfaces except for pedestrian or bicycle pathways.

**Parcel:** With regard to the agricultural protection zone, a parcel is defined as contiguous land held in the same ownership but without regard for segregation made for tax purposes. To be contiguous the land must share a common boundary on at least one side. Land is not a contiguous parcel if bisected by a public right-of-way, a Category I stream or a Category 1 or 2 wetland, or divided as part of a subdivision or exempt land division approved pursuant to Chapter 58.17 RCW or Title 21 Whatcom County Code or created after 1959 or created as a legal lot of record.

**Plat:** A detailed drawing of a land subdivision, recorded with the county. Along with the property lines, it may include notations of easements, rights, and restrictions.

**Potable:** Potable describes water that is suitable for drinking by the public. (WAC 246-290)

**Productive:** Capable of economically producing wood fiber or food products.

**Private Utilities:** Water and/or sewer service owned and operated by an entity other than a political subdivision of the federal, state or tribal governments.

**Public Utilities:** Water and/or sewer services owned and operated by a political subdivision of federal, state or tribal governments (includes water and sewer districts and public utility districts).
Recreation Resource Management Areas: Large undeveloped parcels with unique or attractive features where public access is maintained and unique scenic areas preserved through public ownership or private easements.

Regional Transportation Planning Organization: An organization created by the Growth Management Act to coordinate regional transportation efforts and to foster cooperation among state and local jurisdictions. The Whatcom Council of Governments has been designated as the Regional Transportation Planning Organization for Whatcom County.

Resource Based Industry: A business or industry that has a direct relationship to natural resources such as agriculture, minerals, forestry, fishing and aquaculture. This type of industry is generally located in close proximity to the resource or resource land.

Restoration: Bringing back into existence the natural functions and aesthetic character of a site, including the integrity of its surficial geology, topography, soils, hydrology, and/or vegetative regime. Within the context of threatened and endangered species goals and policies, restore or restoration means an action that improves habitat of threatened and endangered species that is:
   a. Undertaken voluntarily by the landowner; or
   b. Undertaken voluntarily by the County on county property or right-of-way, in accordance with the goals and policies of the comprehensive plan; or
   c. Undertaken as a condition of a permit when the condition has been imposed pursuant to adopted regulations and there is a nexus between new development or new clearing activity and the required restoration.

Rezone: Reclassification of an area from its current zoning to a different use.

Right-of-way: A recorded right to use or travel over a specified area or strip of land. Most commonly it refers to land on which a street, sidewalk, or railroad is located. It can also be occupied by utilities, transmission lines, oil or gas pipelines, drainageways, or similar facilities, although pathways for these facilities are more commonly referred to as easements.

Rural lands: All lands which are not within an urban growth area and are not designated as natural resource lands having long-term commercial significance for production of agricultural products, timber, or the extraction of minerals. (WAC 365-1965-210)

Short-Term Planning Area: Short Term Planning Areas are used as a tool for facilitating provision of urban levels of services and preventing sprawl.

State Environmental Policy Act (SEPA): 1971 state law paralleling the National Environmental Policy Act (NEPA), which requires state and local agencies to consider environmental impacts in the decision-making process. A determination of environmental significance must be made for all non-exempt projects or actions which require a permit, license or decision from a government agency. If the action
does not have significant adverse environmental impacts, a Declaration of Non-Significance is issued. If the action or project could have major impacts, an Environmental Impact Statement is required. SEPA requires consideration of alternatives and mitigation of environmental impacts for major public and private projects and programs.

**Sprawl**: Low-density development unfolding from the edges of cities and towns. It is unplanned, land-consuming, automobile-oriented, and designed without attention to its surroundings.

**Subarea**: A geographic division of the county, created for planning purposes. There are ten subareas in Whatcom County.

**Subdivision**: Division of a lot, tract, or parcel of land into two or more lots, tracts, or parcels or other divisions of land for sale or development. (Black's Law Dictionary)

**Sustainable**: Sustainability is an economic state where the demands placed upon the environment by people and commerce can be met without reducing the capacity of the environment to provide for future generations. (Paul Hawken, The Ecology of Commerce)

**Third-party damage**: Means damage caused by a party other than the owner/operator of a utility facility or a contractor working for such owner/operator.

**Title 20**: Whatcom County Zoning Code.

**Transfer of development rights (TDR)**: A program in which the unused portion of a "sending" property's zoned capacity—one of the separable rights of property—is sold to the developer of a "receiving" site, who is allowed to add the capacity to the zoned limit of that site. TDRs can be used to prevent the demolition of affordable housing units, especially in downtowns, or to protect historically significant property or open space.

**Transmission pipeline**: Means a natural gas or hazardous liquid pipeline that transports within a storage field, or transports from an interstate pipeline or storage facility to a distribution main or a large volume user, or operates at a hoop stress of twenty percent or more of the specified minimum yield strength or as defined at 40 CRF 192.3, as amended.

**Transportation analysis zone (TAZ)**: Geographic area defined for transportation modeling purposes. (COG, 1996)

**Unincorporated area**: Area of the county outside city limits.

**Urban Fringe Subarea Plan**: A plan pertaining to the Bellingham Urban Growth Area and a portion of Whatcom County surrounding Bellingham. It is a plan designating the interface between urban and rural land uses. Part of the Urban
Fringe Area is included in an Urban Growth Area. Some of the area already lies within Bellingham's Urban Service Area.

**Urban growth**: growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170.

**Urban growth area (UGA)**: An area designated, within which urban growth will be encouraged and outside of which growth can only occur if it is not urban in nature. Urban growth areas around cities are designated by the county in consultation with the cities; urban growth areas not associated with cities are designated by the county.

**Urban Growth Area Reserves**: These are areas that are adjacent and contiguous to Urban Growth Areas which appear to be suitable for future inclusion of the respective Urban Growth Area. These lands are held in reserve until it is demonstrated that they are needed for urban growth, and that consideration is given to ensuring adequate public facilities and services, reduction of sprawl, economic development, open space corridors and natural resource conservation.

**Urban Level of Service**: 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.

**Utility corridor**: Means an area where an existing utility transmission line is situated, which includes the right-of-way occupied by the existing line and areas immediately adjacent to such rights-of-way in which siting additional utility transmission lines could potentially be considered appropriate.

**Visioning**: A process of citizen involvement to determine values and ideals for the future of a community and to transform those values and ideals into manageable and feasible community goals. (WAC 365-1965-210)

**Water association**: A private corporation which distributes potable water to residential customers.

**Watershed**: A geographic region within which water drains into a particular river, stream or body of water.

**WUTC**: Is a common abbreviation to refer to the Washington Utilities and Transportation Commission.
Zoning: A measure by which the community is divided up into districts or zones. In each zone there are permitted uses and special uses, as well as regulations governing lot size, building bulk, placement, and other development standards.
APPENDIX B
### List of Acronyms

*Note: (0x) and (1x) represent number of times the acronym is used in the proposed 2016 Comprehensive Plan. Because the acronym is either not used or is only used once in conjunction with the full spelling, they are proposed for removal from Appendix B.*

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAC</td>
<td>Agricultural Advisory Committee</td>
</tr>
<tr>
<td>ADO</td>
<td>Associate Development Organization</td>
</tr>
<tr>
<td>ADU</td>
<td>Accessory-Dwelling Unit (1x)</td>
</tr>
<tr>
<td>AG</td>
<td>Agricultural zone (0x)</td>
</tr>
<tr>
<td>APO</td>
<td>Agriculture Protection Overlay</td>
</tr>
<tr>
<td>ARGO</td>
<td>Atlantic Richfield Oil Company (0x)</td>
</tr>
<tr>
<td>BMP</td>
<td>Best Management Practices</td>
</tr>
<tr>
<td>CDBG</td>
<td>Community Development Block Grant (1x)</td>
</tr>
<tr>
<td>CEDS</td>
<td>Comprehensive Economic Development Strategy</td>
</tr>
<tr>
<td>CEBR</td>
<td>Community Economic Revitalization Board (1x)</td>
</tr>
<tr>
<td>CF</td>
<td>Commercial Forestry zone (0x)</td>
</tr>
<tr>
<td>CFHMP</td>
<td>Comprehensive Flood Hazard Management Plan</td>
</tr>
<tr>
<td>CFR</td>
<td>Code of Federal Regulations</td>
</tr>
<tr>
<td>CIG</td>
<td>Climate Impacts Group</td>
</tr>
<tr>
<td>CIP</td>
<td>Capital Improvement Plan</td>
</tr>
<tr>
<td>CPROS</td>
<td>Comprehensive Parks, Recreation and Open Space Plan</td>
</tr>
<tr>
<td>CTAC</td>
<td>Citizens' Transportation Advisory Committee (0x)</td>
</tr>
<tr>
<td>CTR</td>
<td>Community Trip Reduction (0x)</td>
</tr>
<tr>
<td>CWPP</td>
<td>County-Wide Planning Policies</td>
</tr>
<tr>
<td>CWSP</td>
<td>Whatcom County Coordinated Water System Plan</td>
</tr>
<tr>
<td>CZM</td>
<td>Coastal Zone Management (0x)</td>
</tr>
<tr>
<td>DL1</td>
<td>Washington State Department of Labor and Industries (1x)</td>
</tr>
<tr>
<td>DNL</td>
<td>Day Night Average Sound Level</td>
</tr>
<tr>
<td>DNR</td>
<td>Washington State Department of Natural Resources</td>
</tr>
<tr>
<td>DOC</td>
<td>Department of Corrections (0x)</td>
</tr>
<tr>
<td>DOE</td>
<td>Washington State Department of Ecology or US Department of Energy</td>
</tr>
<tr>
<td>DU1</td>
<td>Driving under the influence (0x)</td>
</tr>
<tr>
<td>EGA</td>
<td>Environmentally Critical Area (0x)</td>
</tr>
<tr>
<td>EDA</td>
<td>Economic Development Administration (1x)</td>
</tr>
<tr>
<td>EDTF</td>
<td>Economic Development Task Force (0x)</td>
</tr>
<tr>
<td>EFSEC</td>
<td>Energy Facility Site Evaluation Committee (1x)</td>
</tr>
<tr>
<td>EIS</td>
<td>Environmental impact statement (0x)</td>
</tr>
<tr>
<td>EMF</td>
<td>Electromagnetic field</td>
</tr>
<tr>
<td>EPFAC</td>
<td>Essential Public Facility Advisory Committee (0x)</td>
</tr>
<tr>
<td>ESA</td>
<td>Endangered Species Act</td>
</tr>
<tr>
<td>ETF</td>
<td>Environmental Task Force (0x)</td>
</tr>
<tr>
<td>FAWS</td>
<td>Forest And Wildlife Stewardship (0x)</td>
</tr>
<tr>
<td>FERC</td>
<td>Federal Energy Regulatory Commission</td>
</tr>
<tr>
<td>GC</td>
<td>General-Commercial zone (0x)</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>GI</td>
<td>Gateway Industrial zone (0x)</td>
</tr>
<tr>
<td>GIS</td>
<td>Geographic Information System</td>
</tr>
<tr>
<td>GM</td>
<td>General Manufacturing zone (0x)</td>
</tr>
<tr>
<td>GMA</td>
<td>Growth Management Act</td>
</tr>
<tr>
<td>G-P</td>
<td>Georgia-Pacific (0x)</td>
</tr>
<tr>
<td>HII</td>
<td>Heavy Impact Industrial zone (0x)</td>
</tr>
<tr>
<td>HUD</td>
<td>US Department of Housing and Urban Development (1x)</td>
</tr>
<tr>
<td>HPA</td>
<td>Hydraulic Project Approval (0x)</td>
</tr>
<tr>
<td>I-5</td>
<td>Interstate-5 (north-south freeway)</td>
</tr>
<tr>
<td>ITS</td>
<td>Intelligent Transportation Systems (1x)</td>
</tr>
<tr>
<td>JRA</td>
<td>Junior Rehabilitation Administration (0x)</td>
</tr>
<tr>
<td>kV</td>
<td>Kilovolt (1x)</td>
</tr>
<tr>
<td>LAMIRD</td>
<td>Limited Areas of More Intensive Rural Development</td>
</tr>
<tr>
<td>LED</td>
<td>Low Impact Development (1x) Local improvement district (0x)</td>
</tr>
<tr>
<td>LII</td>
<td>Light Impact Industrial zone (0x)</td>
</tr>
<tr>
<td>LMI</td>
<td>Low to Moderate Income (1x)</td>
</tr>
<tr>
<td>LOS</td>
<td>Level of service</td>
</tr>
<tr>
<td>LWD</td>
<td>Large Woody Debris</td>
</tr>
<tr>
<td>mbf</td>
<td>Thousand board-feet (0x)</td>
</tr>
<tr>
<td>MRC</td>
<td>Marine Resources Committee</td>
</tr>
<tr>
<td>MRL</td>
<td>Mineral Resource Land</td>
</tr>
<tr>
<td>MVA</td>
<td>Megavoltampere (0x)</td>
</tr>
<tr>
<td>MW</td>
<td>Megawatt (0x)</td>
</tr>
<tr>
<td>NG</td>
<td>Neighborhood-Commercial zone (0x)</td>
</tr>
<tr>
<td>NPDES</td>
<td>National Pollutant Discharge Elimination System</td>
</tr>
<tr>
<td>NRCS</td>
<td>Natural Resources Conservation Service</td>
</tr>
<tr>
<td>NSEA</td>
<td>Nooksack Salmon Enhancement Association (0x)</td>
</tr>
<tr>
<td>OEDP</td>
<td>Overall Economic Development Program (1x)</td>
</tr>
<tr>
<td>OFM</td>
<td>Washington State Office of Financial Management</td>
</tr>
<tr>
<td>ORV</td>
<td>Off-road vehicle</td>
</tr>
<tr>
<td>PHS</td>
<td>Priority habitats and species (1x)</td>
</tr>
<tr>
<td>PSE</td>
<td>Partnership for Sustainable Economy (0x)</td>
</tr>
<tr>
<td>PUD</td>
<td>Public utility district OR Planned unit development (0x)</td>
</tr>
<tr>
<td>PUGA</td>
<td>Provisional Urban Growth Area (0x)</td>
</tr>
<tr>
<td>R</td>
<td>Rural zone (0x)</td>
</tr>
<tr>
<td>RG</td>
<td>Resort Commercial zone (0x)</td>
</tr>
<tr>
<td>RCW</td>
<td>Revised Code of Washington</td>
</tr>
<tr>
<td>RF</td>
<td>Rural Forestry zone (on the Lummi Reservation, Rural Farm) (0x)</td>
</tr>
<tr>
<td>RHAC</td>
<td>Residents’ Housing Advisory Committee (0x)</td>
</tr>
<tr>
<td>RR R/W</td>
<td>Rail Road Right of Way</td>
</tr>
<tr>
<td>RRI</td>
<td>Rural Residential Island zone (0x)</td>
</tr>
<tr>
<td>RRMA</td>
<td>Recreation Resource Management Area</td>
</tr>
<tr>
<td>RR1</td>
<td>Residential Rural zone (1 dwelling per acre) (0x)</td>
</tr>
<tr>
<td>RR2</td>
<td>Residential Rural zone (2 dwellings per acre) (0x)</td>
</tr>
<tr>
<td>RR3</td>
<td>Residential Rural zone (3 dwellings per acre) (0x)</td>
</tr>
<tr>
<td>RTPO</td>
<td>Regional Transportation Planning Organization (1x)</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>RV</td>
<td>Recreational vehicle</td>
</tr>
<tr>
<td>R2A</td>
<td>Rural zone (1 dwelling-per 2 acres) (0x)</td>
</tr>
<tr>
<td>R5A</td>
<td>Rural zone (1 dwelling-per 5 acres) (0x)</td>
</tr>
<tr>
<td>R10A</td>
<td>Rural zone (1 dwelling per 10 acres)</td>
</tr>
<tr>
<td>SCTF</td>
<td>Secure community Transition Facilities (0x)</td>
</tr>
<tr>
<td>SEPA</td>
<td>State Environmental Protection Act</td>
</tr>
<tr>
<td>SMA</td>
<td>Shoreline Management Act</td>
</tr>
<tr>
<td>SMAC</td>
<td>Surface Mining Advisory Committee (0x)</td>
</tr>
<tr>
<td>SMP</td>
<td>Shoreline Management Program</td>
</tr>
<tr>
<td>SPB</td>
<td>Seaplane Base</td>
</tr>
<tr>
<td>SR</td>
<td>State Route</td>
</tr>
<tr>
<td>SR9</td>
<td>State Route-9</td>
</tr>
<tr>
<td>SR547</td>
<td>State Route 547</td>
</tr>
<tr>
<td>STB</td>
<td>Surface Transportation Board (0x)</td>
</tr>
<tr>
<td>SVCA</td>
<td>Sudden Valley Community Association (0x)</td>
</tr>
<tr>
<td>TC</td>
<td>Tourist Commercial zone (0x)</td>
</tr>
<tr>
<td>TDM</td>
<td>Traffic Demand Management</td>
</tr>
<tr>
<td>TDR</td>
<td>Transfer of development rights (1x)</td>
</tr>
<tr>
<td>TTAC</td>
<td>Technical Transportation Advisory Committee (0x)</td>
</tr>
<tr>
<td>UGA</td>
<td>Urban growth area</td>
</tr>
<tr>
<td>UPAC</td>
<td>Utilities Planning and Advisory Committee (0x)</td>
</tr>
<tr>
<td>UR</td>
<td>Urban Residential zone (0x)</td>
</tr>
<tr>
<td>UR4</td>
<td>Urban Residential zone (4 dwellings-per acre) (0x)</td>
</tr>
<tr>
<td>USDA</td>
<td>United States Department of Agriculture</td>
</tr>
<tr>
<td>VOC</td>
<td>Volatile Organic Compound</td>
</tr>
<tr>
<td>WAC</td>
<td>Washington Administrative Code</td>
</tr>
<tr>
<td>WA-CERT</td>
<td>Washington State Community Economic Revitalization Team (0x)</td>
</tr>
<tr>
<td>WCC</td>
<td>Whatcom County Code</td>
</tr>
<tr>
<td>WCCP</td>
<td>Whatcom County Comprehensive Plan</td>
</tr>
<tr>
<td>WECCOG</td>
<td>Whatcom County Council of Governments</td>
</tr>
<tr>
<td>WDFW</td>
<td>Washington State Department of Fish and Wildlife</td>
</tr>
<tr>
<td>WRIA#1</td>
<td>Water Resource Inventory Area #1</td>
</tr>
<tr>
<td>WSDOT</td>
<td>Washington State Department of Transportation</td>
</tr>
<tr>
<td>WSRB</td>
<td>Washington Surveying and Rating Bureau</td>
</tr>
<tr>
<td>WTA</td>
<td>Whatcom Transportation Authority</td>
</tr>
<tr>
<td>WUTC</td>
<td>Washington Utilities and Transportation Commission</td>
</tr>
<tr>
<td>WWU</td>
<td>Western Washington University (0x)</td>
</tr>
</tbody>
</table>
APPENDIX C
Appendix C

Growth Management Act Planning Goals

Countywide Planning Policies

Visioning Value Statements

Growth Management Act Planning Goals
(RCW 36.70A.020)

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW 36.70A.040. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

1. **Urban Growth.** Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

2. **Reduce Sprawl.** Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

3. **Transportation.** Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.

4. **Housing.** Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

5. **Economic Development.** Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

6. **Property Rights.** Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

7. **Permits.** Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

8. **Natural Resource Industries.** Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.
9. **Open Space and Recreation.** Encourage the retention of retain open space, and development of enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

10. **Environment.** Protect the environment and enhance the state’s high quality of life, including air and water quality, and the availability of water.

11. **Citizen Participation and Coordination.** Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

12. **Public Facilities and Services.** Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

13. **Historic Preservation.** Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

14. **Shoreline Management.** Per RCW 36.70A.480 Shorelines of the State, the goals and policies of the Shoreline Management Act, as set forth in RCW 90.58.020, are added as one of the goals of the Growth Management Act.
Whatcom County
Countywide Planning Policies
Adopted April 1993
(Revised March 11, 1997 & January 25, 2005)

A. Citizen Involvement

1. The county and the cities shall cooperate to provide public education on the requirements of the Growth Management Act.

2. The county and the cities shall provide opportunities for citizens to become involved in the growth management planning process through various mechanisms, such as surveys, public workshops, meetings, hearings, and advisory committees. The method of citizen involvement may vary based on the needs and constituents in various communities and shall include representation of both rural and urban interests on those issues that affect both urban and rural areas.

3. Citizens shall be notified in a timely manner of opportunities to have input and key decision points in the planning process. This should include actions such as use of telephone hotlines, notification to interest groups, pre-development meetings, early incorporation of public comments and broader notification of property owners and residents during a planning process as well as working more extensively with community and neighborhood groups. The cities shall also develop a public participation process to solicit and incorporate comments from residents outside city limits but within proposed Urban Growth Areas.

4. Citizen comments and viewpoints shall be incorporated into the decision-making process in development of draft plans and regulations. Consideration of citizen comments shall be evident in the decision-making process.

5. The county and the cities shall establish a system for subarea, community and neighborhood liaison to foster communication between the respective government and its neighborhoods. This system would also provide a point of contact for issues that may affect subareas, the community, or neighborhoods.

6. Various planning techniques, such as overlay maps and Geographic Information Systems, shall be utilized to allow citizens and public officials the ability to make accurate comparison of issues so appropriate trade-offs can be consciously made.

B. Urban Versus Rural Distinctions

1. Whatcom County shall primarily become a government of rural areas in land use matters directed towards agriculture, forestry and other natural resources and natural resource based industries. The county shall work with citizens to define a variety of types of rural areas based on the characteristics and needs of different areas. This Section shall not preclude county
governance of large urban industrial areas outside of the city UGA's (see Cherry Point below), developed urban areas within urban growth areas not yet annexed, and developed rural areas where the "urban" designation is inappropriate.

2. The county shall discourage urban level development outside Urban Growth Areas and outside of areas currently characterized by a development threshold greater than a rural development density.

3. Whatcom County shall promote appropriate land uses and allow for infill within rural settlements characterized by existing commercial, industrial and intensive residential development greater than a rural development density. These areas should be clearly delineated, and not expanded beyond logical outer boundaries in accordance with RCW 36.70.070(5). Impacts on rural character, critical areas and other economic considerations as well as the availability of capital facilities and rural levels of service must be considered before allowing infill in these areas.

4. In the next 20 years, Whatcom County should discourage "new fully contained communities" (as defined and authorized by RCW 36.70A.350) outside designated Urban Growth Areas.

5. Whatcom County should undertake a public process to define rural areas and rural growth as distinct from urban areas and urban growth.

C. Urban Growth Areas

1. Urban growth needs shall be met by a combination of in-fill within cities and by growth within designated municipal and non-municipal Urban Growth Areas.

2. The size and location of Urban Growth Areas shall be consistent with adopted local policies and with the capital facilities plans.

3a. The most current, accurate population projections based on a range provided for Whatcom County by the Office of Financial Management shall be used as the basis for determining that Urban Growth Areas shall include sufficient area to permit the urban growth that is projected to occur in the county for the succeeding twenty-year period.

3b. The County and Cities shall develop a consistent approach to calculating the land supply needed within an urban growth area. This approach shall consider limitations imposed by critical area regulations, infrastructure needs, open space, existing uses, local market factors and the ability of the jurisdiction to provide services. It is recognized that the above limitations may vary by jurisdiction, but the method for applying them shall be consistent. Urban growth areas shall permit a range of densities and uses; however, in recognition of community character, these uses and densities may vary among jurisdictions.

4. Urban Growth Areas shall be evaluated at least every ten years to determine if they contain sufficient area to accommodate the urban growth that is projected for the succeeding twenty-year period. The market factor for each
Urban Growth Area shall also be evaluated to determine whether the land supply is adequate to meet the needs of the community or whether the land supply is excessive and contributing to sprawl.

5. Urban Growth areas should be established in a way that preserves agricultural land, forestry, mineral resources, water resources, and critical areas. Urban growth shall maintain proper buffers from natural resource areas to minimize conflicts with natural resources and industries based on them.

D. City Urban Growth Areas

1. The Urban Growth Areas for the small cities shall be of an adequate size to allow them to become viable economic centers with a balance of jobs and housing. The small cities shall do appropriate planning to ensure adequate distribution of land uses and services at a range of urban densities and zoning classifications.

2. Urban Growth Areas for cities shall include those areas contiguous to cities and with urban characteristics as defined by the Act. The Geneva area in Bellingham’s UGA is characterized by urban development, but is also identified by the city and county as a Water Resource Protection UGA because of its location in the Lake Whatcom Watershed. Lake Whatcom is the drinking water source for much of the Bellingham urban area. Geneva is appropriate to include in an urban growth area, but is not an area where additional urban development is desirable.

3. Cities shall develop a plan to provide urban level water and sewer services within their Urban Growth Areas. This plan should be developed in cooperation with existing water purveyors and other municipal corporations providing water or sewer services within each city’s Urban Area, and should be implemented through interlocal agreements. Short term and long term boundaries may be used to facilitate provision of urban levels of service and to not preclude future urban densities as defined within the Whatcom County Comprehensive Plan.

4. Existing cities should absorb additional population at a range of densities appropriately responsive to the city’s community vision before extending city Urban Growth Areas into areas where growth would adversely impact critical areas and resource lands. In those small cities entirely surrounded by flood plains, critical area and resource lands or within Shellfish Protection Districts, the county and the city shall seek to negotiate a balance between protection of resources and the allocation of adequate land area to meet the growth needs of the city and to maintain the desired character of the community.

5. All cities should grow in an efficient manner while maintaining their character and, where reasonable, shall provide for adequate open space between cities to prevent strip development.

6. Cities should be encouraged to provide positive incentives for in-fill.
E. Non-City Urban Growth Areas

1. Urban Growth Areas may also be established in areas that are not contiguous to existing cities, and are already characterized by urban growth where adequate facilities and services can be provided and which are intended to meet needs not met by cities and their Urban Growth Areas.

2. Non-city urban growth areas, for already urbanized unincorporated residential areas shall be encouraged to infill in a way that will facilitate efficient provision of facilities and services consistent with the scale of development.

3. Cherry Point shall be designated as an unincorporated industrial urban growth area in recognition of existing large scale industrial land uses. Additional large scale development shall be encouraged consistent with the ability to provide needed services and consistent with protecting critical areas along with other environmental protection considerations. The Cherry Point industrial area is an important and appropriate area for industry due to its access to deep water shipping, rail, all-weather roads, its location near the Canadian border, and its contribution to the County's goal of providing family wage jobs.

4. The County shall assure that there are plans to provide appropriate levels of urban facilities and services within non-city Urban Growth Areas. These plans should be developed by special purpose districts, water associations and private service providers within each of these Areas, and should be implemented, where appropriate, through interlocal agreements. Short term and long term boundaries may be used to facilitate provision of urban levels of service.

F. Contiguous, Orderly Development and Planning in Urban Growth Areas

1. Cities, the county and special districts shall execute interlocal agreements to coordinate plans for and manage growth in Urban Growth Areas prior to annexations. Interlocal agreements shall acknowledge and implement the Countywide Planning Policies.

2. Interlocal agreements shall incorporate clear and reasonable criteria for orderly annexation. The county and the cities shall establish a process to incorporate representative citizen input into interlocal agreement and encourage appropriate districts to participate. If adequate procedures are developed to replace it, the Boundary Review Board may be replaced.

3. All urbanized areas currently within urban growth boundaries associated with cities should be encouraged to annex to cities. Orderly annexations with logical boundaries shall be encouraged. Interlocal agreements shall specify guidelines on size, timing of annexations and urban levels of development, and tax revenue sharing when appropriate.

4. Within Urban Growth Areas, cities shall not extend water and sewer utilities without an adopted program for annexation and an adopted Capital Facilities Plan. Exceptions may be made in cases where human health is threatened as
determined by the County Health Department. If water extensions are made, they shall be consistent with the service area boundaries and other provisions within the adopted Coordinated Water System Plan.

5. In the areas where utilities presently extend beyond city limits, but are within Urban Growth Areas, the city, county, and the existing water purveyors for the area should jointly plan with the county. The County shall adopt zoning which reflects this joint planning.

6. Unless specifically provided for by state statutes, Cities, other municipal corporations, and other public and private utilities shall not extend urban levels of water service to serve urban uses outside Urban Growth Areas. If legally allowed water extensions are made outside of Urban Growth Areas, the maximum number of connections shall not exceed the density allowed under the associated zoning. The number of connections shall be specified in a legally binding document at the time the extension is approved. Property contiguous to extension of utilities necessary to solve existing water deficiencies, but which cannot benefit from them because of zoning constraints, shall not be assessed for those improvements.

7. The availability of pipeline capacity required to meet local needs and/or supply shall not be used to justify development counter to the countywide land development pattern and shall not be considered in conversions of agricultural land, forestry, and rural areas.

8. The cities, other municipal corporations, public utilities, and the county shall cooperate to identify and balance the needs of each jurisdiction and entity when planning for transition of services and annexation within Urban Growth Areas. This intergovernmental cooperation and coordination should be reflected in revenue agreements, work programs for joint projects, and regional solutions adopted by the affected parties.

9. Major transportation, utility and greenway corridors shall be planned within Urban Growth Areas. Development shall be consistent with these corridors. The county shall ensure conformance through the permit process and incentive programs.

10. Interlocal agreements shall include provisions for agreed upon development standards within Urban Growth Areas. Unless a different standard is negotiated, the more rigorous of the standards shall be enforced by the county.

11. The county and the City of Bellingham shall establish, through the Urban Fringe Subarea Plan update, the policies, zoning and criteria to comply with current state Growth Management law.

12. To encourage contiguous, orderly development and annexation in Urban Growth Areas around cities, the county shall designate Urban Residential zones limiting density to a maximum of one dwelling unit per five acres in undeveloped areas until urban level utilities are provided. Developed or partially developed areas presently zoned Residential-Rural shall retain that zoning. In the Bellingham Urban Growth Area, substantial development and

Whatcom County Comprehensive Plan
subdivisions already have occurred without annexation. The revised Urban
Fringe Subarea Plan and a new Interlocal Agreement between the City of
Bellingham and the county will address sequence and timing for annexations,
subdivisions, and urban levels of development.

13. In Urban Growth Areas where development is occurring based on the
presence of utilities, urban development shall meet common urban standards
including fire flow requirements and supply. The county and the cities will
work together to develop reasonable standards over time.

14. The County and the cities shall coordinate drainage, stormwater
management and flood control in Urban Growth Areas and work toward the
development of common standards.

G. Affordable Housing

1. The county and the cities shall take actions to ensure a balance of housing
and economic growth consistent with each jurisdiction’s employment base
and diverse income levels and to reduce commuting times and traffic
congestion.

2. The county and the cities shall plan for a range of housing types and costs
commensurate with their affordable housing needs.

3. Affordable housing should be convenient to major employment centers and
public services or be designed to accommodate public transportation.

4. The county and the cities shall promote innovative techniques and develop
strategies to provide for affordable housing with design, density, lot sizes and
development standards that provide for a variety of housing types.

5. The county and the cities shall review existing regulations and policies that
exclude or discourage affordable housing in their communities and shall not
adopt regulations and policies which do so. Mobile, modular, and
manufactured homes on individual lots, mobile home parks, accessory units,
inclusionary zoning, mixed use, and increased densities shall be reviewed as
affordable housing alternatives.

6. The county and the cities should work with the private sector, other public
and non-profit agencies, citizen groups, and trade representatives to assure
that there is an adequate supply of sites available for affordable housing and
to encourage housing design that is compatible with the surrounding
neighborhoods.

7. Low income housing shall not be concentrated in only a few communities or
neighborhoods.

8. The county and the cities shall consider reducing impact and/or mitigation
fees for affordable housing provided in a proposed development.

9. Each jurisdiction should explore options for providing shelter for the
homeless.
H. Open Space/Greenbelt Corridors

1. Adequate open space is vital to the quality of life and sense of place in Whatcom County. The county, cities, Port of Bellingham, and other appropriate jurisdictions should coordinate protection of linked greenbelts, within and between Urban Growth Areas, parks, and open space to protect wildlife corridors and to enhance recreational opportunities, public access and trail development.

2. The county and the cities shall plan for greenbelts and open space in their Comprehensive Planning processes and coordinate with each other. Open space systems should include lands which contain natural areas, habitat lands, natural drainage features, and/or other environmental, cultural and scenic resources. With increased residential densities, jurisdictions also should ensure provision of adequate neighborhood parks and play areas within safe bicycling and walking distance for children.

3. The county and the cities shall encourage, to the extent it is feasible, separation of Urban Growth Areas through planning, zoning, development regulations, open space purchase, conservation easements and other mechanisms which may be appropriate. Also, an array of incentives such as density bonuses, design flexibility and transferable development rights shall be offered to affected land owners.

4. The County and Cities should work cooperatively to protect and restore stream corridors within Urban Growth Areas that support anadromous fish.

I. Economic Development and Employment

1. Whatcom County recognizes that a healthy economy, which provides opportunity for diverse segments of the community, is important to the quality of life in the area. The Greater Whatcom Comprehensive Economic Development Strategy (CEDS) “is intended to put forth economic development alternatives for Whatcom County that will support jobs creation, with an emphasis on higher wage jobs and diversification.”

2. New business development and expansion of existing businesses are key factors in providing “family wage” jobs and a strong tax base. Economic development that pays family wage rates should be encouraged. Industrial land designations must be sufficient to permit the concentration of industry in appropriate locations beyond 20 years. In order to attract new industry and provide for expansion of existing industries, the county and the cities will designate land supply of sufficient size and diversity to provide a range of suitable locations for industrial development. The designation of this land shall be established in a way that preserves natural resource based industries and critical areas.

3. To provide sufficient land supply for industrial growth and development, industrial designations must not only include lands suitable for development, but also lands suitably zoned to provide adequate buffers. It is also important that these lands and buffers be conserved with appropriate land use and zoning provisions to ensure that they will be available for future use.
4. Encourage business location, retention, and expansion according to city and county comprehensive plans in order to meet current and future demand for diverse business and industry. Work with funding agencies and the private sector to facilitate extension of adequate sewer, water, telecommunications and road access to existing commercial and industrial-zoned properties, creating shovel-ready sites. Cities and county may utilize the “Quick Sites” economic development program through OTED, which links strategic elements of planning, zoning, environmental review, and permitting with the business-siting effort.

5. The county and the cities should include an economic development element in their Comprehensive Plans. Economic development elements should be consistent with the CEDS. Economic development shall be coordinated with environmental concerns to protect the quality of life. Planning efforts should address economic sustainability. As part of the comprehensive planning process and through implementation of the comprehensive plan, the County shall develop and adopt goals, policies and regulations that protect resource land industries and support and encourage resource-based industries.

6. The county and the cities should continue to cooperate through the Partnership for a Sustainable Economy to maintain the CEDS for infrastructure funding. Other appropriate organizations, businesses, and individuals should be involved in the process.

7. Economic vitality and job development shall be encouraged in all the cities and in designated areas of the county consistent with community growth policies, particularly addressing adequacy of transportation corridors, public transportation, impacts on the environment, and the ability of the area to provide urban services.

8. Economic development should be encouraged that:
   a. Does not adversely impact the environment;
   b. Is consistent with community values stated in local comprehensive plans;
   c. Encourages development that provides jobs to county residents;
   d. Addresses unemployment problems in the county and seeks innovative techniques to attract different industries for a more diversified economic base;
   e. Promotes reinvestment in the local economy;
   f. Supports retention and expansion of existing businesses.

9. The County and the cities recognize the need for the protection and utilization of natural resources and resource lands including agricultural, mineral, forestry and fishing. As part of a broad based economy, productive timber, agriculture and fisheries industries should be supported in a sustainable manner.
10. The cities and county agree to set policies for approving proposals to authorize siting of Major Industrial Developments for large or resource-based industries outside of Urban Growth Areas (as per RCW 36.70A.365). The master planning process for specific manufacturing, industrial, or commercial businesses shall address infrastructure, buffers, environmental protection, sprawl, resource lands, critical areas, and land supply.

11. Whatcom County encourages siting of industrial uses in proximity to and to further utilization of our access to deep water and port facilities for shipping, rail, airports, roadways, utility corridors and the international border.

J. Countywide Transportation Facilities and Strategies

1. A Regional Transportation Planning Organization (RTPO) has been established in Whatcom County to conduct regional, cooperative transportation planning. The RTPO has completed a Regional Transportation Plan (RTP) including countywide transportation policies. The RTP has been approved by a regional transportation Policy Board consisting of elected representatives of most area jurisdictions. The Transportation Chapter of the Whatcom County Comprehensive Plan and the Comprehensive Plans for each of the City's must be consistent with the RTP as it is amended. The county and the cities will continue to support the RTPO on an on-going basis to coordinate transportation planning across Whatcom County.

2. Whatcom County jurisdictions shall encourage alternative modes of transportation to the single occupancy vehicle. Each jurisdiction shall encourage:
   a. Use of public transportation;
   b. Development of liked on-street bicycle routes and pedestrian and bicycle trail corridors;
   c. Adequate pedestrian facilities;
   d. Connections between different modes of transportation;
   e. Intermodal connection of freight transportation.

3. To encourage use of single occupant vehicle alternatives and development of pedestrian scale neighborhoods, high density residential development shall be encouraged in urban growth areas with particular attention to those locations within cities and in close proximity to arterials and main transit routes.

4. Cities are particularly encouraged to support transit and pedestrian friendly mixed use developments within their UGAs to help achieve the goals supported in these policies.

5. Where the roadway level of service (LOS) adopted in local comprehensive plans cannot be maintained as a result of proposed new development, that development shall be denied, unless the proponents agree to pay a proportionate share of the cost of maintaining the LOS.
6. Strategies for maintaining established levels of service may include transportation demand management techniques, project impact mitigation fees, enhanced access to public transportation service, and/or other steps to reduce or limit traffic congestion.

7. Priorities shall be established and expenditures coordinated for countywide bicycle and trail corridors. Bicycle and pedestrian-specific trails and other facilities shall be included during project planning and review. Coordinated corridors and cost sharing should be explored among all responsible and interested parties.

8. Whatcom County should work cooperatively with the Whatcom County Council of Governments, Cities, Whatcom Transit Authority and other agencies with jurisdiction to plan for inter-county and international transportation links, such as airports, border crossings, passenger rail, freight rail, transit, ferries, and other transportation facilities.

K. Siting of Public Facilities

1. As part of the comprehensive planning process, the county and the cities shall identify appropriate land for public facilities which meets the needs of the community, such as schools, recreation, transportation and utility corridors, human service facilities, and airport and other port facilities. In order to reduce land use conflicts, policies related to a design component shall be incorporated in the comprehensive plans.

2. The county and the cities will implement a cooperative and structured process, which includes early and continuous public involvement, to consider siting of essential public facilities of a regional and statewide nature. State facilities shall conform to local siting procedures.

3. Public facilities that generate substantial travel demand should be sited along or near major transportation and public transit corridors, where available.

4. The county and the cities shall work with their respective school district to encourage siting of schools in conjunction with areas where substantial development exists or is projected and near public transportation corridors.

5. 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.

L. Impact Fees

1. The county and the cities are encouraged to adopt fair and reasonable impact and/or mitigation fee ordinances to ensure that new growth pays its fair share of the cost of capital facilities, such as transportation improvements, parks, and schools.

2. The county and cities shall work with their school districts to develop impact fee formulas as appropriate to the district's capital needs.
M. Intergovernmental Cooperation

1. To adequately plan for growth and implement the policies of the Growth Management Act, the governmental jurisdictions in Whatcom County, including the Lummi Nation and Nooksack Tribe, and the Port of Bellingham shall work together to establish on-going mechanisms to improve communication, information sharing and coordinated approaches to common problems.

2. Whatcom County governments should communicate with neighboring counties and governments in British Columbia and work cooperatively on growth management issues that cross county and national borders.

N. Water Quality and Quantity

1. The cities, and the county, in cooperation with other municipal corporations, tribal governments, federal and state agencies, and public and private utilities shall cooperate in the protection of water resources and in drawing upon said water to support growth.

2. The Cities and the County in cooperation with other municipal corporations and tribal governments shall adopt zoning regulations and development standards to protect water resources. Where there are potential conflicts with designations required by the Growth Management Act, such as natural resource lands and critical areas, water resource protection shall generally have priority.

3. Jurisdictions shall cooperate to protect and restore water resources and fish habitat within UGA’s and across jurisdictional boundaries to maintain quality of life and economic health in Whatcom County.

4. Jurisdictions involved in the development of ground and/or surface water management plans shall pursue the adoption and implementation of the plans, as well as coordination and integration of the plans into local comprehensive plans as appropriate. Examples of such plans include the Lake Whatcom Management Plan, WRIA 1 Watershed Management Plan, Shellfish Protection District Plans and drinking water source protection plans.

5. All jurisdictions should participate in the process to establish a countywide water resource management body in accordance with the Watershed Management Act and other applicable federal, state and local regulations to inform GMA planning efforts.

6. All jurisdictions shall maximize reduction of water pollutants from stormwater runoff and combined sewer overflows.

O. Fiscal Impact

1. It is recognized that if the Growth Management Act and these policies are implemented to their maximum extent, county government may eventually lose the tax base needed to operate essential services, including the criminal justice function and the Offices of Treasurer, Assessor, and Auditor, which
serve all jurisdictions in the area. Revenue-sharing shall be addressed in inter-local agreements between Cities and the County.

3 **P. Private Property Rights**

4 1. As required in the Growth Management Act, private property shall not be taken for public use without just compensation having been made. It is not the purpose of this paragraph to expand or reduce the scope of private property already provided in local, state and federal law.

8 2. The county as required by Whatcom County Home Rule Charter Section 1.11, and cities should establish a pro-active process to anticipate potential takings and other private property issues and resolve them out of court.
Glossary

**Affordable Housing:** In this document the definition of "affordable housing" is to be developed by each community as part of the Comprehensive Planning process.

**Capital Facilities Plan:** A required element of the Comprehensive Plan designed to form a better match between development and provision of services. It must include an inventory of existing facilities, forecast of future needs and a six-year financing plan.

**Critical Areas:** As defined by each jurisdiction, including at least the following areas and ecosystems: (a) wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.

**Greenbelts/Greenways:** These are undeveloped open space, natural areas, including agricultural lands, golf courses and other recreational uses, wildlife corridors and similar uses.

**Impact/Mitigation Fees:** A payment of money imposed upon new development as a condition of approval as defined and provided by RCW 82.02 and/or 43.21c. This fee must be used exclusively to finance improvements in capital facilities that are necessitated by the development.

**Inclusionary Zoning:** Zoning that requires developers to provide a portion of housing units in a specific project or area to meet the needs of low and moderate income people.

**In-fill:** The practice of using developable land that lies within a city, UGA, or developed area outside resource lands, where services are available rather than passing over such parcels in favor of land farther out or farther from available services.

**Interlocal Agreements:** An agreement intended to apply within designated Urban Growth Areas to set clear and reasonable criteria for orderly annexations including guidelines on size and timing of annexations and urban levels of development; appropriate development standards and tax revenue sharing provisions. Participants in the agreement could include the county, any adjacent city, affected fire districts (if applicable) and any other utility provider.

**Level of Service (LOS):** An established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need. Level of Service for transportation is usually expressed as a proportion derived by comparing a roadway’s current volume to its capacity.

**Low Income Housing:** The federal government defines low income housing as housing provided for individuals earning 50% or less of the average family wage of the local jurisdiction.

**Natural Resource Lands:** Natural Resource Lands include agricultural, forestry, and mineral resource lands that are not already characterized by urban growth and that have long term significance for the commercial production of food or other agricultural products, for the commercial production of timber, and that have long-term significance for the extraction of minerals.
Private Utilities: Water and/or sewer service owned and operated by an entity other than a political subdivision of the federal, state or tribal governments.

Public Utilities: Water and/or sewer services owned and operated by a political subdivision of federal, state or tribal governments (includes water and sewer districts and public utility districts).

Regional Transportation Planning Organization: An organization created by the Growth Management Act to coordinate regional transportation efforts and to foster cooperation among state and local jurisdictions. The Whatcom Council of Governments has been designated as the Regional Transportation Planning Organization for Whatcom County.

Resource Based Industry: A business or industry that has a direct relationship to natural resources such as agriculture, minerals, forestry and fishing. This type of industry is generally located in close proximity to the resource or resource land.

Short-Term/Long-Term Boundaries: Short-Term boundaries are used as a tool for facilitating provision of urban levels of services and preventing sprawl. The Long Term boundary includes the short-term boundary as well as areas that have unresolved issues within the identified 20-year Urban Growth Boundary.

Urban Fringe Subarea Plan: A plan pertaining to the Bellingham Urban Growth Area and a portion of Whatcom County immediately north of Bellingham and containing most of Bellingham's suburban growth. It is a plan designating the interface between urban and rural land uses. Some part of the Urban Fringe Area will be included in an Urban Growth Area. Some of the area already lies within Bellingham's Urban Service Area.

Urban Growth: growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170.

Urban Growth Area: An area designated within which urban growth will be encouraged and outside of which growth can occur only if it is not urban in nature.

Urban Level of Service: 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.

*These headings with an asterisk (*) are the elements required by the Growth Management Act.
The title was expanded for the first required category (Urban Growth Areas) to better reflect the content as the policies developed.
Community-Value Statements
As derived from Visioning Public Process by Visioning Committee February 1994

Transportation
1. More lanes on major roads and more frequent public transit service with additional routes are the most important transportation issues for Whatcom County. The following transportation issues are of secondary importance:
   a. Need for bike lanes and footpaths.
   b. Enhancement of safety measures along County roads, for example, wider shoulders and signals at busy intersections.
   c. The desire for carpooling.
   d. Integration of various transportation modes (i.e.: ferry/bus link).
2. Financing transportation improvements need to be addressed because the public is only somewhat willing to pay additional taxes for roads and transit.

Urban Growth
1. Given that roughly 75%—90% of the land base in Whatcom County (excluding public land) should be designated for rural, agricultural and forestry use 50 years hence, urban sprawl should be discouraged. To prevent sprawl, we should infill where possible, allow for growth where the infrastructure exists (sewer, water, etc.) and encourage upward not outward growth, particularly in Bellingham. Cluster housing should be allowed in rural areas. The objective is to increase housing densities in urban areas so that the elements which contribute to a rural lifestyle, including privacy, peace and quiet, open space, and little or no traffic are preserved.
2. Urban growth should not pollute or deplete water supplies and should not be allowed to encroach on lands needed to sustain our natural resource based industries, including agriculture, forestry, mining and fishing. Infill should occur in existing urban areas before annexation is considered. Both annexations and infilling should be subject to local citizen review and input. The costs of urban growth, including infrastructure and services (fire, sewer, schools, roads, etc.) should be paid for primarily by developers and secondarily by cities and public agencies (which are funded by taxpayers).
3. As Whatcom County continues to grow it is important to retain individual town and community character.

Property Rights
1. Preserving private property rights and protecting Whatcom County’s natural environment and resources need not conflict with one another. Private property rights go hand in hand with private property responsibilities. People should be allowed to utilize their land as they wish, so long as their actions do not unduly impact affected property owners. The interests of the community outweigh a single individual’s property rights, however, in instances where property rights are infringed upon through public action, some form of compensation should be available to the landowner.

Historic Preservation
1. Whatcom County should preserve and maintain historical sites and artifacts.

2. As the County population continues to grow, the cultural composition of the County will become more diverse. Accepting these cultures in coming years will be important.

Public Facilities and Services

1. In the social services sector, first priority should be given to providing quality basic education and vocational training. Law enforcement, crime prevention, and other social services are also, although to a lesser extent, services which the community is willing to support.

2. While there was general consensus that expanding our county parks system is a worthwhile investment, financing such expansion through additional taxes should be approved by a vote of the people.

Housing

1. The ability to purchase or rent affordable housing (Mean price: $90,000) is important.

2. While affordable housing should be located in urban areas it should also exist throughout the County and there should be latitude and flexibility in zoning to allow for affordable housing in rural areas.

3. There was support for a mix of housing types that reflect different income and age levels.

Natural Resource Industries

1. Productive resource-based industries like agriculture, forestry, and fisheries should be encouraged and protected.

2. Gravel mining was a contentious issue, with some people supporting and others opposing gravel mining.

3. Agriculture, forestry, and fisheries industries should be sustained through good conservation practices.

4. Farmers should be given first priority when allocating water supplies, even if this has an impact on the volume of water available to future residential and industrial users.

Permits

Many residents in the County believe that they are over-regulated. A comprehensive review of the building permit process needs to be undertaken to ensure that the rules and regulations imposed are simpler to understand, less redundant, and above all, more flexible and more user friendly. Government agencies need to be more responsive to the public and more efficient and consistent in the processing of building permit applications. Wherever possible economic incentives rather than additional regulations should be used. There also needs to be better coordination between the regulatory requirements of federal, state and local agencies so that building permit applications are not unduly delayed.
Moreover, there needs to be greater, uniform enforcement of existing land-use rules and regulations.

Fewer building restrictions should apply to those property owners who want to build or enhance a single primary residence or accessory buildings on land zoned rural.

Rural residents should not be constrained by unnecessary and inflexible urban regulations, including land-use regulations, dog-leash laws, and burn bans.

**Citizen Participation and Coordination**

1. Respondents felt that government needs to be more responsive to its citizens and that people want to be able to exercise local control (i.e., neighborhoods/subareas) in all land use decisions.

2. Property owners want personal notification prior to land-use decisions which impact them.

3. People want more opportunity for public input prior to passage of regulations, taxes, etc.

4. More issues should be subject to a vote of the people.

**Economic Development**

1. Allow free-market solutions to economic development problems.

2. Business and industrial development should be encouraged.

3. Attracting high-paying jobs is more important than the quantity of jobs, but the County should, nonetheless, plan for service-related jobs such as tourism and recreation.

4. Allow for small and cottage businesses in rural areas that don’t remove productive agricultural and forest land.

5. Business and industrial development should occur primarily in designated areas including the I-5 corridor.

6. Maintaining water quality and quantity take priority over economic development.

7. Resource jobs should be encouraged.

8. Commercial development should occur along Guide-Meridian corridor at key intersections.

**Sprawl**

1. New growth should be located in existing business and residential areas, so that we can prevent urban sprawl.

2. Urban sprawl should be discouraged in Whatcom County. As a means to prevent sprawl, we should infill where possible, grow where infrastructure is available, encourage growth to go up, not out; encourage clustering in rural areas, and 75-90% of the land area in Whatcom County designated for rural, agricultural, and forestry use in 50 years.

**Environment**

*Whatcom County Comprehensive Plan*
1. Protecting water quality and quantity and associated natural features like watersheds and aquifers is extremely important.

2. It is essential to protect Whatcom County’s rivers, streams and natural beauty.

3. Our natural environment should be protected while at the same time ensuring our natural resource industries remain an important segment of our economy.

4. Residential, industrial, and commercial development should be discouraged on productive agricultural and forested lands.

Open Space and Recreation

1. Encourage open space designation, retention/development of recreational opportunities and conservation of fish and wildlife habitat.

2. Land purchased for open space or greenbelts should be purchased with existing County and state funds and other sources as appropriate.

3. Purchase of park land, greenbelts, and open space should be imposed only upon vote of the people.

Land Use/Zoning

1. Zoning should provide consistency and predictability for property owners. At the same time, however, zoning designations are subject to change because the variables that dictate zoning designations are dynamic (population increase, building restrictions, transitions in the economy, etc.) and not static.

2. Clearly, zoning should conform to the best use of the land and allow for flexibility, latitude, and creativity in its application (cluster housing, accessory housing, etc.).

3. Citizens want to exercise more control in determining how their community will develop and grow including review of large-scale commercial, industrial, and residential projects.

4. 75%—90% of our land supply (excluding National Forest and Park land) should be designated as rural, agricultural, and forestry land in the year 2040.

5. Residents want to maintain the rural character of Whatcom County and protect agriculture and forest lands. However, they also want greater self-determination on their property.

6. Three units or more per acre should be located only in urban areas.

7. New development should be prohibited in areas prone to flooding and discouraged on productive agricultural and forest lands.

Rural Lifestyle

1. Maintaining rural character is very important to County residents. The elements making up a rural lifestyle include:
Rank 1: Open Space
Rank 2: Quiet Areas/Private
Rank 3: Largely agriculture and forestry oriented
Rank 4: Low density population
Crossroads/gathering places
Enjoy natural features of landscape
Freedom

2. Open space is an important element of rural lifestyle

Taxes

1. Current taxes are high. Spend tax money wisely and eliminate government waste.

2. If money must be spent to preserve land that provides significant public benefit, then current local funds should be used to compensate property owners.

3. People are more willing to be taxed for schools than for other services.

4. Some rural areas should have greater revenue generating tax bases.

5. Use tax breaks to encourage positive stewardship of land, protect critical areas and resource lands, and provide relief to residents on a fixed income.

6. New taxes should be imposed only upon the vote of the people.

7. County residents do not want city residents to control the amount of taxes levied on them.
Introduction


- Western Washington University, Center for Economic and Business Research: *Natural Resources Sector Profile*, Fall 2002.

- Western Washington University, Center for Economic and Business Research: *Trade Sector Profile*, Fall 2002.


Housing

- *Bellingham Comprehensive Plan: Housing Element, Part IV*.

- *Bellingham Consolidated Plan*.
- Bellingham-Whatcom County Housing Authority.


• Whatcom Real Estate Research Report.

Economics

• Comprehensive Economic Development Strategies.
• Coordinated Water System Plan.
• East County economic Plans.
• Port of Bellingham and PUD #1: Evaluation for Industry Recruitment in Whatcom County and Cherry Point. Bellingham, WA, 2000-.
• Key Policies (Goals & Strategies) Related to Local Economic Development.
• The Business Triad Report, 1981.
• The Economic Futures Study of Whatcom County, 1983.
• The Stanford Research Institute Study, 1983.
• Whatcom County Comprehensive Economic Development strategies Project List.

Utilities

• Issue Alert; Gearing Up for Tomorrow's Energy Needs: BPA's 1992 Resource Program. Por...


**Mineral Resources**


**Essential Public Facilities**

- Federal Aviation Administration Advisory Circular 150/5200-33: *Hazardous Wildlife attractants on or Near Airports*

**Airport/Landuse Compatibility Planning**


Environment


Recreation


• Whatcom County Parks and Recreation. (April 2014). Comprehensive Parks, Recreation and Open Space Plan.

Land Use
Exhibit 2

Six-Year Capital Improvement Program
For Whatcom County Facilities
2013–2018

[Note: this appendix is proposed to be deleted and replaced in its entirety]
# Table of Contents

Chapter 1—Introduction ........................................... 3  
Growth Management Act Requirements .......................... 3  
Charter Provisions and the County Budget .................. 4  
Contracting for Services ......................................... 4  

Chapter 2—Parks, Trails, and Activity Centers .............. 4  
Parks ........................................................................ 4  
Existing Parks and Open Space Areas .......................... 4  
Future Parks Level of Service .................................... 5  
Proposed Park Improvement Projects ........................... 5  
Financing for Park Improvement Projects .................. 5  

Trails ........................................................................ 6  
Existing Trails ........................................................ 6  
Future Trail Needs .................................................... 7  
Trail Improvement Projects ....................................... 7  
Financing for Trail Improvement Projects .................. 8  

Activity Centers ...................................................... 8  
Existing Activity Centers ......................................... 8  
Future Activity Center Needs .................................... 9  
Proposed Activity Center Improvement Projects .......... 9  
Financing for Activity Center Improvement Projects ..... 9  

Other Park and Recreation Projects ............................. 9  

Chapter 3—Maintenance and Operations ..................... 12  
Existing Maintenance and Operations Space ................ 12  
Proposed Maintenance and Operations Improvement Projects ...... 12  
Financing Maintenance and Operations Improvement Projects .......... 12  

Chapter 4—Government Office Space ........................ 12  
Existing Office Space .............................................. 12  
Proposed New Office Building Projects ..................... 13  
Financing Maintenance and Operations Improvement Projects .......... 13  

Chapter 5—Sheriff's Office ....................................... 13  
Existing Sheriff's Office Space ................................ 13  
Future Sheriff's Office Needs ................................... 13
Existing Flood Protection Facilities .......................................................... 22
Financing for Flood Protection Projects ..................................................... 22
Chapter 11—Improvements to Existing Buildings ........................................ 23
Chapter 12—Costs by Project Category ......................................................... 24

Tables
Table 1. Existing Parks .................................................................................. 7
Table 2. Park Improvement Projects, 2013-2018 ........................................... 9
Table 3. Inventory of Existing Trails ............................................................... 10
Table 4. Trail Improvement Projects, 2013-2018 .......................................... 11
Table 5. Inventory of Existing Activity Centers ............................................ 12
Table 6. Inventory of Existing Maintenance and Operations Space .............. 15
Table 7. Inventory of Government Office Space .......................................... 15
Table 8. Inventory of Existing Sheriff’s Office Space .................................... 16
Table 9. Existing Emergency Management/EOC Space ............................... 17
Table 10. Inventory of Existing Jail Beds ..................................................... 18
Table 11. Jail Improvement Projects to Serve County Wide, 2013-2018 .......... 19
Table 12. Inventory of Existing Juvenile Detention Facilities ....................... 19
Table 13. Stormwater projects constructed since 2005 ............................... 22
Table 14. Lake Whatcom Stormwater Projects 2013-2018 ......................... 23
Table 15. Birch Bay Stormwater Projects 2013-2018 .................................. 24
Table 16. Lake Samish Stormwater Projects 2013-2018 .............................. 24
Table 17. Significant flood projects constructed since 2000 ......................... 25
Table 18. Flood Protection Projects 2013-2018 ............................................ 25
Table 19. Improvement to Existing Buildings, 2013-2018 .......................... 26
Table 20. Cost by Project Category, 2013-2018 ........................................... 27
Chapter 1—Introduction

The Growth Management Act requires that the County’s Comprehensive Plan include a “capital facilities plan element” (RCW 36.70A.070(3)). The Whatcom County Comprehensive Plan calls for the County to develop and update the Six-Year Capital Improvement Program for County projects. The main purpose of this Capital Improvement Program is to plan County facilities to serve the people of Whatcom County over the next six years.

Growth Management Act Requirements
According to the Growth Management Act, a county’s capital facilities plan must include five items, which are shown below:

A. An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities.

Current inventories of existing County capital facilities, based upon information provided by various County departments, are included in each chapter of this document.

B. A forecast of the future needs for such capital facilities.

Chapters 4 and 6 of the Whatcom County Comprehensive Plan establish “level of service” standards for County parks, administrative facilities (i.e. Sheriff’s office space), correction facilities, and transportation. Level of service standards are expressed in acres of parkland needed for every 1,000 people in the County, square feet of Sheriff’s office space needed to serve each person in the County, etc. Forecasts of future needs for capital facilities over the six-year planning period are determined by applying the adopted level of service for a given facility to the expected population in the year 2018.

C. Proposed locations and capacities of expanded or new capital facilities.

General locations and capacities (acres of parkland, jail beds, etc.) of proposed new County facilities are indicated in this document.

D. At least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes.

This Six-Year Capital Improvement Program presents costs and funding sources for proposed County capital facilities (all figures are in 2012 dollars). There are a variety of funding sources that the County utilizes to pay for capital facilities, including real estate excise tax, conservation futures, the public utilities improvement fund, the jail fund, and grants. One other potential source is the County’s General Fund. The Finance Manager for Whatcom County indicated that, over the six-year planning period, there would be little revenue in the County’s General Fund to finance capital facilities. However, the capital facilities proposed in this Six-Year Capital Improvement Program are within the County’s funding capacity. Specifically, Whatcom County’s unused limited tax general obligation
bond long-term debt capacity at the end of 2011 was $337,885,810, which far exceeds the expenditures proposed by this Six-Year Capital Improvement Program. Therefore, it would be possible to issue bonds to pay for capital facilities if revenue is increased, expenses decreased, or programs reprioritized to make debt service payments.

Revenue and expenditure projections for roads and related non-motorized facilities are set forth in the six-year transportation improvement program.

E. A requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent.

Finally, in accordance with the Growth Management Act, a requirement to reassess the land use element of the Comprehensive Plan if probable funding falls short of meeting existing needs and to ensure consistency between plans already exists in the Comprehensive Plan (Policy 4A-4).

Charter Provisions and the County Budget
In addition to Growth Management Act provisions relating to capital facilities, Section 6.30 of the County Charter also requires the County to include a six-year capital improvement program as part of the budget. Appropriation for 2013-2014 capital projects may be included in the biennial budget or may be adopted through the supplemental budget process. Ultimate funding for capital improvement projects is subject to County Council authorization in the adopted budget. Costs identified for 2015-2018 are included for planning purposes and review of potential future needs, but not for budget authorization at this time.

Contracting for Services
Whatcom County may contract with other entities, such as the Council of Governments and the Northwest Regional Council, for vital community services. These contracts represent County participation in providing essential services; alongside other partners, without the need to construct County owned capital facilities, which can be very costly.

Chapter 2 – Parks, Trails, and Activity Centers

Parks
Existing Parks and Open Space Areas
The 2012 inventory of County-owned parks and open space areas show a total of 7,145 acres. This inventory, shown below, is a partial list.

<table>
<thead>
<tr>
<th>Site No.</th>
<th>Park Name and Location</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bay Horizon Park, 7499 Alderson Rd.</td>
<td>68.19</td>
</tr>
<tr>
<td>2</td>
<td>Deming Eagle Homestead Park, Trucker Rd.</td>
<td>33.00</td>
</tr>
<tr>
<td>3</td>
<td>Hovander Homestead Park and Tennant Lake, 5299 Nielsen Rd.</td>
<td>333.42</td>
</tr>
</tbody>
</table>

Whatcom County Comprehensive Plan
4 Interurban Trail/Teddy Bear Cove Parkway, Chuckanut Dr. 11.19
5 Jackson Rd., Beach Access, Birch Bay 0.15
6 Jensen Family Forest Park, Stein Rd. and Birch Bay-Lynden Rd. 21.48
7 Josh VanderYacht Park, 4106 Valley Highway 1.99
8 Lake Whatcom Park, North Shore Rd. 218.00
9 Lighthouse Marine Park, 811 Marine Dr., in Point Roberts 20.49
10 Lily Point Marine Park Reserve, East end of APA Rd., in Point Roberts 130.20
11 Lummi Island Overlook, Nugent Rd. 0.16
12 Maple Beach Park, Boundary Bay Rd., in Point Roberts 0.50
13 Monument Park, Marine Dr. and Roosevelt, in Point Roberts 6.94
14 Northwest Soccer Park/Baseball & Softball Complex, Smith Rd., and Northwest Dr. 35.00
15 Nugent's Corner Access, 3671 Mt. Baker Highway 14.00
16 Point Whitehorn Marine Reserve, Kooch Rd. 54.10
17 Samish Park, 673 N. Lake Samish Dr. 30.61
18 Semiahmoo Park, 9261 Semiahmoo Parkway 17.92
19 Silver Lake Park, 9187 Silver Lake Rd. 412.05
20 Squires Lake Park, 135 Old Highway 99 North Rd. 84.15
21 Stimpson Family Nature Reserve, Lake Louise Rd. 371.27
22 Sunset Beach, West Shore Dr., on Lummi Island 2.25
23 Sunset Farm, 7989 Blaine Rd. 69.50
24 Ted Edwards Park, Oriental Ave. 3.85
25 Welcome Bridge Access, Mosquito Lake Rd. 0.60
26 Bay to Baker Trail 118.00
27 Birch Bay Shoreline Properties 11.35
28 Canyon Lake Creek Community Forest 2,266.00
29 Chuckanut Mountain Park 999.80
30 Olsen Property 368.70
31 Plantation Rifle Range 60.00
32 South Fork Regional Park 603.00
33 Halverson Park 5.60
34 Reeder Home 1.15
Total 6,374.61

Future Parks Level of Service
A level of service of 9.6 acres of developed parkland for every 1,000 people in the County was adopted in the Whatcom County Comprehensive Plan.

Proposed Park Improvement Projects
Seven park improvement projects are proposed to provide additional park space by the year 2018. These projects would add 271 acres of parkland in Whatcom County, as shown below.

Additionally, other park and recreation improvement projects are proposed on existing parkland. These projects will add recreational facilities at these parks, but will not add acreage to the inventory. Examples include playfields, picnic areas, restrooms, and parking.

Financing for Park Improvement Projects
The total cost of the seven proposed park improvement projects is approximately $2.5 million over the six-year planning period. These costs would be paid for
through grants, real estate excise tax (REET), the park improvement fund, conservation futures, and flood funds as shown below.

**Table 2. Park Improvement Projects, 2013-2018**

<table>
<thead>
<tr>
<th>Site No. and Project Name</th>
<th>Acres</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Cherry Point / Point Whitehorn Industrial Area Access</td>
<td>35</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>150,000</td>
<td>150,000</td>
<td>300,000</td>
<td>1 and 2</td>
<td></td>
</tr>
<tr>
<td>2. Ditrich Park Lake Samish</td>
<td>24</td>
<td>0</td>
<td>0</td>
<td>250,000</td>
<td>250,000</td>
<td>500,000</td>
<td>1 and 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Lake Whatcom County Park South Unit</td>
<td>83</td>
<td>0</td>
<td>0</td>
<td>130,000</td>
<td>130,000</td>
<td>130,000</td>
<td>130,000</td>
<td>520,000</td>
<td>1 and 2</td>
</tr>
<tr>
<td>4. Maple Falls Park</td>
<td>73</td>
<td>0</td>
<td>150,000</td>
<td>150,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>300,000</td>
<td>1 and 2</td>
</tr>
<tr>
<td>5. Riverplace Park Ferndale</td>
<td>50</td>
<td>100,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>100,000</td>
<td>1, 2, 4 and 5</td>
</tr>
<tr>
<td>6. South Fork Regional Park, Mosquito Lake Rd.</td>
<td>0</td>
<td>0</td>
<td>250,000</td>
<td>400,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>650,000</td>
<td>1, 2 and 3</td>
</tr>
<tr>
<td>32. Sunnyside Landing Park, North Shore Rd.</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>50000</td>
<td>50,000</td>
<td>0</td>
<td>0</td>
<td>100,000</td>
<td>1 and 2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>271</strong></td>
<td><strong>100,000</strong></td>
<td><strong>400,000</strong></td>
<td><strong>730,000</strong></td>
<td><strong>430,000</strong></td>
<td><strong>530,000</strong></td>
<td><strong>280,000</strong></td>
<td><strong>2,470,000</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Funding Source Key**
1. Grants
2. REET-H
3. Park Improvement Fund
4. Conservation Futures
5. Flood Fund

**Trails**
**Existing Trails**
Whatcom County currently has 60.63 miles of trails in various locations throughout the County. This inventory is shown below.
### Table 3: Inventory of Existing Trails

<table>
<thead>
<tr>
<th>Site No.</th>
<th>Trail Name and Location</th>
<th>Miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bay Crest, Sunset Dr. and Woodbridge Dr., Birch Bay</td>
<td>0.21</td>
</tr>
<tr>
<td>2</td>
<td>Bay Horizon, 7499 Alderson Rd.</td>
<td>0.25</td>
</tr>
<tr>
<td>3</td>
<td>Bay to Baker Maple Falls-Glacier</td>
<td>4.00</td>
</tr>
<tr>
<td>4</td>
<td>Canyon Lake, off Canyon Lake Rd.</td>
<td>4.50</td>
</tr>
<tr>
<td>5</td>
<td>Chuckanut Ridge</td>
<td>0.36</td>
</tr>
<tr>
<td>6</td>
<td>Deming Homestead Eagle Park, Truck Rd.</td>
<td>0.30</td>
</tr>
<tr>
<td>7</td>
<td>Hemlock, Chuckanut area</td>
<td>3.53</td>
</tr>
<tr>
<td>8</td>
<td>Hovander Marrietta Coast Millennium Trail</td>
<td>4.90</td>
</tr>
<tr>
<td>9</td>
<td>Huckleberry, Chuckanut area</td>
<td>0.43</td>
</tr>
<tr>
<td>10</td>
<td>Interurban, Chuckanut area</td>
<td>2.80</td>
</tr>
<tr>
<td>11</td>
<td>Jensen, Stein Rd. and Birch Bay Lynden Rd.</td>
<td>0.61</td>
</tr>
<tr>
<td>12</td>
<td>Lake Samish, 673 N. Lake Samish Dr.</td>
<td>1.30</td>
</tr>
<tr>
<td>13</td>
<td>Lake Whatcom Park</td>
<td>4.02</td>
</tr>
<tr>
<td>14</td>
<td>Lily Point, Point Roberts</td>
<td>4.17</td>
</tr>
<tr>
<td>15</td>
<td>Lost Lake, Chuckanut area</td>
<td>3.07</td>
</tr>
<tr>
<td>16</td>
<td>Lower Salal, Chuckanut area</td>
<td>1.30</td>
</tr>
<tr>
<td>17</td>
<td>Madrona, Chuckanut area</td>
<td>0.78</td>
</tr>
<tr>
<td>18</td>
<td>Maple Creek, off Silver Lake Rd. in Maple Falls</td>
<td>1.50</td>
</tr>
<tr>
<td>19</td>
<td>Monument Park, Marine Dr. and Roosevelt in Point Roberts</td>
<td>0.18</td>
</tr>
<tr>
<td>20</td>
<td>Olsen Property Trail, Lake Whatcom Watershed</td>
<td>4.00</td>
</tr>
<tr>
<td>21</td>
<td>Ostrom Property, 4304 South Pass Rd.</td>
<td>0.66</td>
</tr>
<tr>
<td>22</td>
<td>Pine and Cedar Lakes, Chuckanut area</td>
<td>3.87</td>
</tr>
<tr>
<td>23</td>
<td>Point Whitehorn, Birch Bay area</td>
<td>0.75</td>
</tr>
<tr>
<td>24</td>
<td>Raptor Ridge, Chuckanut area</td>
<td>0.40</td>
</tr>
<tr>
<td>25</td>
<td>Salal, Chuckanut area</td>
<td>1.18</td>
</tr>
<tr>
<td>26</td>
<td>Semiahmoo East Paved</td>
<td>0.63</td>
</tr>
<tr>
<td>27</td>
<td>Semiahmoo West Footpath</td>
<td>0.45</td>
</tr>
<tr>
<td>28</td>
<td>Silver Lake Park, 9187 Silver Lake Rd.</td>
<td>3.10</td>
</tr>
<tr>
<td>29</td>
<td>Soccer Trail, Smith Rd. and Northwest Dr.</td>
<td>0.30</td>
</tr>
<tr>
<td>30</td>
<td>Squires Lake, 135 Old Highway 99 North Rd.</td>
<td>2.14</td>
</tr>
<tr>
<td>31</td>
<td>Stimson Reserve, Lake Louise Rd.</td>
<td>4.04</td>
</tr>
<tr>
<td>32</td>
<td>Sunset, 7989 Blaine Rd.</td>
<td>0.57</td>
</tr>
<tr>
<td>33</td>
<td>Teddy Bear Cove, Chuckanut area</td>
<td>0.33</td>
</tr>
</tbody>
</table>

**TOTAL** 60.63

### Future Trail Needs

A level of service of 0.60 miles of trails for every 1,000 people in the County was adopted in the Whatcom County Comprehensive Plan. With projected population growth in Whatcom County over the next six years, an additional 71 miles of trails would be needed by the year 2018 to serve the people of Whatcom County.

### Trail Improvement Projects

Five improvement projects are proposed to provide additional trails to meet the anticipated need by the year 2018. These projects would add 71 miles of trails in Whatcom County, as shown below:

---

*Whatcom County Comprehensive Plan*
Financing for Trail Improvement Projects
The total cost of the five proposed trail improvement projects is approximately $6.2 million over the six-year planning period. These costs would be paid for through grants, REET, conservation futures, donations, and, potentially, a levy. This is an ambitious plan and funding needed to provide this level of service will, realistically, have to compete with higher priority functions of County government.

Table 4. Trail Improvement Projects, 2013–2018

<table>
<thead>
<tr>
<th>Site No. and Project Name</th>
<th>Miles</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Bay to Baker Trail</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>4,000,000</td>
<td>1, 3 and 4</td>
</tr>
<tr>
<td>2. Chuckanut Mountain Trails</td>
<td>2.7</td>
<td>0</td>
<td>15,000</td>
<td>15,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>30,000</td>
<td>1, 3 and 4</td>
</tr>
<tr>
<td>3. Hertz North Lake Whatcom Trail Extension</td>
<td>1</td>
<td>1,500,000</td>
<td>65,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,565,000</td>
<td>1, 2 and 5</td>
</tr>
<tr>
<td>4. South Fork Regional Park Trail</td>
<td>4.3</td>
<td>0</td>
<td>75,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>75,000</td>
<td>1, 2 and 5</td>
</tr>
<tr>
<td>5. Lake Whatcom Trails - Reconveyance Lands</td>
<td>55</td>
<td>0</td>
<td>0</td>
<td>125,000</td>
<td>125,000</td>
<td>125,000</td>
<td>175,000</td>
<td>550,000</td>
<td>1, 2 and 5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>71</td>
<td>1,500,000</td>
<td>155,000</td>
<td>1,140,000</td>
<td>1,125,000</td>
<td>1,125,000</td>
<td>1,175,000</td>
<td>6,220,000</td>
<td></td>
</tr>
</tbody>
</table>

Funding Source Key
1. Grants
2. REET II
3. Conservation Futures
4. Levy
5. Donations

Notes: Lake Whatcom Trails are predicated on pending Department of Natural Resources reconveyance transaction within the Lake Whatcom watershed. For the Bay to Baker Trail and Lake Whatcom Trails, trail alignments and lengths are pending land acquisition, property easement negotiation and final trail design.

Activity Centers
Existing Activity Centers
There are currently 12 activity centers that provide a variety of year round programs for various age groups. The activity center inventory is shown below.
Table 5: Inventory of Existing Activity Centers

<table>
<thead>
<tr>
<th>Site No.</th>
<th>Activity Center Name and Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bay Horizon, 7499 Alderson Rd.</td>
</tr>
<tr>
<td>2</td>
<td>Bellingham Senior Activity Center, 315 Halleck St.</td>
</tr>
<tr>
<td>3</td>
<td>Blaine Community/Senior Center, 763 G Street</td>
</tr>
<tr>
<td>4</td>
<td>Everson Senior Center, 111 W. Main</td>
</tr>
<tr>
<td>5</td>
<td>Ferndale Senior Center, 1998 Cherry Street</td>
</tr>
<tr>
<td>6</td>
<td>Lynden Community Center, 401 Grover Street</td>
</tr>
<tr>
<td>7</td>
<td>Plantation Rifle Range, 5102 Samish Way</td>
</tr>
<tr>
<td>8</td>
<td>Point Roberts Community Center, 1487 Gulf Road</td>
</tr>
<tr>
<td>9</td>
<td>Roeder Home, 2600 Sunset Dr.</td>
</tr>
<tr>
<td>10</td>
<td>Sumas Community Center, 461 2nd Street</td>
</tr>
<tr>
<td>11</td>
<td>Van Zandt Community Hall, 4106 Valley Highway</td>
</tr>
<tr>
<td>12</td>
<td>Welcome Valley Senior Center, 5103 Mosquito Lake Rd.</td>
</tr>
<tr>
<td>13</td>
<td>East Whatcom Regional Resource Center, 8251 Kendall Rd.</td>
</tr>
</tbody>
</table>

Note: The Blaine, Everson, Lynden and Sumas Centers are owned by these respective cities. The Point Roberts Community Center is owned by the Point Roberts Park District. Whatcom County provides and/or contracts for senior activities and recreational programming at these centers.

Future Activity Center Needs
A level of service standard of five activity centers for every 100,000 people in the County was adopted in the Whatcom County Comprehensive Plan. With projected population growth in Whatcom County over the next six years, no additional centers would be needed by the year 2018 to meet the adopted level of service.

Proposed Activity Center Improvement Projects
No improvement projects that would add usable indoor space are proposed within the six-year planning period. Maintenance projects may be undertaken.

Financing for Activity Center Improvement Projects
Not applicable.

Other Park and Recreation Projects
Pursuant to RCW 82.46.010, RCW 82.46.035 and WCC 3.20, the following park, trail, and recreational facility improvements have been identified as projects that will be funded or partially funded with the Real Estate Excise Tax (REET I or REET II). These are in addition to the projects identified above that will utilize REET funds:

- Bay Horizon Park
  Play fields
  Park trails
- Birch Bay
  Restrooms, parking improvements, open space improvements and access
- Canyon Lake
  Access-boat repairs
- Coast-Millennium Trail
  Trail construction
• East Whatcom Regional Resource Center
  Play-fields
  Covered-play-area

• Hovander Park—Tennant Lake
  Improve accessibility, exhibits and function in animal contact area
  Improve vehicle access, entrance and non-motorized accessibility
  Construct new restroom building(s)
  Evaluate & rectify sinking building foundation Hovander Home
  Reconstruct / replace Tennant Lake boardwalk
  Surface / improve parking areas and access roads
  Construct group camp area and sites
  Construct special event group picnic area and shelters
  Construct bike / pedestrian facility over Nooksack River to connect with Pioneer Park
  Improve road access into park
  Remodel interior of interpretive center
  Adapt machine shed for public use
  Boat launch improvements
  Replace roofs and paint buildings

• Lake Whatcom Parks and Trails
  Construct two vehicle accessible bridges at Hertz Trail
  Construct day use areas
  Construct public restrooms
  Construct / replace docks
  Develop trailheads
  Utilize residence for events

• Lighthouse Marine Park
  Resurface parking areas
  Replace playground
  Replace boardwalk and buildings
  Construct observation deck
  Cabins

• Maple Beach
  Parking
  Restrooms

• Nooksack River Trail
  Develop multi use trail

• Northwest Annex Trail
  Surface 1.0 mile trail

• Nugent’s Corner
  Open-shelter
  Trail improvements
  Accessible fishing platform
  Restroom

• Olsen Property (Lookout Mountain Access)
  Restroom
  Parking improvements

• Plantation Rifle Range
Renovate impact berm, add retaining wall and re-grade
Resurface parking area
Resurface access road
Replace HVAC

Samish Park
Misc. accessibility / picnic improvements — precast paver access path, re-grading and gravel-resurfacing
Replace playground
Re-grade and resurface existing parking area and install plastic stall striping
Survey existing conditions, perform engineering analysis and bank stabilization and optimize parking configuration
Repair rotted wall and pitch roof
Improve parking area

Semiahmoo Park
Concession building electrical, plumbing & fixture improvements

• Silver Lake Park
Replace park playground
Replacement of 300' of boardwalk
Renovate all cabins, indoor plumbing, flooring and insulation
Construct new shower and restroom building in campground
Replace restroom in equestrian campground
Install new electrical service, pads, road surfacing, water and walkways.
Install services and surface road
Relocate road to accommodate cabin septic tanks, etc.
Replace garage at residence
Replace windows, electrical service, insulate, and siding
Install playgrounds in campgrounds
Repair rot, etc. in lodges
Horse camp shelter re-roofing
Trail improvements
ADA improvements
New campground and cabins

• Stimpson Family Nature Reserve
Restroom

• Sunset Farm
Improve 0.5 mile trail and connect to community trail system
Restrooms
Stable Repairs
Landscaping

• Teddy Bear Cove
Woodstock Farm connector trail

• Warnick Bridge
Trailhead improvements

• Miscellaneous locations
Roof replacements (shop and office)
Insulation and siding (shop and office)
Parking lots
Landscaping
Chapter 3 — Maintenance and Operations

Existing Maintenance and Operations Space
The 2012 inventory of maintenance & operations/facilities management space that serves the County is 44,411 square feet. This inventory is shown below:

Table 6. Inventory of Existing Maintenance and Operations Space

<table>
<thead>
<tr>
<th>Site No.</th>
<th>Facility Name</th>
<th>Square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Central Shop, 901 W. Smith Rd. (Maintenance and Operations)</td>
<td>35,773</td>
</tr>
<tr>
<td>2</td>
<td>316 Lottie St. (Facilities Management)</td>
<td>4,978</td>
</tr>
<tr>
<td>3</td>
<td>Minimum Security Correction Facility—2030 Division St. (Facilities Management Storage)</td>
<td>3,660</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>44,411</td>
</tr>
</tbody>
</table>

Proposed Maintenance and Operations Improvement Projects
No improvement projects that would add usable space are proposed within the six-year planning period. Only maintenance projects may be undertaken.

Financing Maintenance and Operations Improvement Projects
Not applicable.

Chapter 4 — Government Office Space

Existing Office Space
The 2012 inventory of County government office space is 180,769 square feet at eight locations. This inventory is shown below:

Table 7. Inventory of Government Office Space

<table>
<thead>
<tr>
<th>Site No.</th>
<th>Facility Name</th>
<th>Square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Civic Center Annex (322 North Commercial)</td>
<td>20,279</td>
</tr>
<tr>
<td>2</td>
<td>Central Plaza Building (215 N. Commercial)</td>
<td>10,307</td>
</tr>
<tr>
<td>4</td>
<td>County Courthouse (311 Grand Avenue)</td>
<td>94,678</td>
</tr>
<tr>
<td>5</td>
<td>Forest St. Annex (1000 North Forest St.)</td>
<td>6,487</td>
</tr>
<tr>
<td>6</td>
<td>509 Girard St.</td>
<td>13,189</td>
</tr>
<tr>
<td>7</td>
<td>3373 Mt. Baker Highway</td>
<td>2,110</td>
</tr>
<tr>
<td>8</td>
<td>1500 N. State St.</td>
<td>12,281</td>
</tr>
<tr>
<td>9</td>
<td>Northwest Annex (5280 and 5256 Northwest Dr.)</td>
<td>21,438</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>180,769</td>
</tr>
</tbody>
</table>
Proposed New Office Building Projects
No new buildings are proposed within the six-year planning period. Only improvement and maintenance projects in existing buildings are proposed (see chapter 11).

Financing Maintenance and Operations Improvement Projects
Not applicable.

Chapter 5—Sheriff’s Office

Existing Sheriff’s Office Space
The 2012 inventory of Sheriff’s office space is 23,962 square feet serving the unincorporated population. This inventory is shown below.

Table 8: Inventory of Existing Sheriff’s Office Space

<table>
<thead>
<tr>
<th>Site No.</th>
<th>Facility Name</th>
<th>Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Public Safety Building (311 Grand Ave)</td>
<td>15,102</td>
</tr>
<tr>
<td>2</td>
<td>Minimum Security Correction Facility (2030 Division St.)</td>
<td>6,000</td>
</tr>
<tr>
<td>3</td>
<td>Inspector’s Office, Civic Center Building (322 N. Commercial)</td>
<td>920</td>
</tr>
<tr>
<td>4</td>
<td>Laurel Fire Hall (6028 Guide Meridian)</td>
<td>1,500</td>
</tr>
<tr>
<td>5</td>
<td>Kendall Satellite Office</td>
<td>160</td>
</tr>
<tr>
<td>6</td>
<td>Birch Bay Fire Hall</td>
<td>192</td>
</tr>
<tr>
<td>7</td>
<td>Nugent’s Corner Fire Hall</td>
<td>88</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>23,962</td>
</tr>
</tbody>
</table>

Notes:
1. The Sheriff’s Office also has storage facilities at various locations in Whatcom County.
2. The County has two mobile homes and an old detention facility in Point Roberts. The resident deputies operate out of their homes or utilize space at the U.S. Customs office at the border.

Existing Sheriff’s Office facilities locations and square footage include shared space at local fire districts that is available depending on Fire District needs and is generally subject to change with short notice or no notice, and rented or leased space not solely dedicated to Sheriff’s Office use.

Future Sheriff’s Office Needs
A level of service of 0.26 square feet of Sheriff’s Office space per capita was adopted in the Comprehensive Plan. With projected population growth in unincorporated Whatcom County over the next six years, a small amount of additional Sheriff’s Office space (approximately 81 square feet) would be needed in 2018 to meet the adopted level of service. A plan has not been formulated at the present time to increase the Sheriff’s Office space. Therefore, either the LOS will need to be re-evaluated at the next comprehensive plan update or a plan will need to be formulated to provide additional office space in the future. Most Sheriff’s Office functions are based in the Public Safety Building adjacent to the Courthouse and are remote to the vast majority of Sheriff’s Office Bureau of Law Enforcement and Investigative Services functions that take place in unincorporated Whatcom County. This results in inefficiencies and delays. Space and design factors in
current facilities preclude consolidating various functions performed throughout the agency (reception, finance, etc.) and result in redundancies. When fiscally feasible, existing Sheriff’s Office facilities and associated functions should be consolidated (except for “Resident Deputy” program facilities).

**Proposed Sheriff’s Office Improvement Projects**
At the current time, no improvement projects that would add usable space are proposed within the six-year planning period.

**Financing Maintenance and Operations Improvement Projects**
Not applicable.

---

**Chapter 6 – Emergency Management/Emergency Operations Center (EOC)**

**Existing Emergency Management/EOC Space**
The 2012 inventory of Division of Emergency Management office space is 1,821 square feet, located in the Civic Center Annex as shown below. The active Emergency Operation Center for the county was closed in 2010. If an Emergency Operations Center is needed during an emergency, the portable building at the Central Shop, which is 3,600 square feet, is the designated site for set-up.

**Table 9. Existing Emergency Management/EOC Space**

<table>
<thead>
<tr>
<th>Site No.</th>
<th>Facility Name</th>
<th>Square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Civic Center Annex (322 North Commercial)</td>
<td>1,821</td>
</tr>
</tbody>
</table>

**TOTAL** 1,821

**Future Emergency Management/EOC Needs**
The Division of Emergency Management requires both daily office space for Emergency Management and, during an actual emergency, additional space for the emergency operations center (EOC). During an emergency, the EOC may have to accommodate several hundred people in a single day. These people include a combination of elected officials, trained personnel and volunteers, who serve in a variety of capacities during the emergency.

A level of service of 0.011 square feet of emergency operations space per capita was adopted in the Comprehensive Plan. With projected population growth an additional 578 square feet, over and above the existing 1,821 square feet of office space, would be needed by the year 2018 to meet the adopted level of service. However, during an emergency when a location for an EOC is needed, there is access to the portable building at the Central Shop (approximately 3,600 square feet). This is a designated “cold site” that will require 45 minutes to 1 ¼ hours to set up.

The Division of Emergency Management may need to move out of the Civic Center Annex within the next year, as other County functions may move into this space. The County is working to develop a comprehensive and coordinated plan to re-
locate Emergency Management, with the goal of assuring appropriate long-term facilities. However, this plan has not yet been finalized.

**Proposed Emergency Management/EOC Projects**
No improvement projects that would add usable space are proposed within the six-year planning period.

**Financing Maintenance and Operations Improvement Projects**
Not applicable.

**Chapter 7—Jails**

**Existing Jail Facilities**
The main County jail was designed for 148 beds, although it currently has 283 beds due to double bunking, internal remodeling and use of temporary beds. In 2011, the average daily population for the main jail was 265. Additionally, the jail is currently not in compliance with the Building/Fire Codes for double bunking, although a plan has been approved to bring it into compliance. Whatcom County completed construction of a 150-bed minimum security correction facility on Division St. in 2006. In 2011, the average daily population for the minimum security facility was 137. The main jail is located in the Public Safety Building next to the County Courthouse in downtown Bellingham and minimum security correction facility is located in the Bakerview Rd. industrial area.

**Table 10—Inventory of Existing Jail Beds**

<table>
<thead>
<tr>
<th>Site No.</th>
<th>Facility Name</th>
<th>Square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Public Safety Building (311 Grand Ave.)</td>
<td>283</td>
</tr>
<tr>
<td>2</td>
<td>Minimum Security Correction Facility (2030 Division St.)</td>
<td>150</td>
</tr>
</tbody>
</table>

**TOTAL** 433

**Future Jail Needs**
A level of service of 1.42 beds for every 1,000 people in the County was adopted in 1997 in the Whatcom County Comprehensive Plan. Based on the actual average daily populations of the two County jail facilities, the County plans to review this level of service. Average daily populations documented by the Corrections Bureau since 2006 have been well above the minimum number of beds required by the current level of service standard. The County needs to review and update the existing level of service standard. This review will begin in 2013.

**Proposed Jail Improvement Projects**
There are serious concerns among law and justice officials relating to jail facility needs in the community. This need has been documented by recommendations from the Whatcom County Law and Justice Plan Phase II Report (June 2000), in a report entitled Operational Review of the Whatcom County, Washington Jail (March 2004), and in the Whatcom County Jail Planning Task Force Recommendations (Dec. 2011 and March 2012). In an effort to meet the community need, the County will be siting and constructing a Sheriff’s Office New Main Jail Facility, tentatively
scheduled to open with 600 beds. At the time the Sheriff's Office New Main Jail Facility is open, the offenders at the minimum-security corrections facility would be relocated to the new facility. A location for the Sheriff's Office New Main Jail Facility has not been selected. It is anticipated that the new jail facility will come on line by 2016.

**Financing for Jail Improvement Projects**
The cost of the proposed Sheriff's Office New Main Jail Facility is approximately $60,000,000 within the six-year planning period. These costs would be paid for through the general fund, REET-I, public utilities improvement fund, jail fund and voter and Council-approved bonds.

**Table 11. Jail Improvement Projects to Serve County-Wide, 2013-2018**

<table>
<thead>
<tr>
<th>Site No. and Project Name</th>
<th>Beds</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Sheriff's Office New Main Jail Facility</td>
<td>600</td>
<td>10,000,000</td>
<td>10,000,000</td>
<td>18,000,000</td>
<td>18,000,000</td>
<td>4,000,000</td>
<td>0</td>
<td>60,000,000</td>
<td>1, 2, 3, 4 and 5</td>
</tr>
</tbody>
</table>

*Note:* Additional projections and analysis indicate there may be a need for more than 600 beds, but these are still under review.

**Funding Source Key**
1. General Fund
2. REET-I
3. Public Utilities Improvement Fund
4. Jail Fund
5. Bonds

---

**Chapter 8—Juvenile Detention**

**Existing Juvenile Detention Facilities**
The 2012 inventory of County juvenile detention facilities includes 32 beds serving the county-wide population. The juvenile detention facility is located on the sixth floor of the County Courthouse at 311 Grand Avenue.

**Table 12. Inventory of Existing Juvenile Detention Facilities**

<table>
<thead>
<tr>
<th>Site No.</th>
<th>Facility Name</th>
<th>Beds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>County Courthouse (311 Grand Ave.)</td>
<td>32</td>
</tr>
</tbody>
</table>

**Future Juvenile Detention Needs**
A level of service of 0.125 beds per 1,000 population was adopted in the Whatcom County Comprehensive Plan. With projected population growth in Whatcom County over the next six years, no additional beds would be needed by the year 2018 to meet the adopted level of service.

**Proposed Juvenile Detention Projects**
No improvement projects are currently proposed that would increase the number of permanent beds within the six-year planning period.
Financing for Juvenile Detention Improvement Projects
Not applicable.

Chapter 9 – Transportation

Roads
Existing Roads
The 2011 inventory shows a total of 941.5 miles of County roads. Additionally, there are 217.5 miles of state highways in Whatcom County (including I-5). Therefore, there are approximately 1,159 miles of public roads in Whatcom County.

Future Road Needs
The Whatcom County Comprehensive Plan sets level of service (LOS) standards for County roads. Future traffic and the level of service for roads can be forecasted using computer modeling software. The Whatcom Council of Governments forecasts future traffic utilizing a computer transport model. This modeling effort will inform transportation planning in Whatcom County.

Whatcom County accomplishes planning for County road improvements by approving a Six-Year Transportation Improvement Program each year, as required by RCW 36.81.121.

Proposed Improvement Projects
The Whatcom County Council approved the Six-Year Transportation Improvement Program for the years 2013 through 2018 under Resolution No. 2012-023. This six-year plan includes preliminary planning for two proposed new road projects:

- Horton Road Connector (between Northwest Drive and Aldrich Road); and
- Lincoln Road extension (between Harborview Road and Blaine Road).

While these two projects are on the Six-Year Transportation Improvement Program, construction is not anticipated within the six-year planning period. Rather, preliminary engineering to determine project feasibility may be initiated within this time frame.

The six-year plan also includes a number of bridge replacements, several reconstruction projects, and the Birch Bay Drive & Pedestrian Facility improvements, which include pedestrian and non-motorized enhancements along Birch Bay Dr. from Alderson Rd. to Harborview Rd.

In addition to the projects in the Six-Year Transportation Program, the Lincoln Road/Birch Point connector is a developer-funded project. The project completion date is unknown because of current economic conditions.

Financing for Improvement Projects
The total cost of the County transportation projects in the Six-Year Transportation Improvement Program is $48,236,000. These costs include $24,705,000 of County funds, with the remainder being funded by the State and Federal governments. These costs are shown in greater detail in Resolution No. 2012-023.
Lummi Ferry
Existing Ferry Facilities
Whatcom County currently has one ferry vessel serving Lummi Island. The ferry runs between Lummi Island and Gooseberry Point on a daily basis.

Future Ferry Needs
The Whatcom County Comprehensive Plan sets a level of service of 513 ferry passenger trips annually per capita of Lummi Island population. Based upon projected population, the Lummi ferry will not meet the adopted level of service over the six-year planning period.

The Whatcom County Comprehensive Plan sets a level of service of 513 ferry passenger trips annually per capita of Lummi Island population. Based upon projected population, the Lummi ferry will not meet the adopted level of service over the six-year planning period. Therefore, it will be appropriate to consider revising the LOS standard during the next comprehensive plan update.

Proposed Ferry Improvement Projects
No improvement projects that would add ferry capacity are proposed within the six-year planning period.

Financing for Ferry Improvement Projects
No improvement projects that would add ferry capacity are proposed within the six-year planning period. Other ferry improvement costs are shown on the Six-Year Transportation Improvement Program.

Chapter 10 – Stormwater and Flood Protection Facilities

Stormwater
Existing Stormwater Management Facilities
Public Works Department is responsible for the design, engineering, and construction of county-owned stormwater facilities. Many stormwater facilities are road-related stormwater conveyance systems, such as culverts and ditches, on and adjacent to county roads. Others are off-right-of-way facilities that control stormflows and improve water quality.

In response to (1) increasing federal and state mandates to manage stormwater and (2) the public’s desire to improve stewardship of sensitive watersheds, Whatcom County established a Stormwater Section in the Surface Water Division of the Public Works Department in 2005. The Stormwater Section is responsible for planning, designing, engineering, and construction of stormwater facilities. Inventories of existing stormwater facilities are maintained by the Public Works Department. Engineering Services Division maintains an inventory of all road-related facilities. The Surface Water Division maintains an inventory of public and private stormwater facilities in the area covered by the county’s NPDES Phase II permit for Municipal Separate Storm Sewer Systems. This inventory includes ditches, culverts, catch basins, vaults, ponds and swales. Stormwater projects that have been constructed since the Public Works Stormwater Section was created in 2005 are listed below.
### Table 13: Stormwater projects constructed since 2005

<table>
<thead>
<tr>
<th>Site No.</th>
<th>Watershed</th>
<th>Facility Name</th>
<th>Year Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Lake Whatcom</td>
<td>Geneva stormwater retrofits</td>
<td>2008</td>
</tr>
<tr>
<td>2</td>
<td>Lake Whatcom</td>
<td>Cable Street reconstruction &amp; stormwater improvements</td>
<td>2007</td>
</tr>
<tr>
<td>3</td>
<td>Lake Whatcom</td>
<td>Lahti Drive stormwater improvements</td>
<td>2010</td>
</tr>
<tr>
<td>4</td>
<td>Lake Whatcom</td>
<td>Silver Beach Creek improvements - Brownsville Drive to E. 16th Place</td>
<td>2011</td>
</tr>
</tbody>
</table>

Whatcom County Public Works received several awards for the Silver Beach Creek improvements, which were completed in 2011 (existing site no. 4 above). Silver Beach Creek experiences increased stormwater runoff and greater peak flows due to its developed landscape. This project is designed to substantially improve water quality and reduce flooding in an especially problematic reach of the creek. The project included reshaping and stabilizing the stream channel, installing water quality treatment swales, and installing stormwater vaults. These improvements filter phosphorus-containing sediment, alleviate flooding, reduce erosion, and promote infiltration. Project construction cost was approximately $900,000 and shared between local real estate excise tax (REET) revenues and a federal EPA grant.

**Financing for Stormwater Projects**

An increasing emphasis on the protection of sensitive watersheds has resulted in the adoption of comprehensive stormwater plans for Lake Whatcom and Birch Bay. A similar plan is currently being developed by the Lake Samish community. The adopted plans identify work towards planning, design, engineering, and construction of capital projects intended for the next six years.

Capital facilities that may be constructed during the next six years are listed below. Projects are expected to be financed by a combination of REET, grants, countywide Flood Control Zone District tax revenues, local Flood Control fees and, potentially, the county general fund. Where appropriate, matching contributions from other beneficiaries will be sought.

---

*Whatcom County Comprehensive Plan*  
*F-21*
### Table 14. Lake Whatcom Stormwater Projects 2013-2018

<table>
<thead>
<tr>
<th>Project Name</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Velocity and volume reductions, Coronado</td>
<td>290,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>290,000</td>
<td>1 and 2</td>
</tr>
<tr>
<td>2. Natural drainage retrofits, Strawberry sub-basin</td>
<td>330,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>330,000</td>
<td>1 and 2</td>
</tr>
<tr>
<td>3. Euclid Ave/Cedar Hills Install rain gardens, filter vaults and swales</td>
<td>0</td>
<td>500,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>500,000</td>
<td>1 and 3</td>
</tr>
<tr>
<td>4. Velocity and volume reductions, Agate Bay Lane</td>
<td>0</td>
<td>0</td>
<td>200,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>200,000</td>
<td>1 and 3</td>
</tr>
<tr>
<td>5. Water Quality protection, Agate Heights Reduce ditch erosion and install bio-infiltration swales</td>
<td>0</td>
<td>0</td>
<td>200,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>200,000</td>
<td>1 and 3</td>
</tr>
<tr>
<td>6. Stream restoration, Beaver Creek</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>220,000</td>
<td>0</td>
<td>0</td>
<td>220,000</td>
<td>1 and 3</td>
</tr>
<tr>
<td>7. Sudden Valley, water quality improvements Drainage system upgrades and water quality facilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>200,000</td>
<td>0</td>
<td>0</td>
<td>200,000</td>
<td>1 and 2</td>
</tr>
<tr>
<td>8. Velocity reductions, Toad Lake at Academy Rd.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>400,000</td>
<td>0</td>
<td>400,000</td>
<td>1 and 2</td>
</tr>
<tr>
<td>9. Silver Beach Creek main channel restoration below Hills Dale</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>450,000</td>
<td>450,000</td>
<td>1 and 2</td>
</tr>
<tr>
<td>10. Lake Whatcom Blvd, stormwater improvements Vaults and roadside treatments</td>
<td>150,000</td>
<td>600,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>750,000</td>
<td>1, 2 and 4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>770,000</strong></td>
<td><strong>1,100,000</strong></td>
<td><strong>400,000</strong></td>
<td><strong>420,000</strong></td>
<td><strong>400,000</strong></td>
<td><strong>450,000</strong></td>
<td><strong>3,540,000</strong></td>
<td><strong>Funding Source Key</strong></td>
</tr>
<tr>
<td>1. REET II</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Grants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Flood Control Zone District taxes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Local Flood Control Subzone District Fees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Table 15. Birch-Bay Stormwater Projects 2013–2018

<table>
<thead>
<tr>
<th>Project Name</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Cottonwood By-pass Re-route to new outlet and installation of water quality treatment facilities</td>
<td>400,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>400,000</td>
<td>1, 2 and 4</td>
</tr>
<tr>
<td>2. Cottonwood- Fem &amp; &amp; Beachway Neighborhood drainage improvement</td>
<td>150,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>150,000</td>
<td>1, 2 and 4</td>
</tr>
<tr>
<td>3. Shintaffer Road/Deer Creek, Partial re-route to new upgraded outlet water quality treatment facilities</td>
<td>0</td>
<td>425,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>425,000</td>
<td>1, 2 and 4</td>
</tr>
<tr>
<td>4. Roger’s Slough, System upgrades to reduce flooding and provide water quality treatment facilities</td>
<td>50,000</td>
<td>0</td>
<td>250,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>300,000</td>
<td>1, 2 and 4</td>
</tr>
<tr>
<td>5. Birch Bay Dr, Stormwater upgrades to beach outfalls</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>500,000</td>
<td>0</td>
<td>0</td>
<td>500,000</td>
<td>1, 2, 3 and 4</td>
</tr>
<tr>
<td>6. Point Whidahorn, Drainage upgrade and water quality facility installation</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>200,000</td>
<td>0</td>
<td>0</td>
<td>200,000</td>
<td>1, 2 and 4</td>
</tr>
<tr>
<td>7. Central Birch Bay Establish one or more drainage routes from upland to bay, install or upgrade conveyance system and develop water quality treatment facilities</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>750,000</td>
<td>750,000</td>
<td>1, 2 and 4</td>
</tr>
</tbody>
</table>

**Funding Source Key**

1. REET II
2. Grants
3. Flood Control Zone District taxes
4. Local Flood Control Subzone District Fees

**Total**

<table>
<thead>
<tr>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>600,000</td>
<td>425,000</td>
<td>250,000</td>
<td>500,000</td>
<td>200,000</td>
<td>750,000</td>
<td>2,725,000</td>
<td></td>
</tr>
</tbody>
</table>

## Table 16. Lake Samish Stormwater Projects 2013–2018

<table>
<thead>
<tr>
<th>Project Name</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake Samish Stormwater Plan</td>
<td>30,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>30,000</td>
<td>1</td>
</tr>
</tbody>
</table>

**Funding Source Key**

1. REET II
2. Grants
3. Flood Control Zone District taxes
4. Local Flood Control Subzone District Fees

**Total** 30,000 0 0 0 0 0 30,000
Flood Protection

Existing Flood Protection Facilities
Whatcom County has been involved in river management and protection of infrastructure for decades. In response to the devastating floods in 1990, the County established a County-wide Flood Control Zone District to address the natural hazards associated with river flooding, lowland flooding, landslides, and coastal storms. Projects range from repairs to existing flood control facilities after flood events, to flood hazard reduction projects that typically result from a comprehensive flood hazard management planning process. Significant flood projects that have been constructed since 2000 are listed below.

Table 17. Significant flood projects constructed since 2000

<table>
<thead>
<tr>
<th>Existing Site No.</th>
<th>Location</th>
<th>Project Name</th>
<th>Year Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>South Fork Nooksack</td>
<td>Saxon Bank Stabilization Project</td>
<td>2001</td>
</tr>
<tr>
<td>2</td>
<td>Near Sumas</td>
<td>Saar Creek Sediment Trap</td>
<td>2003</td>
</tr>
<tr>
<td>3</td>
<td>Near Everson</td>
<td>Everson Overflow Bank Stabilization Project</td>
<td>2006</td>
</tr>
<tr>
<td>4</td>
<td>Near Ferndale</td>
<td>Bertrand Creek Levee Setback Project</td>
<td>2006</td>
</tr>
<tr>
<td>5</td>
<td>Deming</td>
<td>Deming Levee Rehabilitation Project</td>
<td>2008</td>
</tr>
<tr>
<td>6</td>
<td>Near Ferndale</td>
<td>Hovander Park Levee Setback Project</td>
<td>2010</td>
</tr>
<tr>
<td>7</td>
<td>Varies</td>
<td>Acquisition of flood-prone properties</td>
<td>on-going</td>
</tr>
</tbody>
</table>

Financing for Flood Protection Projects
Capital facilities that may be constructed during the next six years are listed below. Projects are expected to be financed by a combination of real estate excise taxes (REET), grants, countywide Flood Control Zone District tax revenues, local Flood Control and diking district fees and, potentially, the county general fund. Where appropriate, matching contributions from other beneficiaries will be sought.

Table 18. Flood Protection Projects 2013–2018

<table>
<thead>
<tr>
<th>Project Name</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Canyon Creek Fish Habitat Restoration and Flood Protection</td>
<td>2,226,000</td>
<td>50,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2,276,000</td>
<td>2 and 3</td>
</tr>
<tr>
<td>2. Deming School and Tribal Treatment Facilities Flood Protection</td>
<td>300,000</td>
<td>1,250,000</td>
<td>50,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,600,000</td>
<td>1,2,3 and 4</td>
</tr>
<tr>
<td>3. Jones Creek Deflection Berm Debris Flow Protection and Turkington Rd. bridge reconfiguration</td>
<td>675,000</td>
<td>325,000</td>
<td>2,000,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3,000,000</td>
<td>1,2,3 and 4</td>
</tr>
<tr>
<td>4. Swift Creek and Sumas River Bridges Sediment Management</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td>150,000</td>
<td>1,2,3 and 4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>3,226,000</td>
<td>1,650,000</td>
<td>2,075,000</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td>7,026,000</td>
<td></td>
</tr>
</tbody>
</table>

Funding Source Key
1. REET II
2. Grants
3. Flood Control Zone District taxes
4. Local Flood Control Subzone District Fees
Chapter 11 – Improvements to Existing Buildings

Whatcom County plans to make the following improvements to existing buildings within the six-year planning period to maintain or enhance the function of these structures:

Table 19. Improvement to Existing Buildings, 2013–2018

<table>
<thead>
<tr>
<th>Project Name</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>Total Cost</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Civic Center Annex - Repair &amp; retrofit, HVAC, engineering, lighting, and exterior repair</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2,000,000</td>
<td>1, 2, 3 and 5</td>
</tr>
<tr>
<td>2. Upgrade jail and juvenile controls and improve exiting</td>
<td>1,400,000</td>
<td>1,000,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2,400,000</td>
<td>1, 3, 4 and 5</td>
</tr>
<tr>
<td>3. Courthouse - Exterior engineering evaluation and repairs</td>
<td>100,000</td>
<td>300,000</td>
<td>1,000,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,400,000</td>
<td>1, 2 and 3</td>
</tr>
<tr>
<td>4. Courthouse - window replacement</td>
<td>0</td>
<td>250,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>250,000</td>
<td>1 and 3</td>
</tr>
<tr>
<td>5. Courthouse - Full suite courtroom and judicial hearing room</td>
<td>200,000</td>
<td>1,000,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,200,000</td>
<td>3 and 7</td>
</tr>
<tr>
<td>6. Reconfiguration of Triage - Engineering evaluation and remodel</td>
<td>0</td>
<td>0</td>
<td>120,000</td>
<td>0</td>
<td>800,000</td>
<td>0</td>
<td>920,000</td>
<td>2, 3, and 6</td>
</tr>
<tr>
<td>7. Reconfiguration of Old Jail - Engineering and remodel</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>120,000</td>
<td>800,000</td>
<td>0</td>
<td>920,000</td>
<td>4</td>
</tr>
<tr>
<td>8. Northwest Annex - Engineering and remodel</td>
<td>0</td>
<td>0</td>
<td>120,000</td>
<td>800,000</td>
<td>0</td>
<td>0</td>
<td>920,000</td>
<td>2 and 3</td>
</tr>
<tr>
<td>9. Whatcom County Buildings Interior Painting</td>
<td>50,000</td>
<td>50,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>100,000</td>
<td>3</td>
</tr>
<tr>
<td>10. Central Plaza Building Engineering &amp; Replacement</td>
<td>10,000</td>
<td>65,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>75,000</td>
<td>3</td>
</tr>
<tr>
<td>11. Courthouse Exit Light Replacement</td>
<td>35,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>35,000</td>
<td>3</td>
</tr>
<tr>
<td>12. Central Plaza Building Exterior Building Envelope Repairs &amp; Maintenance</td>
<td>10,000</td>
<td>40,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>50,000</td>
<td>3</td>
</tr>
</tbody>
</table>

Total: 2,805,000 3,705,000 1,240,000 920,000 1,600,000 0 10,270,000

Funding Source Key
1. Grants
2. EDI Funds
3. REFT
4. Jail Fund
5. Bonds
6. Behavioral Health Fund
7. General Fund

Whatcom County Comprehensive Plan F- 25

510
# Chapter 12 – Costs by Project Category

## Table 20: Cost by Project Category, 2013-2018

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks</td>
<td>100,000</td>
<td>400,000</td>
<td>730,000</td>
<td>430,000</td>
<td>530,000</td>
<td>280,000</td>
<td>2,470,000</td>
<td>4.76%</td>
</tr>
<tr>
<td>Trails</td>
<td>1,600,000</td>
<td>156,000</td>
<td>1,140,000</td>
<td>1,125,000</td>
<td>1,125,000</td>
<td>1,175,000</td>
<td>6,220,000</td>
<td>4.43%</td>
</tr>
<tr>
<td>Sheriff's Office</td>
<td>10,000,000</td>
<td>10,000,000</td>
<td>18,000,000</td>
<td>18,000,000</td>
<td>4,000,000</td>
<td>0</td>
<td>80,000,000</td>
<td>42.70%</td>
</tr>
<tr>
<td>Jail</td>
<td>18,606,000</td>
<td>11,205,000</td>
<td>4,470,000</td>
<td>4,552,000</td>
<td>4,552,000</td>
<td>4,551,000</td>
<td>48,236,000</td>
<td>34.33%</td>
</tr>
<tr>
<td>Transportation</td>
<td>1,400,000</td>
<td>1,525,000</td>
<td>650,000</td>
<td>920,000</td>
<td>600,000</td>
<td>1,200,000</td>
<td>6,205,000</td>
<td>4.48%</td>
</tr>
<tr>
<td>Stormwater</td>
<td>3,226,000</td>
<td>1,650,000</td>
<td>2,075,000</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td>7,026,000</td>
<td>5.00%</td>
</tr>
<tr>
<td>Flood Protection</td>
<td>2,805,000</td>
<td>3,705,000</td>
<td>1,240,000</td>
<td>920,000</td>
<td>1,800,000</td>
<td>0</td>
<td>10,270,000</td>
<td>7.31%</td>
</tr>
<tr>
<td>Existing Buildings</td>
<td>37,937,000</td>
<td>28,640,000</td>
<td>28,305,000</td>
<td>25,972,000</td>
<td>12,432,000</td>
<td>7,231,000</td>
<td>140,517,000</td>
<td>100.00%</td>
</tr>
</tbody>
</table>
APPENDIX H
APPENDIX I
**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>6/16/2016</td>
<td></td>
<td>6/21/2016</td>
<td>Introduction</td>
</tr>
<tr>
<td>Division Head:</td>
<td></td>
<td></td>
<td></td>
<td>7/12/2016</td>
<td>Council</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 of Members to Serve on the Jail Stakeholder Workgroup

**ATTACHMENTS:**
Resolution establishing the Jail Stakeholder Workgroup

**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.)
Appointment of Members to Serve on the Jail Stakeholder Workgroup

**COMMITEE ACTION:**

**COUNCIL ACTION:**

<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).
RESOLUTION NO. 2016-021

ESTABLISHING A JAIL STAKEHOLDER WORKGROUP

WHEREAS, the Whatcom County Jail is in poor condition and a safer, more secure, and healthier environment for those who work, visit, and are incarcerated within the jail is needed; and

WHEREAS, in November of 2015, Whatcom County voters rejected a ballot measure which would have funded the construction and operations of a new jail; and

WHEREAS, in March and April of 2016, the Whatcom County Council and the Bellingham City Council passed resolutions adopting a Statement of Incarceration Prevention, Criminal Justice, and Jail Planning Principals for Whatcom County’s criminal justice and behavioral health systems; and

WHEREAS, the resolutions confirmed the desire of the Whatcom County Council and Bellingham City Council to work towards having a funding proposal for a new jail on the ballot no later than November, 2017; and

WHEREAS, to address this goal of having a measure on the ballot no later than November 2017, it is necessary for Whatcom County, Bellingham, and other stakeholders to work together to address the concerns of the voters and develop a mutually agreeable plan for funding, constructing, and operating a new jail facility.

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that a Jail Workgroup will be established to provide a recommendation to the Council for the financial agreements required for development of a new jail, including the cost of the facility; the funding mechanism; and the allocation and funding of operating expenses between jurisdictions.

BE IT FURTHER RESOLVED that the members of workgroup will include the following designated officials or their representatives:

A. Two members of the Whatcom County Council;
B. Two members of the Bellingham City Council;
C. One member of the Lummi Indian Business Council;
D. One member of the Nooksack Tribal Council;
E. The Whatcom County Executive;
F. The Mayor of Bellingham;
G. One official representing the small cities;
H. The Whatcom County Sheriff; and
I. The City of Bellingham Police Chief.

The County Council will also appoint:

A. One resident of the City of Bellingham;
B. One Whatcom County resident who resides outside the City of Bellingham;
C. One member of the Incarceration Prevention and Reduction (IPR) Task Force nominated by the IPR Task Force and not already designated above; and
D. One Whatcom County Corrections Officer nominated by the Whatcom County Sheriff.
BE IT FURTHER RESOLVED that the workgroup will advise the County Council and the County Executive on the development of a new jail ballot measure to be put before the voters no later than November 2017.

BE IT FURTHER RESOLVED that the meetings of the workgroup will be open and accessible to the public and will be subject to the Open Public Meetings Act.

BE IT FINALLY RESOLVED that the workgroup will be dissolved upon adoption of a jail ballot measure by the Whatcom County Council.

APPROVED this 14th day of June, 2016.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Barry Buchanan, Council Chair

Dana Brown Davis, Clerk of the Council

APPROVED AS TO FORM:

Civil Deputy Prosecutor